

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR
LEON COUNTY, FLORIDA**

GABRIELLE ALBERT, CHIQUITA WOOLFORK BANKS,
CIMONE CARTER, CATARA COLEMAN,
RENEE DENNARD, ARIN JOHNSON,
QUINCI MOODY, DEVIN NOBLES, JR.,
SANDRA THOMPSON, and DARNELL WALKER-JONES,
Plaintiffs,

CASE NO.:

DIVISION: CIVIL

VS.

FLORIDA A&M UNIVERSITY BOARD OF TRUSTEES,
JAMAL A. BROWN, PH.D, individually and in his official capacity as a Representative of the
FAMU Board of Trustees,
NICOLE WASHINGTON, individually and in her official capacity as a Representative of the
FAMU Board of Trustees,
DEVERON GIBBONS, individually and in his official capacity as Trustee and representative of
the FAMU Board of Trustees, and in his official capacity as Chair of the FAMU Presidential
Search Committee,
JOHN CROSSMAN, individually and in his official capacity as a Representative of the FAMU
Board of Trustees,
EMERY A. GAINEY, individually and in his official capacity as a Representative of the FAMU
Board of Trustees,
RAPHEAL VAZQUEZ, individually and in his official capacity as a Representative of the
FAMU Board of Trustees,
MICHAEL WHITE, individually and in his official capacity as a Representative of the FAMU
Board of Trustees,
KEVIN LAWSON, individually and in his official capacity as a Representative of the FAMU
Board of Trustees,
BRIAN LAMB, individually and in his official capacity as Chair of the Florida Board of
Governors and a representative of the FAMU Presidential Selection Committee, and
ALAN LEVINE, individually and in his official capacity as Vice Chair of the Florida Board of
Governors and a representative of the FAMU Presidential Selection Committee,
Defendants.

_____/

PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF

COMES NOW the above-styled Plaintiffs, by and through the undersigned Attorneys
who specifically allege:

JURISDICTION AND VENUE

1. This action is subject to the jurisdiction of this Honorable Court, as it seeks equitable and injunctive relief under Chapter 1000, Chapter 1001, and Chapter 1004, Florida Statutes, and pursuant to the Constitution of the State of Florida.
2. The actions giving rise to this petition arose, accrued, or shall accrue in Tallahassee, Leon County, Florida.

THE PARTIES

3. The above-styled Plaintiffs are alumni donors with significant actual charitable contributions, positions of voluntary services, and/or other proximate ties to the FLORIDA AGRICULTURAL & MECHANICAL UNIVERSITY (herein referred to as “FAMU ”), a “state university” as defined in section 1000.21(9)(c), Florida Statutes, operating as one of 12 autonomous institutions of higher education in Florida, with a main campus located in Tallahassee, Leon County, Florida, and, a part of the collective organized as the State University System of Florida. FAMU is further a federal land-grant university. Land-grant universities are public institutions of higher education in the United States governed by provisions of the Morrill Acts of 1862 and 1890, and designated to receive federal resources and benefits per those federal provisions. As such, FAMU is specifically designated to play a significant role in advancing diversity in higher education, in facilitating more equitable research activities, and to conduct outreach for post-secondary education across all demographics, particularly in agriculture, mechanical arts, and other practical fields.

4. The Defendant FAMU BOARD OF TRUSTEES (“FAMU BOT”) is the governing agency of FAMU, the personification of Florida’s high public interest in public post-secondary education, established as a matter of law in the Florida Constitution at Article IX, in Section 7. Specifically, Article IX, Section 7(c) provides:

“Each local constituent university shall be administered by a board of trustees consisting of thirteen members dedicated to the purposes of the state university system. The board of governors shall establish the powers and duties of the boards of trustees. Each board of trustees shall consist of six citizen members appointed by the governor and five citizen members appointed by the board of governors. The appointed members shall be confirmed by the senate and serve staggered terms of five years as provided by law. The chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members. “ See also section 1001.71 and 1001.72, Florida Statutes.

The FAMU BOT is based in Tallahassee, Leon County, Florida.

5. The FLORIDA BOARD OF GOVERNORS (herein referred to as “BOG”) is a corporate body established in the Florida Constitution at Article IX, Section 7(d), and is comprised of seventeen members. The language of Article IX, Section 7(d), Florida Constitution, construed consistently with Chapter 1001, and Chapter 1004, Florida Statutes, makes it clear that the Board of Governors is tasked with the macro standards definition, oversight, regulation, and coordination of the State University System as a whole, rather than specific operation and administration of individual state universities; see section 1001.706, Florida Statutes (2025).

6. Defendants BRIAN LAMB and ALAN LEVINE are appointed members of the BOG, and hereby sued in their official capacities as representatives of the FAMU Presidential Search Committee, and further as Chair and Vice-Chair, respectively, of the BOG, based on actions in the course of the search for, and selection of the FAMU President-elect.

7. Defendant DEVERON GIBBONS is further sued in his official capacity as Vice-Chair and a representative of the FAMU BOT, and most specifically for actions as Chair of the FAMU Presidential Search Committee.

8. Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson are further sued based on actions taken in their official capacity as members of the FAMU BOT in the course of the selection of the FAMU President-elect.

FACTUAL ALLEGATIONS

9. The controversy in this case relates to the legal standards for governance of members of the State University System (“SUS”). More specifically, the controversy is whether due process requirements, and specific legal standards related to the operation and administration of a SUS institution were met in the process to select and appoint the 13th President of FAMU.

10. A complex legal governance structure exists in Florida for the governance of members of the SUS, including provisions of Article IX of the Florida Constitution, and further including provisions in Chapters 1000, 1001, and 1004, Florida Statutes, additionally in the Florida Administrative Code related to the BOG, and finally in internal operating procedures of each university. The essential principle is that, subject to compliance with law, the detail operations and administration of each university rests with the local board of trustees.

11. On or about July 12, 2024, Dr. Larry Robinson, resigned from serving as the 12th President of FAMU. Following the selection of Dr. Timothy Beard to serve as Interim President the following August, the BOT, under the leadership of Chair Kristin Harper, announced its intent to secure a private search firm to help facilitate the selection of the 13th university president.

12. Pursuant to section 1001.741(3), Florida Statutes (2025), the FAMU BOT was required to adopt governing rules and procedures to guide the presidential search and selection process. The FAMU BOT acted in compliance with this statute to adopt the official procedures to govern the search and selection of the replacement for Dr. Robinson.

13. In January 2024, the search process commenced and circa January 14, 2024, a fifteen-member presidential search committee was appointed by the FAMU BOT,¹ and held its initial meeting.

DISRUPTIVE PATTERNS OF CONDUCT INTERFERES WITH FAIR AND REASONABLE SEARCH PROCESS

14. The presidential selection committee is responsible for:

- Developing search criteria and a job description for the president.
- Recruiting and assessing qualified candidates.
- Recommending a list of qualified candidates to the Board of Trustees.

15. Upon reason and belief, Plaintiffs allege that in an early October 2024 FAMU BOT meeting, Defendant Deveron Gibbons, in his capacity as Chairman of the FAMU Presidential Selection Committee, opined among fellow Trustees that the ideal presidential candidate may not come from a “traditional academic professional background.” This early opinion was in direct contradiction to the criteria in the rules and procedures adopted by the FAMU BOT. This unofficial conclusion, stated by the search committee chair, amounted to a presumptive filter of the search criteria and process which Plaintiffs assert thoroughly jaundiced the process to follow. As further outlined in detail in the body of this complaint for injunctive relief, Defendant Gibbons engaged in a disruptive, and consistent pattern of conduct to make this presumption a self-fulfilling prophecy.

¹ See <https://www.famu.edu/about-famu/leadership/office-of-the-president/presidential-search/search-committee.php>

16. As one example of the disruptive pattern of conduct, in late 2024, the BOT, having initiated the process of hiring a search firm for recruiting and vetting of candidates, gave legal notice and scheduled a special FAMU BOT meeting on October 16, 2024, to make final selection of the search firm and move the process forward. However, while the BOT meeting was held via Zoom, and all members received notice of the meeting, a majority of trustees failed to attend, even as a stellar group of candidates had expressed early interest in the position; the failure of BOT members to attend prevented a quorum. As a result, Chair Harper was forced to postpone the meeting and delay the official launch of the search.

17. Plaintiffs allege that the “no-show” strategy was deliberate to frustrate an independent and objective search process in compliance with the adopted FAMU BOT procedures. In the course of the delay, BOT members Otis Cliatt and Kenward Stone, two independent voices urging caution and a deliberate presidential selection process, were replaced by new members; Defendant Emery Gainey and Defendant Nicole Washington. A third new trustee, Earnie Ellison Jr., was appointed by the BOG in January of 2025 to fill a separate vacancy.

18. In another example of the pattern of disruption in the presidential search process, on or about December 6, 2024, during the public BOT Meeting, held in compliance with Florida's Sunshine Law, Fla. Stat. § 286.011, and BOG Reg. 1.002, Chair Kristin Harper announced that a vote on the final selection of a search firm, had identified three top firms based on trustee scorecards; (i) Storbeck Diversified Search Group, (ii) Isaacson Miller, and (iii) Russell Reynolds, each of which had fully participated in the adopted procedures governing the selection process, including a scheduled Q&A session. In complete obstruction to Chair Harper's direction of the meeting, Defendant Michael White introduced a new (and previously unapproved) Diversity, Equity, and Inclusion ("DEI") criteria for the candidate search firms, and demanded re-

ranking of the existing candidates. By motion of Trustee Belvin Perry, a majority vote² was taken to postpone the vote for final selection of a search firm, reopen the search to all firms, and provide advance written questions to allow ample time for responses. This was yet another reset and delay serving to circumvent a fair and reasonable competitive selection of a search firm, and ultimately serving to escalate the contract fees to hire a firm to an amount exceeding \$75,000 (per BOG Reg. 18.001). When the Board reconvened, Trustee White's new DEI-based recalculation elevated the search firm of Myers McRae from outside the top three to first place. The Board then selected Myers McRae despite the original rankings and statutory procurement protections.

19. In late 2024, the Myers-McRae published a profile of the search, including the essential qualifications, duties and responsibilities that should be demonstrated by a successful candidate (**See Exhibit “A”**). The profile specifically required three objective criteria: (i) that the successful candidate hold a terminal degree; (ii) have experience at post-secondary research per the Carnegie Classification’s rubric; and (iii) have experience with NCAA Division 1 athletics. Additionally the profile required understanding of the very complicated FAMU Strategic Plan, as well as detailed expertise in leading a research university, and elite policy and financial planning expertise.

20. The Myers-McRae firm issued an advertising call for presidential candidates stating: “*The Florida A&M University Board of Trustees is seeking the next President of Florida A&M University. The right candidate should have a proven track record of leadership, be a results driven leader who can effectively attract and manage high quality talent to enable a high-performance culture, build consensus among stakeholders, and effectively respond to the evolving educational landscape...The presidency of FAMU provides a unique opportunity to lead a dynamic institution poised for continued growth and achievement. The new president will have an*

² The motion passed 8 to 5 with Trustees (Joseph) Brown, (John) Crossman, Gibbons, Harper, (Kelvin) Lawson, Perry, (Nicole) Washington, and White voting in the affirmative.

opportunity to expand academic and research programs to meet the growing economic demands of Florida and the nation...The ideal candidate will be a fiscally minded, results-driven leader who has the proven ability to drive strategic direction with the experience and ability to integrate with the external constituents of the university.”

SEARCH PROCESS HARMED BY FAILURES OF DUE PROCESS AND UNDUE SECRECY STANDARDS

21. In 2022, the BOG has determined generally that all proceedings to select university presidents in Florida should be exempt from the Florida’s Government “In the Sunshine” provisions. In an effort to enhance the pool of candidates for candidates for presidents of state universities, the Legislature enacted section 1004.098, Florida Statutes, to exempt personal identifying information of non-finalist applicants from public records requirements.³

22. Over and beyond this exemption, in this presidential search the FAMU BOT, under the auspices of the BOG, required that all members of the FAMU Presidential Search Committee execute nondisclosure agreements, completely prohibiting disclosure of any information regarding the search process, and specifically restricting disclosure of applicants.

23. Upon reason and belief, Plaintiffs assert that extraordinary pressure was exerted on the members of the search committee regarding secrecy, causing a deep chill among committee members to avoid risks of any disclosure of search process information.

24. Notwithstanding this heavy veil of secrecy over the selection process, on or about February 5, 2025, Defendant Deveron Gibbons was quoted in the *Tallahassee Democrat* reiterating a statement from a recent BOT virtual call; that “[t]he trend has been that a lot of these[university

³ There was a debate on this issue in the 2025 Florida Legislature, where House Bill (HB) 1321 was proposed to repeal this provision. It was not enacted.

] presidents are coming from the business world. We found that, most of the time, they're usually very good at running the administration of a university and have been able to be a lot better fundraisers." Plaintiffs allege that this formal, public statement by Defendant Gibbons was a part of a continuing pattern and practice to bias the selection criteria and process. Upon reason and belief, Plaintiffs assert that the qualifications of the three finalists from the selection committee represented distinguished, extensive expertise as academic executives that met the qualifications stated in the initial position profile (**See Exhibit "B"**). However, these candidates were not steeped in private corporate experience, as opposed to candidate Marva Johnson, who was a corporate executive yet possessed few of the qualifications stated in the initial position profile. Plaintiffs assert that these public statements, arguably in violation of the nondisclosure agreement of Defendant Gibbons, were expressly intended to bias the selection criteria and process to favor candidate Marva Johnson.

25. Upon reason and belief, Plaintiffs assert that on or about March of 2025, in a private meeting between Gov. Ron Desantis and several members of the Florida Legislative Black Caucus, the topic of the candidacy of Marva Johnson as FAMU president was discussed, and unofficial discussions were held to gauge support for this candidacy. Notably, at that point in time, a list of approximately sixty or so applicants for the position had yet to be publicly released per Florida law.

26. In April, 2025, the FAMU presidential selection process came under intense external scrutiny from the BOG. At a FAMU BOT meeting in April, a FAMU Assistant General Counsel informed the Trustees that the BOG had opened an investigation into the presidential process. An April, 2025 letter from BOG Inspector General to FAMU Interim President Dr. Timothy Beard (**See Exhibit "C"**) stated: "The Board of Governors Office has received concerns surrounding

confidential information related to the FAMU Presidential Search... We [BOG] are currently evaluating the information and the appropriate action to take.” The BOG requested a full list of search committee members who executed an NDA. Thus at a critical juncture in the deliberations of the FAMU Presidential Selection Committee, the prospect of legal actions for violation of privacy restrictions was raised.

27. Upon reason and belief, Plaintiffs assert that preliminary votes were held among the search committee members to condense the list of sixty applicants down to a list of three finalists.

28. On or about April 14, 2025, the Southern Association of Colleges and Schools Commission of Colleges (“SACS-COC”), issued a letter of inquiry to Interim FAMU President Dr. Timothy Beard (**See Exhibit “D”**). SACS-COC is a regional accreditation body that accredits degree-granting higher education institutions in the Southern states and certain international institutions.

The April 14, 2025, SACS-COC letter states in pertinent part:

“SACSCOC has received internal institutional communications that raise questions about ongoing compliance with the Principles of Accreditation (Principles). In addition, SACSCOC learned from several members of the institution that a member of the FAMU Board of Trustees contacted the administration in what was described as an attempt to interfere with the institution's ability to implement its policies and procedures regarding faculty employment. The documents and discussion with members of the institution raise concerns about clear distinctions between the FAMU Board of Trustees' and the administration's roles and responsibilities, particularly as it relates to the administration's ability to implement and administer policies and the general direction set by the board without undue interference. In addition, the communication between a member of the FAMU Board of Trustees and employees of the institution...”

29. Thus, the SACS-COC inquiry introduced the prospect that the disruptive, illegal and improper actions of certain members of the FAMU BOT in the course of the presidential search process jeopardized the accreditation status of FAMU. A responsive report is required to SACS-COS from FAMU on this matter by May 19, 2025.

30. On or about April 22, 2025, the *Tallahassee Democrat* published the list of finalists prior to the official release, a fact that clearly suggests that some disclosure of the candidates was made, an apparent violation of the Non-Disclosure Agreement that Trustees signed to keep the search process confidential. Defendant Gibbons gave public statements regarding the selection process in the article, yet issued public warnings for any member of the presidential selection committee and a breached of the said agreement, referencing Board of Governors Regulation 1.002. (See **Exhibit “E”**)

31. In additional reporting by the Tallahassee Democrat in April, 2025 (**See Exhibit “F”**), the significant concerns over the integrity of the presidential selection process were confirmed. The reporting is clearly limited by the veil of secrecy over the process. Still, it clearly confirmed that there was deep concern and angst among BOT members over external political pressures affecting the process, specifically pressure to add a name to the list considered for finalist. Trustee Belvin Perry is quoting as stating “Things that I’ve heard, if they’re true, bring to question the credibility of this entire search process.” Trustee Perry and Trustee Earnie Ellison moved that the entire process be suspended, and an independent consultant be hired to investigate the entire selection process. Upon reason and belief, Plaintiffs assert that in this process, President-elect Marva Johnson did not emerge as a favorable candidate in the deliberations and voting, and was ***not*** voted onto the initial and emerging lists of finalists identified by a clear majority of the committee members.

32. Upon reason and belief, Plaintiffs assert that this fact became known to parties within and outside of the selection committee, prior to the final vote. Further, with the final vote of the search committee and a list of finalists, President-elect Marva Johnson was not on the list.

33. An April 28, 2025, Tallahassee Democrat article cites an anonymous sources from BOT members who stated that Defendant Gibbons was demanding that President-elect Marva Johnson be added as a fourth finalist, on a list that initially was limited to three finalists. Upon reason and belief, Plaintiffs assert that consequently, the final vote of the search committee for a list of three finalists was recalled by disregarding the procedures adopted to govern the search process. Thereafter, the final vote was reconsidered.

34. Also, the April 28, 2025, Tallahassee Democrat article quotes Defendant Alan Levine, Vice Chair of the BOG and the BOG's representative on FAMU's presidential search committee, who had been reappointed to his position by Gov. Desantis in 2023. The article quotes Defendant Levine from an interview by phone on that day to state: "we have four excellent candidates.." The article further references communications between Defendant Levine and FAMU BOT Chairwoman Harper in which Defendant Levine recommends that the FAMU BOT give little credence to the allegations of improprieties in the selection process. This is a stark departure from the position of the BOG Inspector general in earlier communications to FAMU attorneys, and a notable change of position after candidate Johnson was added to the list of finalists. Upon reason and belief, Plaintiffs allege that President-elect Marva Johnson was added to the list of finalists over the adverse analysis and judgment of a majority of the members of the FAMU Presidential Selection Committee, and substantially by the undue influence of BOG members who were also members of the FAMU Presidential Selection Committee, and by Defendant Gibbons.

35. On or about April 22, 2025, FAMU Presidential Search Committee released a list of four finalists which included Dr. Rondall Allen, Provost at the University of Maryland Eastern Shore; Gerald Hector, Vice President for Administration and Finance at the University of Central Florida;

Dr. Donald Palm, Chief Operating Officer at FAMU, and Marva Johnson, telecommunications lobbyist.

36. On April 27, 2025, an article appeared in the journal *Florida Politics* espousing the virtues of then finalist Marva Johnson to fill the position of President.⁴

FAMU BOT DECISION TO ACCEPT MARVA JOHNSON AS A FINALIST FOR THE POSITION OF PRESIDENT DEFIED ALL LOGIC, WAS BASED ON IMPROPER FACTORS, FAILED TO CONSIDER ESSENTIAL CRITERIA, AND DEPARTED FROM THE ADOPTED RULES AND PROCEDURES GOVERNING THE PRESIDENTIAL SEARCH PROCESS

37. In pertinent part, the April 27, 2025, *Florida Politics* article stated:

“ [Marva] Johnson’s inclusion raised eyebrows, with the Tallahassee Democrat — which preempted the university in announcing the finalists — reporting rumors that she was a last-second addition to the field. One Trustee, former 9th Judicial Circuit Court Chief Judge Belvin Perry Jr., asserted that there was now a “cloud hanging” over the finalists...”

38. On or about April 24, 2025, Trustee Earnie Ellison Jr. moved to pause the presidential search and hire an independent investigator to examine allegations of impropriety in the search process. Although Defendant Deveron Gibbons dismissed these allegations as laughable, the allegations took firmer root when Defendant Alan Levine began contacting FAMU Trustees during their official proceedings to discuss their judgment in the voting. Specifically, upon reason and belief, Plaintiffs assert that as FAMU Trustees debated whether to pause the presidential search, Defendant Levine sent text messages to Trustee Ellison, and to Trustee Chair Kristin Harper— requesting both to drop any discussions about investigating the search process. Such actions are not only in direct conflict with the earlier official position in the BOG’s letter to FAMU, but they

⁴ See Florida Politics, *Marva Johnson may be unlikely, but she is the President FAMU needs and deserves*, April 27, 2025; <https://floridapolitics.com/archives/734913-marva-johnson-may-be-unlikely-but-she-is-the-president-famu-needs-and-deserves/>

also call into question Defendant Levine's fiduciary duties and whether there is a conflict of interest. Additionally they also call into question compliance with Florida Statute § 286.011.

39. Within days of moving to pause the presidential search to allow a thorough investigation of alleged improprieties, Trustee Earnie Ellison abruptly resigned from the FAMU BOT, largely due to the fact that the BOG refused to submit his name for Florida Senate confirmation, a move that essentially rescinded his appointment. One FAMU Trustee, former Ninth Judicial Circuit Chief Judge Belvin Perry, characterized Ellison's removal as "*mysterious*." The clear undercurrent of the concerns of Judge Perry statement was that Trustee Ellison was the victim of undue pressure by politically connected figures outside of the official search committee who had vested interests in the presidential selection process.

40. On or about May 6, 2025, on the day before the final vote by the FAMU BOT to select the 13th FAMU President, and during the week of on-campus interviews with the four finalists, the BOG quickly installed a new trustee, Raphael Vazquez, to replace Trustee Ellison. Defendant Vazquez had neither participated in the months' long search process or participated in any of the on-campus interviews, and yet, was still afforded the opportunity to cast a vote in the final selection—and, rather than abstain in light of the lack of time to review qualifications of all candidates, voted in favor of Marva Johnson.

41. After the list of presidential finalists was released, candidate Marva Johnson received intense scrutiny in the media and on social media from FAMU alumni, stakeholders, students, and supporters who were concerned that her objective lack of qualifications—and on campus interview—paled in comparison to the other three finalists. Tens of thousands signed letters, petitions, and made social media posts calling on Johnson to either withdraw from candidacy, or,

for Trustees to select one of the other three objectively qualified three candidates. (**See Composite Exhibit “G”**)

42. When presented with the list of finalists, Defendant FAMU BOT, knew or should have known of the intense overwhelming controversy regarding the integrity and authenticity of the selection process because a number of BOT members were also members of the FAMU Presidential Selection Committee. In addition, Trustee Perry made his position very clear, stating there was *“a cloud over the process.”* With this knowledge of the intense controversy over the process, as well as the SACS-COC letter of inquiry, and the legitimate assertions of other Trustees regarding political collusion in the process, Defendant FAMU BOT was bound by their collective fiduciary duties to address the prior motions by Trustees Ellison and Perry to conduct a thorough investigation of the entire process before moving forward.

43. Instead, Defendant FAMU BOT completely ignored all the controversy, and blindly moved forward with detailed interviews of each candidate, specifically including candidate Marva Johnson. These interviews further made clear the starkly diminished credentials and capabilities of Ms. Johnson in comparison to the other finalists. The interview and engagement proceedings made clear the deficiencies of Ms. Johnson in grasping the intricacies of academic administration, of fiscal management, and of academic research so as to meet the qualifications stated in the initial position profile.

44. With these glaring deficiencies, on May 16, 2025, Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson, in their official capacity as members of the FAMU BOT, voted to forward Defendant Marva Johnson for confirmation as FAMU’s 13th president, to be confirmed by Defendant BOG.

45. Plaintiffs assert that the Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White, Lawson, Levine and Lamb acted in concert to have Marva Johnson be included as a finalist, and ultimately to be selected from the list of finalists to fill the position of FAMU's 13th President. In light of the qualifications stated in the initial position profile, this decision dramatically deviates from the announced qualifications expected of a successful candidate, it further defies all reason and logic in light of the leadership requirements of the extensive Strategic Plan of FAMU, and therefore it was based on improper factors, and failed to consider essential criteria. The process of adding candidate Marva Johnson to the list of finalists for the position departed from the adopted rules and procedures adopted by the FAMU BOT to govern the presidential search process.

46. Notwithstanding these obvious, glaring irregularities, Plaintiffs allege that on May 16, 2025 – the very day Ms. Johnson was chosen – Florida Attorney General James Uthmeier, Gov. Desantis's former Chief of Staff, publicly boasted on social media about the FAMU presidential selection by congratulating Marva Johnson and crediting, in his words, “*Team DeSantis and the [State University System] for driving this home!*” (See Exhibit “H”).

47. The FAMU BOT subsequently entered deliberations to negotiate the presidential compensation for President-elect Johnson. Under Florida law, the State is only required to pay \$200,000 of presidential compensation, and the presidential compensation over this threshold must be paid from university auxiliary resources; historically at FAMU the resource has been the FAMU Foundation. In her closing remarks, prior to the vote appointing Johnson, FAMU BOT Chair Kristin Harper addressed the salary which was requested by President-elect in her application. Chair Harper announced that the salary requested by Johnson dramatically exceeded any salary paid in the history of presidential compensation at FAMU. Chair Harper opined further that any

attempt to draw the requested excess funds from the FAMU Foundation would place the organization in a fiscal crisis.

48. Consistent with this concern, on or about May 29, 2025, Laurence Humphries, in his official capacity as a Foundation Director, moved that the auxiliary group table consideration of President-elect Johnson's compensation package until such time as a formal contract could be weighed by the group to determine if the requested funds were available to cover the full contract compensation.⁵ Plaintiff Humphries's motion passed, and the matter was tabled to give the Foundation time to determine economic feasibility.

49. On or about June 6, 2025, despite knowing that the FAMU Foundation had yet to complete its financial feasibility study, Defendant BOT voted 8-3 to approve a compensation package worth approximately \$4.8 million dollars over five years. Further, Defendant Nicole Washington issued a not so veiled threat of "*decertifying*" the Foundation if it did not accede to Defendant BOT's negotiated salary.

50. Defendant Washington sought advice of newly appointed University General Counsel Avery McKnight on this point, in which McKnight advised that, *"the Board (of Trustees) can require the Foundation to, by denying its uh suggested budget and requiring them to make changes to that budget consistent with the obligations contained in President-elect Johnson's contract...in exercising its best interest, the Board can inform the FAMU Foundation that it needs to amend its budget such that funds will be reallocated to fund this contract -- and as stated by Trustee Washington, within a certain timeframe."*

51. Plaintiffs allege this legal advice contravenes Florida Statutes §1004.28(2)(b), which holds in pertinent part that BOT authority over the Foundation is limited to written directives consistent

⁵ The full contract compensation now under deliberation amounts to \$4 million to \$5 million range over five years

with Board of Governors rules; it does *not* permit the BOT to compel budget amendments or mandate specific expenditures. Invariably, the above-listed statute limits Trustee oversight to regulatory compliance and the use of university property and facilities, not operational budget control by a derivative third party.

52. Plaintiffs allege that Florida Board of Governors Regulation 9.011, is authorized by, and incorporates by reference Florida Statute §1004.28, confirms that direct-support organizations (such as the FAMU Foundation) operate as independent entities with their own boards of directors responsible for fiduciary decisions, including budget allocation and expenditure authorization.

53. Plaintiffs further allege that the Memorandum of Understanding (MOU) between FAMU and the FAMU Foundation, and the Foundation's by-laws, reserve budget approval *exclusively* to the Foundation Board, consistent with the Foundation's status as an independent Florida not-for-profit corporation under Chapter 617. (See Exhibit “I”)

54. Plaintiffs also allege that, per Florida Statutes §1012.975—1012.976, presidential pay is capped at \$200,000, and further, contributions to a presidential compensation package by any direct-support organization, such as the FAMU Foundation, is voluntary and subject to its independent financial audit review and fiduciary processes. Very significantly, subsection two (2) of Florida Statute §1012.975 provides that, if a party providing private compensation *"is unable or unwilling to fulfill an obligation,"* then *"public funds may not be used to fulfill such obligation."*

55. Any external influence by the BOG regarding these operational matters are constitutionally restricted. Article IX, Section 7(d) of the Florida Constitution establishes that university boards of trustees *"administer"* universities while the Board of Governors *"governs"* the system, with neither entity possessing authority to compel independent corporations (such as the FAMU Foundation) to make expenditures contrary to their own corporate governance structures.

COUNT I: MANDATORY INJUNCTIVE RELIEF

56. Plaintiff restates and incorporates by reference paragraphs one (1) through 55 of the above complaint.

57. Plaintiffs assert that urgent action by this Honorable Court is necessary to to compel the FAMU BOT to act to engage an independent consultant to conduct a full and complete investigation of the entire presidential process as undertaken to appoint the 13th FAMU President. Plaintiffs assert that this action is necessary for full disclosure of facts so as to analyze whether the requirements of law were met, and further to prevent certain injury to the governance of FAMU, and to prevent damage to the fiscal stability of FAMU, and further to prevent damage to the general public interest in the legal standards governing the selection of a president to Florida universities; see *Mayor's Jewelers, Inc. v. State of Cal. Public Employees' Retirement System*, 685 So. 2d 904 (Fla. 4th D.C.A. 1996), *rev. denied*, 691 So. 2d 1081 (Fla. 1997).

58. Members of the FAMU BOT, with first-hand knowledge of the controlling facts, have been forceful in calling for such an investigation. The FAMU accreditation agency, with knowledge of certain controlling facts, has requested such an investigation. Yet, a majority of the members of Defendant FAMU BOT have steadfastly reject these calls.

59. Upon reason and belief, Plaintiffs assert that the calls for an investigation have been based on facts which imply violations of the laws governing the selection of presidents at Florida universities. Thus, the FAMU corporate body, its constituencies, and the general public have a distinct right to ensure that the laws governing this process were not violated, and that due process was afforded in this process.

60. Plaintiffs are obligated to fully and adequately inform this Honorable Court as to the legal discrepancies in the entirety of the FAMU Presidential selection process.

Irreparable Harm

61. Irreparable injury is an injury which is of a peculiar nature, so that compensation in money cannot atone for it. *Mullinix v. Mullinix*, 182 So. 2d 268 (Fla. Dist. Ct. App. 4th Dist. 1966); *First Nat. Bank in St. Petersburg v. Ferris*, 156 So. 2d 421 (Fla. Dist. Ct. App. 2d Dist. 1963).

62. To allow the FAMU BOT decision to proceed without independent investigation and review is to inculcate this illicit conduct into the very governance of a nationally distinguished institution of higher learning. This result will cause Plaintiffs to suffer irreparable harm as Defendants have clearly demonstrated little to no regard for the fiscal health of the university. Thus, there is great risk that financial contributions, and volunteer efforts by Defendants will be allocated to unsound governance practices and therefore wasted. Plaintiffs assert that Defendants have used an overbearing cloak of secrecy by weaponizing the nondisclosure agreements and masking gross illegal and improper conduct in the presidential search process.

63. Defendants have shown complete disregard for violations of law, risks to accreditation status, and, most specifically President-elect Marva Johnson, has demonstrated no initiative to invite review and audit of the presidential selection process in order to restore integrity to her appointment.

64. Therefore, it seems clear that absent an order from this court, no independent review will occur, and the deep and long-term injury caused by this illicit process to the FAMU community and to the institution as a whole, and further to public education in Florida, and certainly to the constitutional integrity anticipated by the general public for post-secondary education, will be

forever buried under the cloak of secrecy which guided this FAMU presidential search process. This action is the only reasonable opportunity is to mandate a full, evidenced-based inquiry into the entire FAMU Presidential selection process; as requested by members of the FAMU BOT and the accreditation agency. No economic damages are rational or reasonable to address the harm that will suffered absent this court granting Plaintiffs prayer for relief.

Risk of Fiscal Harm

65. Plaintiffs will suffer particular, deep harm if Defendant FAMU BOT proceeds to force the FAMU Foundation to act in a fiscally irresponsible manner to pay an under-qualified executive a salary never before paid to any executive this institution, and to do so by allocating funds obligated for existing priorities, to meet a compensation package beyond the ability of the university to pay. Defendants will suffer long-term harm as the reputation of the institution among potential contributors will be substantially harmed, and existing charitable contributions stand to be wasted, while valid academic priorities, offerings and research activities are put at risk.

66. Defendants have demonstrated the absolute intent to allocate funds, potentially by force if necessary, to pay a presidential compensation package which by all reasonable evidence poses great risk for the fiscal soundness of the university. Plaintiffs assert that the facts and allegations stated herein offer persuasive justification for an independent fiscal analysis of the FAMU offer of a presidential compensation package to the President-elect. Therefore, Petitioners assert that this Honorable Court should authorize the FAMU Foundation to conduct a full and complete financial analysis of the terms of a fiscally responsible presidential compensation package for FAMU, and present its findings to the FAMU BOT. The findings of this report should be the guiding metrics

for a fiscally responsibility for a final FAMU presidential compensation package, no matter the source of the funds to meet the package.

67. There Is No Adequate Remedy At Law To Protect Plaintiffs' Interests: There is no adequate remedy at law to reasonably address the ongoing reality and very real risk of harm in this matter to the FAMU corporate body, to the interests of the constituencies of FAMU, and to Plaintiffs. As set forth herein, when the Board of Governors confirms the vote of the FAMU BOT to hire Marva Johnson as the next President of FAMU, it represents a certification and stamp of approval as to the integrity of the presidential selection process. The majority that voted to hire Marva Johnson has clearly given indication that it will enter into a fiscally irresponsible employment contract, and once under contract as President, there would be no reasonable remedy for Plaintiffs to call this process into account.

68. Issuance of Injunctive Relief Would Not Be Adverse To Public Interest: If Defendants are allowed to succeed in their concerted effort, a complex legal cloud will be placed over FAMU, and public education generally in Florida. By granting the remedy requested herein to authorize a full, independent and complete investigation of the FAMU presidential search process, the Court will promote the public interest, ensure fiscal responsibility at a state-funded institution of higher learning, and protect the integrity of the Constitution of the State of Florida as it relates to higher education.

69. Plaintiffs have sufficiently plead the elements and supporting facts of the controversy in this matter in this count and in the count below and assert that there is substantial evidence, and a favorable result is more than likely in this matter. Plaintiff assert that further discovery will disclose relevant information to support the pleadings and confirm allegations in this controversy.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court grant mandatory injunctive relief requiring the FAMU BOT to engage an independent consultant to conduct a full investigation of the presidential selection process of the FAMU Presidential Selection Committee, and further investigate the FAMU BOT deliberations to appoint the President-elect, and specifically to take statements from members of the FAMU Presidential Selection Committee that are held confidential to avoid violation of the nondisclosure agreements, but with full authority to include pertinent findings from such statements in the final report. Additionally, since the Defendants who are FAMU BOT members have been complicit in the full set of circumstances driving this controversy, and these same Defendants hold a majority vote on the FAMU BOT, Plaintiffs assert that Defendant FAMU BOT should not be in control of the selection of the independent consultant. Plaintiffs request that if this Court grants the requested remedy, the FAMU Foundation should be authorized to select the independent consultant to conduct this investigation.

Additionally, Plaintiffs further and respectfully request that this Honorable Court grant mandatory injunctive relief requiring the FAMU Foundation to conduct a full and complete financial analysis of the terms of a fiscally responsible presidential compensation package for FAMU, and present its findings to the FAMU BOT. The findings of this report should be the guiding metrics for a fiscally responsibility final FAMU presential compensation package, no matter the source of the funds to meet the package.

COUNT II: BREACH OF FIDUCIARY DUTY

70. Plaintiffs restate and incorporate by reference the allegations in paragraphs 1 through 69 of the above complaint.

71. Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson in their official capacity as members of the FAMU BOT each owe a fiduciary duty to the university. A university trustee's fiduciary duty encompasses three core obligations: care, loyalty, and obedience. These duties are legally binding, meaning trustees must prioritize the university's best interests above their own, or others adverse to the university. They must act with diligence, loyalty, and in accordance with applicable laws and institutional policies.

72. A breach of the university trustee's fiduciary duty occurs when a trustee fails to act in the best interests of the university, its students, and its endowment. The detail elements of the university trustee fiduciary duty include: (i) **Duty of Care:** Requires exercise of reasonable care and diligence in managing the university's affairs, including its finances and investments; (ii) **Duty of Loyalty:** Requires acting in the best interests of the university and avoiding conflicts of interest; and (iii) **Duty of Obedience:** Requires obedience to and compliance with university's policies and procedures, and any applicable laws and regulations.

73. Upon reason and belief, Plaintiffs allege that in the FAMU presidential search process, Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson, each individually and collectively committed gross negligence in their individual and collective deliberation and judgment as to the best qualified candidate to serve as the 13th university president. Plaintiffs allege further that Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson, each individually and collectively demonstrated gross disregard for the vital interests of FAMU as they shared or misused confidential information in the

deliberations and final decision process, actions which ultimately leveraged the best interests of President-elect Marva Johnson, and the best interests of the BOG, over the best interests of FAMU.

74. This conduct, by each Defendant/Trustee, constitutes a violation of their fiduciary duty to FAMU. The competence and capability of the next President of FAMU to effectively govern a nationally distinguished institution of higher learning, particularly in light of the complexity of national, state and local issues facing public universities, are clear and definitely factors in the assessment of the trustees' fiduciary duties. Thus the deliberations, judgment and ultimate decision to select a president are essential to the functioning and wellbeing of the university. Should a president selected by a university board of trustees be so substantially ill equipped and unprepared to tackle the challenges of the university, to the point that it places distinct risk to the university, then that selection borders on an act of negligence. Moreover, in the case of this particular set of circumstances, the actions of Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson have caused FAMU to be thrust into the focus of national news, and specifically cast light upon the discrepancies of the presidential selection process, resulting in significant damage to FAMU's distinguished national reputation and has eroded public trust.

75. Plaintiffs allege that should an independent investigation and audit of the FAMU presidential search process confirm that Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson were knowingly complicit in, or engaged in illicit conduct which substantially and adversely affected the presidential selection process, then the appropriate remedies for the such conduct are: (i) **Legal Liability:** Trustees can be held personally liable for breaches of fiduciary duty; (ii) **Damages:** Those harmed by a breach may be able to sue for financial damages, such as lost profits or diminished asset value; and (iii) **Removal from Office:** Trustees who breach their fiduciary duties may be removed from their positions. The trustees'

violation of fiduciary duties implicated in the harm in this case cannot be adequately remedied by monetary damages alone because this governance structure remains, and the prospect of further actions of the type demonstrated in the presidential process seems eminent. The devaluing of the FAMU culture, of the FAMU students, faculty and alumni, and the disregard of long-time FAMU corporate supporters is particularly impactful.

Proposed Florida Legislature Breach of Statutory Caps to Pay President-elect Johnson

76. In a late development, on or about Friday, June 13, 2025, a last minute state budget amendment was bumped up for approval by the House Speaker and Senate President that would allow the FAMU BOT to use carry forward funds to fill any gap in the president's proposed salary for the first year of an anticipated contract. This maneuver, if authorized, is a breach of statutory provisions that set a cap for state funding of presidential pay at \$200,000 as delineated herein. By reasons of belief, plaintiffs assert that the Defendant BOT and individual Defendant trustees, are seeking to evade judgment and management of FAMU executives by creating a financial deficit, using state distributed funds that are not earmarked for presidential salaries.

77. When the Foundation indicated that it lacked the funds to supplement the contract that the BOT and Johnson entered into on June 6, 2025, Defendants responded first by threatening to take illegal action to decertify the Foundation as a university auxiliary/direct support organization, and then acted in concert to reject the Foundation proposed budget during its June 12th meeting.

78. This clandestine state budget maneuver includes authorization for the FAMU BOT to raid the university reserve funds to complete the presidential compensation package. This proposed authorization would require no review by any university administrator, and notably would not

require review by the independent auditor for the university. Arguably, this provision could directly impact the university's fiscal audit.

79. This legislation is legally suspect in terms of compliance with state constitutional requirements for spending authority, and further suspect in light of previously cited statutes governing fiscal administration of state universities.

80. Plaintiffs allege that this legislative maneuver is most telling as a breach of fiduciary duty because it is pure, raw retaliation against the FAMU Foundation directors, the minority of trustees, including Chair Harper, who have argued that the compensation package is not fiscally responsible for FAMU, and against the university corporate body as a whole. This maneuver seeks to mandate FAMU to pay a level of compensation to a newly hired employee, based on the newly hired employee's request, over objections by the employers' executives. Most notably, this maneuver serves to entrench the BOT's micromanagement on this particular issue and, if enacted and implemented by the FAMU BOT, would force university administrators to deal with audit ramifications, and possibly search for replacement funds for the reserves.

81. Plaintiffs allege that Defendants, have turned a deaf ear to current and former trustees and university stakeholders and their requests to address the clear and apparent irregularities in the presidential search process, especially in light of the concerns of the SACS accrediting agency, which conduct is inexcusable.

82. Plaintiffs allege further that in escalating the controversy to demand an irresponsible presidential compensation package, Defendants demonstrated total disregard for the legal standards of governance of the university.

83. There is a dark cloud over the FAMU presidential selection process; first as to whether the selection process met the requirements of law, and further whether improprieties in the process

have adversely affected FAMU's accreditation, and additionally, whether the selection decision was arbitrary and capricious, and finally, whether the compensation package requested by the appointed candidate is within the financial capacity of the university.

84. In the face of this intense controversy, the Defendants who are members of the FAMU BOT have embarked upon a clear and deliberate pattern of conduct which is the height of fiduciary irresponsibility. These Defendants have discreet knowledge of the underlying facts; knowledge not available to the public, and they further have a clear duty to preserve the interests of FAMU in light of this knowledge, above any other interested party. To have persistently ignored any substantive inquiry into these allegations is negligent.

WHEREFORE , Plaintiffs request that this Honorable Court reserve jurisdiction in this matter pending the final investigative report of the independent consultant authorized herein. Should the final report of this investigation confirm that Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson breached their fiduciary duty to the FAMU corporate body, Plaintiffs request that this Honorable Court impose remedies for such breach as are required by law.

PUBLIC POLICY

85. The public interest and sanctity of public education will be supported by granting the temporary mandatory relief..

86. The fiscal integrity of state funds allocated to FAMU will be preserved.

87. The reputation of FAMU, the professionalism of its governance, and its national stature as an academic institution will be revitalized.

Respectfully Submitted,

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**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “A”

FAMU Presidential Search Committee Presential search profile

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “B”

Curriculums Vitae of Finalist Selected by the FAMU Presidential Selection Committee

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “C”

Letter Dated April 21, 2025 From Florida Board of Governors to FAMU Interim President
Timothy Beard, Ph.D.

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “D”

Letter Dated April 14, 2025 from Southern Association of Colleges and Schools to FAMU
Interim President Timothy Beard, Ph.D

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “E”

April 22, 2025 Tallahassee Democrat article

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “F” COMPOSITE

Tallahassee Democrat articles: April 24, April 25, and April 28, 2025

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “G”

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “H”

Florida Attorney General James Uthmeier post

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “I”

Memorandum of Understanding (MOU) between FAMU and the FAMU Foundation

4. The Defendant FAMU BOARD OF TRUSTEES (“FAMU BOT”) is the governing agency of FAMU, the personification of Florida’s high public interest in public post-secondary education, established as a matter of law in the Florida Constitution at Article IX, in Section 7. Specifically, Article IX, Section 7(c) provides:

“Each local constituent university shall be administered by a board of trustees consisting of thirteen members dedicated to the purposes of the state university system. The board of governors shall establish the powers and duties of the boards of trustees. Each board of trustees shall consist of six citizen members appointed by the governor and five citizen members appointed by the board of governors. The appointed members shall be confirmed by the senate and serve staggered terms of five years as provided by law. The chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members. “ See also section 1001.71 and 1001.72, Florida Statutes.

The FAMU BOT is based in Tallahassee, Leon County, Florida.

5. The FLORIDA BOARD OF GOVERNORS (herein referred to as “BOG”) is a corporate body established in the Florida Constitution at Article IX, Section 7(d), and is comprised of seventeen members. The language of Article IX, Section 7(d), Florida Constitution, construed consistently with Chapter 1001, and Chapter 1004, Florida Statutes, makes it clear that the Board of Governors is tasked with the macro standards definition, oversight, regulation, and coordination of the State University System as a whole, rather than specific operation and administration of individual state universities; see section 1001.706, Florida Statutes (2025).

6. Defendants BRIAN LAMB and ALAN LEVINE are appointed members of the BOG, and hereby sued in their official capacities as representatives of the FAMU Presidential Search Committee, and further as Chair and Vice-Chair, respectively, of the BOG, based on actions in the course of the search for, and selection of the FAMU President-elect.

7. Defendant DEVERON GIBBONS is further sued in his official capacity as Vice-Chair and a representative of the FAMU BOT, and most specifically for actions as Chair of the FAMU Presidential Search Committee.

8. Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson are further sued based on actions taken in their official capacity as members of the FAMU BOT in the course of the selection of the FAMU President-elect.

FACTUAL ALLEGATIONS

9. The controversy in this case relates to the legal standards for governance of members of the State University System (“SUS”). More specifically, the controversy is whether due process requirements, and specific legal standards related to the operation and administration of a SUS institution were met in the process to select and appoint the 13th President of FAMU.

10. A complex legal governance structure exists in Florida for the governance of members of the SUS, including provisions of Article IX of the Florida Constitution, and further including provisions in Chapters 1000, 1001, and 1004, Florida Statutes, additionally in the Florida Administrative Code related to the BOG, and finally in internal operating procedures of each university. The essential principle is that, subject to compliance with law, the detail operations and administration of each university rests with the local board of trustees.

11. On or about July 12, 2024, Dr. Larry Robinson, resigned from serving as the 12th President of FAMU. Following the selection of Dr. Timothy Beard to serve as Interim President the following August, the BOT, under the leadership of Chair Kristin Harper, announced its intent to secure a private search firm to help facilitate the selection of the 13th university president.

12. Pursuant to section 1001.741(3), Florida Statutes (2025), the FAMU BOT was required to adopt governing rules and procedures to guide the presidential search and selection process. The FAMU BOT acted in compliance with this statute to adopt the official procedures to govern the search and selection of the replacement for Dr. Robinson.

13. In January 2024, the search process commenced and circa January 14, 2024, a fifteen-member presidential search committee was appointed by the FAMU BOT,¹ and held its initial meeting.

DISRUPTIVE PATTERNS OF CONDUCT INTERFERES WITH FAIR AND REASONABLE SEARCH PROCESS

14. The presidential selection committee is responsible for:

- Developing search criteria and a job description for the president.
- Recruiting and assessing qualified candidates.
- Recommending a list of qualified candidates to the Board of Trustees.

15. Upon reason and belief, Plaintiffs allege that in an early October 2024 FAMU BOT meeting, Defendant Deveron Gibbons, in his capacity as Chairman of the FAMU Presidential Selection Committee, opined among fellow Trustees that the ideal presidential candidate may not come from a “traditional academic professional background.” This early opinion was in direct contradiction to the criteria in the rules and procedures adopted by the FAMU BOT. This unofficial conclusion, stated by the search committee chair, amounted to a presumptive filter of the search criteria and process which Plaintiffs assert thoroughly jaundiced the process to follow. As further outlined in detail in the body of this complaint for injunctive relief, Defendant Gibbons engaged in a disruptive, and consistent pattern of conduct to make this presumption a self-fulfilling prophecy.

¹ See <https://www.famu.edu/about-famu/leadership/office-of-the-president/presidential-search/search-committee.php>

16. As one example of the disruptive pattern of conduct, in late 2024, the BOT, having initiated the process of hiring a search firm for recruiting and vetting of candidates, gave legal notice and scheduled a special FAMU BOT meeting on October 16, 2024, to make final selection of the search firm and move the process forward. However, while the BOT meeting was held via Zoom, and all members received notice of the meeting, a majority of trustees failed to attend, even as a stellar group of candidates had expressed early interest in the position; the failure of BOT members to attend prevented a quorum. As a result, Chair Harper was forced to postpone the meeting and delay the official launch of the search.

17. Plaintiffs allege that the “no-show” strategy was deliberate to frustrate an independent and objective search process in compliance with the adopted FAMU BOT procedures. In the course of the delay, BOT members Otis Cliatt and Kenward Stone, two independent voices urging caution and a deliberate presidential selection process, were replaced by new members; Defendant Emery Gainey and Defendant Nicole Washington. A third new trustee, Earnie Ellison Jr., was appointed by the BOG in January of 2025 to fill a separate vacancy.

18. In another example of the pattern of disruption in the presidential search process, on or about December 6, 2024, during the public BOT Meeting, held in compliance with Florida's Sunshine Law, Fla. Stat. § 286.011, and BOG Reg. 1.002, Chair Kristin Harper announced that a vote on the final selection of a search firm, had identified three top firms based on trustee scorecards; (i) Storbeck Diversified Search Group, (ii) Isaacson Miller, and (iii) Russell Reynolds, each of which had fully participated in the adopted procedures governing the selection process, including a scheduled Q&A session. In complete obstruction to Chair Harper's direction of the meeting, Defendant Michael White introduced a new (and previously unapproved) Diversity, Equity, and Inclusion ("DEI") criteria for the candidate search firms, and demanded re-

ranking of the existing candidates. By motion of Trustee Belvin Perry, a majority vote² was taken to postpone the vote for final selection of a search firm, reopen the search to all firms, and provide advance written questions to allow ample time for responses. This was yet another reset and delay serving to circumvent a fair and reasonable competitive selection of a search firm, and ultimately serving to escalate the contract fees to hire a firm to an amount exceeding \$75,000 (per BOG Reg. 18.001). When the Board reconvened, Trustee White's new DEI-based recalculation elevated the search firm of Myers McRae from outside the top three to first place. The Board then selected Myers McRae despite the original rankings and statutory procurement protections.

19. In late 2024, the Myers-McRae published a profile of the search, including the essential qualifications, duties and responsibilities that should be demonstrated by a successful candidate (**See Exhibit “A”**). The profile specifically required three objective criteria: (i) that the successful candidate hold a terminal degree; (ii) have experience at post-secondary research per the Carnegie Classification’s rubric; and (iii) have experience with NCAA Division 1 athletics. Additionally the profile required understanding of the very complicated FAMU Strategic Plan, as well as detailed expertise in leading a research university, and elite policy and financial planning expertise.

20. The Myers-McRae firm issued an advertising call for presidential candidates stating: “*The Florida A&M University Board of Trustees is seeking the next President of Florida A&M University. The right candidate should have a proven track record of leadership, be a results driven leader who can effectively attract and manage high quality talent to enable a high-performance culture, build consensus among stakeholders, and effectively respond to the evolving educational landscape...The presidency of FAMU provides a unique opportunity to lead a dynamic institution poised for continued growth and achievement. The new president will have an*

² The motion passed 8 to 5 with Trustees (Joseph) Brown, (John) Crossman, Gibbons, Harper, (Kelvin) Lawson, Perry, (Nicole) Washington, and White voting in the affirmative.

opportunity to expand academic and research programs to meet the growing economic demands of Florida and the nation...The ideal candidate will be a fiscally minded, results-driven leader who has the proven ability to drive strategic direction with the experience and ability to integrate with the external constituents of the university.”

SEARCH PROCESS HARMED BY FAILURES OF DUE PROCESS AND UNDUE SECRECY STANDARDS

21. In 2022, the BOG has determined generally that all proceedings to select university presidents in Florida should be exempt from the Florida’s Government “In the Sunshine” provisions. In an effort to enhance the pool of candidates for candidates for presidents of state universities, the Legislature enacted section 1004.098, Florida Statutes, to exempt personal identifying information of non-finalist applicants from public records requirements.³

22. Over and beyond this exemption, in this presidential search the FAMU BOT, under the auspices of the BOG, required that all members of the FAMU Presidential Search Committee execute nondisclosure agreements, completely prohibiting disclosure of any information regarding the search process, and specifically restricting disclosure of applicants.

23. Upon reason and belief, Plaintiffs assert that extraordinary pressure was exerted on the members of the search committee regarding secrecy, causing a deep chill among committee members to avoid risks of any disclosure of search process information.

24. Notwithstanding this heavy veil of secrecy over the selection process, on or about February 5, 2025, Defendant Deveron Gibbons was quoted in the *Tallahassee Democrat* reiterating a statement from a recent BOT virtual call; that “[t]he trend has been that a lot of these[university

³ There was a debate on this issue in the 2025 Florida Legislature, where House Bill (HB) 1321 was proposed to repeal this provision. It was not enacted.

] presidents are coming from the business world. We found that, most of the time, they're usually very good at running the administration of a university and have been able to be a lot better fundraisers." Plaintiffs allege that this formal, public statement by Defendant Gibbons was a part of a continuing pattern and practice to bias the selection criteria and process. Upon reason and belief, Plaintiffs assert that the qualifications of the three finalists from the selection committee represented distinguished, extensive expertise as academic executives that met the qualifications stated in the initial position profile (**See Exhibit "B"**). However, these candidates were not steeped in private corporate experience, as opposed to candidate Marva Johnson, who was a corporate executive yet possessed few of the qualifications stated in the initial position profile. Plaintiffs assert that these public statements, arguably in violation of the nondisclosure agreement of Defendant Gibbons, were expressly intended to bias the selection criteria and process to favor candidate Marva Johnson.

25. Upon reason and belief, Plaintiffs assert that on or about March of 2025, in a private meeting between Gov. Ron Desantis and several members of the Florida Legislative Black Caucus, the topic of the candidacy of Marva Johnson as FAMU president was discussed, and unofficial discussions were held to gauge support for this candidacy. Notably, at that point in time, a list of approximately sixty or so applicants for the position had yet to be publicly released per Florida law.

26. In April, 2025, the FAMU presidential selection process came under intense external scrutiny from the BOG. At a FAMU BOT meeting in April, a FAMU Assistant General Counsel informed the Trustees that the BOG had opened an investigation into the presidential process. An April, 2025 letter from BOG Inspector General to FAMU Interim President Dr. Timothy Beard (**See Exhibit "C"**) stated: "The Board of Governors Office has received concerns surrounding

confidential information related to the FAMU Presidential Search... We [BOG] are currently evaluating the information and the appropriate action to take.” The BOG requested a full list of search committee members who executed an NDA. Thus at a critical juncture in the deliberations of the FAMU Presidential Selection Committee, the prospect of legal actions for violation of privacy restrictions was raised.

27. Upon reason and belief, Plaintiffs assert that preliminary votes were held among the search committee members to condense the list of sixty applicants down to a list of three finalists.

28. On or about April 14, 2025, the Southern Association of Colleges and Schools Commission of Colleges (“SACS-COC”), issued a letter of inquiry to Interim FAMU President Dr. Timothy Beard (**See Exhibit “D”**). SACS-COC is a regional accreditation body that accredits degree-granting higher education institutions in the Southern states and certain international institutions.

The April 14, 2025, SACS-COC letter states in pertinent part:

“SACSCOC has received internal institutional communications that raise questions about ongoing compliance with the Principles of Accreditation (Principles). In addition, SACSCOC learned from several members of the institution that a member of the FAMU Board of Trustees contacted the administration in what was described as an attempt to interfere with the institution's ability to implement its policies and procedures regarding faculty employment. The documents and discussion with members of the institution raise concerns about clear distinctions between the FAMU Board of Trustees' and the administration's roles and responsibilities, particularly as it relates to the administration's ability to implement and administer policies and the general direction set by the board without undue interference. In addition, the communication between a member of the FAMU Board of Trustees and employees of the institution...”

29. Thus, the SACS-COC inquiry introduced the prospect that the disruptive, illegal and improper actions of certain members of the FAMU BOT in the course of the presidential search process jeopardized the accreditation status of FAMU. A responsive report is required to SACS-COS from FAMU on this matter by May 19, 2025.

30. On or about April 22, 2025, the *Tallahassee Democrat* published the list of finalists prior to the official release, a fact that clearly suggests that some disclosure of the candidates was made, an apparent violation of the Non-Disclosure Agreement that Trustees signed to keep the search process confidential. Defendant Gibbons gave public statements regarding the selection process in the article, yet issued public warnings for any member of the presidential selection committee and a breached of the said agreement, referencing Board of Governors Regulation 1.002. (See **Exhibit “E”**)

31. In additional reporting by the Tallahassee Democrat in April, 2025 (**See Exhibit “F”**), the significant concerns over the integrity of the presidential selection process were confirmed. The reporting is clearly limited by the veil of secrecy over the process. Still, it clearly confirmed that there was deep concern and angst among BOT members over external political pressures affecting the process, specifically pressure to add a name to the list considered for finalist. Trustee Belvin Perry is quoting as stating “Things that I’ve heard, if they’re true, bring to question the credibility of this entire search process.” Trustee Perry and Trustee Earnie Ellison moved that the entire process be suspended, and an independent consultant be hired to investigate the entire selection process. Upon reason and belief, Plaintiffs assert that in this process, President-elect Marva Johnson did not emerge as a favorable candidate in the deliberations and voting, and was *not* voted onto the initial and emerging lists of finalists identified by a clear majority of the committee members.

32. Upon reason and belief, Plaintiffs assert that this fact became known to parties within and outside of the selection committee, prior to the final vote. Further, with the final vote of the search committee and a list of finalists, President-elect Marva Johnson was not on the list.

33. An April 28, 2025, Tallahassee Democrat article cites an anonymous sources from BOT members who stated that Defendant Gibbons was demanding that President-elect Marva Johnson be added as a fourth finalist, on a list that initially was limited to three finalists. Upon reason and belief, Plaintiffs assert that consequently, the final vote of the search committee for a list of three finalists was recalled by disregarding the procedures adopted to govern the search process. Thereafter, the final vote was reconsidered.

34. Also, the April 28, 2025, Tallahassee Democrat article quotes Defendant Alan Levine, Vice Chair of the BOG and the BOG's representative on FAMU's presidential search committee, who had been reappointed to his position by Gov. Desantis in 2023. The article quotes Defendant Levine from an interview by phone on that day to state: "we have four excellent candidates.." The article further references communications between Defendant Levine and FAMU BOT Chairwoman Harper in which Defendant Levine recommends that the FAMU BOT give little credence to the allegations of improprieties in the selection process. This is a stark departure from the position of the BOG Inspector general in earlier communications to FAMU attorneys, and a notable change of position after candidate Johnson was added to the list of finalists. Upon reason and belief, Plaintiffs allege that President-elect Marva Johnson was added to the list of finalists over the adverse analysis and judgment of a majority of the members of the FAMU Presidential Selection Committee, and substantially by the undue influence of BOG members who were also members of the FAMU Presidential Selection Committee, and by Defendant Gibbons.

35. On or about April 22, 2025, FAMU Presidential Search Committee released a list of four finalists which included Dr. Rondall Allen, Provost at the University of Maryland Eastern Shore; Gerald Hector, Vice President for Administration and Finance at the University of Central Florida;

Dr. Donald Palm, Chief Operating Officer at FAMU, and Marva Johnson, telecommunications lobbyist.

36. On April 27, 2025, an article appeared in the journal *Florida Politics* espousing the virtues of then finalist Marva Johnson to fill the position of President.⁴

FAMU BOT DECISION TO ACCEPT MARVA JOHNSON AS A FINALIST FOR THE POSITION OF PRESIDENT DEFIED ALL LOGIC, WAS BASED ON IMPROPER FACTORS, FAILED TO CONSIDER ESSENTIAL CRITERIA, AND DEPARTED FROM THE ADOPTED RULES AND PROCEDURES GOVERNING THE PRESIDENTIAL SEARCH PROCESS

37. In pertinent part, the April 27, 2025, *Florida Politics* article stated:

“ [Marva] Johnson’s inclusion raised eyebrows, with the Tallahassee Democrat — which preempted the university in announcing the finalists — reporting rumors that she was a last-second addition to the field. One Trustee, former 9th Judicial Circuit Court Chief Judge Belvin Perry Jr., asserted that there was now a “cloud hanging” over the finalists...”

38. On or about April 24, 2025, Trustee Earnie Ellison Jr. moved to pause the presidential search and hire an independent investigator to examine allegations of impropriety in the search process. Although Defendant Deveron Gibbons dismissed these allegations as laughable, the allegations took firmer root when Defendant Alan Levine began contacting FAMU Trustees during their official proceedings to discuss their judgment in the voting. Specifically, upon reason and belief, Plaintiffs assert that as FAMU Trustees debated whether to pause the presidential search, Defendant Levine sent text messages to Trustee Ellison, and to Trustee Chair Kristin Harper— requesting both to drop any discussions about investigating the search process. Such actions are not only in direct conflict with the earlier official position in the BOG’s letter to FAMU, but they

⁴ See Florida Politics, *Marva Johnson may be unlikely, but she is the President FAMU needs and deserves*, April 27, 2025; <https://floridapolitics.com/archives/734913-marva-johnson-may-be-unlikely-but-she-is-the-president-famu-needs-and-deserves/>

also call into question Defendant Levine's fiduciary duties and whether there is a conflict of interest. Additionally they also call into question compliance with Florida Statute § 286.011.

39. Within days of moving to pause the presidential search to allow a thorough investigation of alleged improprieties, Trustee Earnie Ellison abruptly resigned from the FAMU BOT, largely due to the fact that the BOG refused to submit his name for Florida Senate confirmation, a move that essentially rescinded his appointment. One FAMU Trustee, former Ninth Judicial Circuit Chief Judge Belvin Perry, characterized Ellison's removal as "*mysterious*." The clear undercurrent of the concerns of Judge Perry statement was that Trustee Ellison was the victim of undue pressure by politically connected figures outside of the official search committee who had vested interests in the presidential selection process.

40. On or about May 6, 2025, on the day before the final vote by the FAMU BOT to select the 13th FAMU President, and during the week of on-campus interviews with the four finalists, the BOG quickly installed a new trustee, Raphael Vazquez, to replace Trustee Ellison. Defendant Vazquez had neither participated in the months' long search process or participated in any of the on-campus interviews, and yet, was still afforded the opportunity to cast a vote in the final selection—and, rather than abstain in light of the lack of time to review qualifications of all candidates, voted in favor of Marva Johnson.

41. After the list of presidential finalists was released, candidate Marva Johnson received intense scrutiny in the media and on social media from FAMU alumni, stakeholders, students, and supporters who were concerned that her objective lack of qualifications—and on campus interview—paled in comparison to the other three finalists. Tens of thousands signed letters, petitions, and made social media posts calling on Johnson to either withdraw from candidacy, or,

for Trustees to select one of the other three objectively qualified three candidates. (**See Composite Exhibit “G”**)

42. When presented with the list of finalists, Defendant FAMU BOT, knew or should have known of the intense overwhelming controversy regarding the integrity and authenticity of the selection process because a number of BOT members were also members of the FAMU Presidential Selection Committee. In addition, Trustee Perry made his position very clear, stating there was *“a cloud over the process.”* With this knowledge of the intense controversy over the process, as well as the SACS-COC letter of inquiry, and the legitimate assertions of other Trustees regarding political collusion in the process, Defendant FAMU BOT was bound by their collective fiduciary duties to address the prior motions by Trustees Ellison and Perry to conduct a thorough investigation of the entire process before moving forward.

43. Instead, Defendant FAMU BOT completely ignored all the controversy, and blindly moved forward with detailed interviews of each candidate, specifically including candidate Marva Johnson. These interviews further made clear the starkly diminished credentials and capabilities of Ms. Johnson in comparison to the other finalists. The interview and engagement proceedings made clear the deficiencies of Ms. Johnson in grasping the intricacies of academic administration, of fiscal management, and of academic research so as to meet the qualifications stated in the initial position profile.

44. With these glaring deficiencies, on May 16, 2025, Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson, in their official capacity as members of the FAMU BOT, voted to forward Defendant Marva Johnson for confirmation as FAMU’s 13th president, to be confirmed by Defendant BOG.

45. Plaintiffs assert that the Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White, Lawson, Levine and Lamb acted in concert to have Marva Johnson be included as a finalist, and ultimately to be selected from the list of finalists to fill the position of FAMU's 13th President. In light of the qualifications stated in the initial position profile, this decision dramatically deviates from the announced qualifications expected of a successful candidate, it further defies all reason and logic in light of the leadership requirements of the extensive Strategic Plan of FAMU, and therefore it was based on improper factors, and failed to consider essential criteria. The process of adding candidate Marva Johnson to the list of finalists for the position departed from the adopted rules and procedures adopted by the FAMU BOT to govern the presidential search process.

46. Notwithstanding these obvious, glaring irregularities, Plaintiffs allege that on May 16, 2025 – the very day Ms. Johnson was chosen – Florida Attorney General James Uthmeier, Gov. Desantis's former Chief of Staff, publicly boasted on social media about the FAMU presidential selection by congratulating Marva Johnson and crediting, in his words, “*Team DeSantis and the [State University System] for driving this home!*” (See Exhibit “H”).

47. The FAMU BOT subsequently entered deliberations to negotiate the presidential compensation for President-elect Johnson. Under Florida law, the State is only required to pay \$200,000 of presidential compensation, and the presidential compensation over this threshold must be paid from university auxiliary resources; historically at FAMU the resource has been the FAMU Foundation. In her closing remarks, prior to the vote appointing Johnson, FAMU BOT Chair Kristin Harper addressed the salary which was requested by President-elect in her application. Chair Harper announced that the salary requested by Johnson dramatically exceeded any salary paid in the history of presidential compensation at FAMU. Chair Harper opined further that any

attempt to draw the requested excess funds from the FAMU Foundation would place the organization in a fiscal crisis.

48. Consistent with this concern, on or about May 29, 2025, Laurence Humphries, in his official capacity as a Foundation Director, moved that the auxiliary group table consideration of President-elect Johnson's compensation package until such time as a formal contract could be weighed by the group to determine if the requested funds were available to cover the full contract compensation.⁵ Plaintiff Humphries's motion passed, and the matter was tabled to give the Foundation time to determine economic feasibility.

49. On or about June 6, 2025, despite knowing that the FAMU Foundation had yet to complete its financial feasibility study, Defendant BOT voted 8-3 to approve a compensation package worth approximately \$4.8 million dollars over five years. Further, Defendant Nicole Washington issued a not so veiled threat of "*decertifying*" the Foundation if it did not accede to Defendant BOT's negotiated salary.

50. Defendant Washington sought advice of newly appointed University General Counsel Avery McKnight on this point, in which McKnight advised that, *"the Board (of Trustees) can require the Foundation to, by denying its uh suggested budget and requiring them to make changes to that budget consistent with the obligations contained in President-elect Johnson's contract...in exercising its best interest, the Board can inform the FAMU Foundation that it needs to amend its budget such that funds will be reallocated to fund this contract -- and as stated by Trustee Washington, within a certain timeframe."*

51. Plaintiffs allege this legal advice contravenes Florida Statutes §1004.28(2)(b), which holds in pertinent part that BOT authority over the Foundation is limited to written directives consistent

⁵ The full contract compensation now under deliberation amounts to \$4 million to \$5 million range over five years

with Board of Governors rules; it does *not* permit the BOT to compel budget amendments or mandate specific expenditures. Invariably, the above-listed statute limits Trustee oversight to regulatory compliance and the use of university property and facilities, not operational budget control by a derivative third party.

52. Plaintiffs allege that Florida Board of Governors Regulation 9.011, is authorized by, and incorporates by reference Florida Statute §1004.28, confirms that direct-support organizations (such as the FAMU Foundation) operate as independent entities with their own boards of directors responsible for fiduciary decisions, including budget allocation and expenditure authorization.

53. Plaintiffs further allege that the Memorandum of Understanding (MOU) between FAMU and the FAMU Foundation, and the Foundation's by-laws, reserve budget approval *exclusively* to the Foundation Board, consistent with the Foundation's status as an independent Florida not-for-profit corporation under Chapter 617. (See Exhibit “I”)

54. Plaintiffs also allege that, per Florida Statutes §1012.975—1012.976, presidential pay is capped at \$200,000, and further, contributions to a presidential compensation package by any direct-support organization, such as the FAMU Foundation, is voluntary and subject to its independent financial audit review and fiduciary processes. Very significantly, subsection two (2) of Florida Statute §1012.975 provides that, if a party providing private compensation *"is unable or unwilling to fulfill an obligation,"* then *"public funds may not be used to fulfill such obligation."*

55. Any external influence by the BOG regarding these operational matters are constitutionally restricted. Article IX, Section 7(d) of the Florida Constitution establishes that university boards of trustees *"administer"* universities while the Board of Governors *"governs"* the system, with neither entity possessing authority to compel independent corporations (such as the FAMU Foundation) to make expenditures contrary to their own corporate governance structures.

COUNT I: MANDATORY INJUNCTIVE RELIEF

56. Plaintiff restates and incorporates by reference paragraphs one (1) through 55 of the above complaint.

57. Plaintiffs assert that urgent action by this Honorable Court is necessary to to compel the FAMU BOT to act to engage an independent consultant to conduct a full and complete investigation of the entire presidential process as undertaken to appoint the 13th FAMU President. Plaintiffs assert that this action is necessary for full disclosure of facts so as to analyze whether the requirements of law were met, and further to prevent certain injury to the governance of FAMU, and to prevent damage to the fiscal stability of FAMU, and further to prevent damage to the general public interest in the legal standards governing the selection of a president to Florida universities; see *Mayor's Jewelers, Inc. v. State of Cal. Public Employees' Retirement System*, 685 So. 2d 904 (Fla. 4th D.C.A. 1996), *rev. denied*, 691 So. 2d 1081 (Fla. 1997).

58. Members of the FAMU BOT, with first-hand knowledge of the controlling facts, have been forceful in calling for such an investigation. The FAMU accreditation agency, with knowledge of certain controlling facts, has requested such an investigation. Yet, a majority of the members of Defendant FAMU BOT have steadfastly reject these calls.

59. Upon reason and belief, Plaintiffs assert that the calls for an investigation have been based on facts which imply violations of the laws governing the selection of presidents at Florida universities. Thus, the FAMU corporate body, its constituencies, and the general public have a distinct right to ensure that the laws governing this process were not violated, and that due process was afforded in this process.

60. Plaintiffs are obligated to fully and adequately inform this Honorable Court as to the legal discrepancies in the entirety of the FAMU Presidential selection process.

Irreparable Harm

61. Irreparable injury is an injury which is of a peculiar nature, so that compensation in money cannot atone for it. *Mullinix v. Mullinix*, 182 So. 2d 268 (Fla. Dist. Ct. App. 4th Dist. 1966); *First Nat. Bank in St. Petersburg v. Ferris*, 156 So. 2d 421 (Fla. Dist. Ct. App. 2d Dist. 1963).

62. To allow the FAMU BOT decision to proceed without independent investigation and review is to inculcate this illicit conduct into the very governance of a nationally distinguished institution of higher learning. This result will cause Plaintiffs to suffer irreparable harm as Defendants have clearly demonstrated little to no regard for the fiscal health of the university. Thus, there is great risk that financial contributions, and volunteer efforts by Defendants will be allocated to unsound governance practices and therefore wasted. Plaintiffs assert that Defendants have used an overbearing cloak of secrecy by weaponizing the nondisclosure agreements and masking gross illegal and improper conduct in the presidential search process.

63. Defendants have shown complete disregard for violations of law, risks to accreditation status, and, most specifically President-elect Marva Johnson, has demonstrated no initiative to invite review and audit of the presidential selection process in order to restore integrity to her appointment.

64. Therefore, it seems clear that absent an order from this court, no independent review will occur, and the deep and long-term injury caused by this illicit process to the FAMU community and to the institution as a whole, and further to public education in Florida, and certainly to the constitutional integrity anticipated by the general public for post-secondary education, will be

forever buried under the cloak of secrecy which guided this FAMU presidential search process. This action is the only reasonable opportunity is to mandate a full, evidenced-based inquiry into the entire FAMU Presidential selection process; as requested by members of the FAMU BOT and the accreditation agency. No economic damages are rational or reasonable to address the harm that will suffered absent this court granting Plaintiffs prayer for relief.

Risk of Fiscal Harm

65. Plaintiffs will suffer particular, deep harm if Defendant FAMU BOT proceeds to force the FAMU Foundation to act in a fiscally irresponsible manner to pay an under-qualified executive a salary never before paid to any executive this institution, and to do so by allocating funds obligated for existing priorities, to meet a compensation package beyond the ability of the university to pay. Defendants will suffer long-term harm as the reputation of the institution among potential contributors will be substantially harmed, and existing charitable contributions stand to be wasted, while valid academic priorities, offerings and research activities are put at risk.

66. Defendants have demonstrated the absolute intent to allocate funds, potentially by force if necessary, to pay a presidential compensation package which by all reasonable evidence poses great risk for the fiscal soundness of the university. Plaintiffs assert that the facts and allegations stated herein offer persuasive justification for an independent fiscal analysis of the FAMU offer of a presidential compensation package to the President-elect. Therefore, Petitioners assert that this Honorable Court should authorize the FAMU Foundation to conduct a full and complete financial analysis of the terms of a fiscally responsible presidential compensation package for FAMU, and present its findings to the FAMU BOT. The findings of this report should be the guiding metrics

for a fiscally responsibility for a final FAMU presidential compensation package, no matter the source of the funds to meet the package.

67. There Is No Adequate Remedy At Law To Protect Plaintiffs' Interests: There is no adequate remedy at law to reasonably address the ongoing reality and very real risk of harm in this matter to the FAMU corporate body, to the interests of the constituencies of FAMU, and to Plaintiffs. As set forth herein, when the Board of Governors confirms the vote of the FAMU BOT to hire Marva Johnson as the next President of FAMU, it represents a certification and stamp of approval as to the integrity of the presidential selection process. The majority that voted to hire Marva Johnson has clearly given indication that it will enter into a fiscally irresponsible employment contract, and once under contract as President, there would be no reasonable remedy for Plaintiffs to call this process into account.

68. Issuance of Injunctive Relief Would Not Be Adverse To Public Interest: If Defendants are allowed to succeed in their concerted effort, a complex legal cloud will be placed over FAMU, and public education generally in Florida. By granting the remedy requested herein to authorize a full, independent and complete investigation of the FAMU presidential search process, the Court will promote the public interest, ensure fiscal responsibility at a state-funded institution of higher learning, and protect the integrity of the Constitution of the State of Florida as it relates to higher education.

69. Plaintiffs have sufficiently plead the elements and supporting facts of the controversy in this matter in this count and in the count below and assert that there is substantial evidence, and a favorable result is more than likely in this matter. Plaintiff assert that further discovery will disclose relevant information to support the pleadings and confirm allegations in this controversy.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court grant mandatory injunctive relief requiring the FAMU BOT to engage an independent consultant to conduct a full investigation of the presidential selection process of the FAMU Presidential Selection Committee, and further investigate the FAMU BOT deliberations to appoint the President-elect, and specifically to take statements from members of the FAMU Presidential Selection Committee that are held confidential to avoid violation of the nondisclosure agreements, but with full authority to include pertinent findings from such statements in the final report. Additionally, since the Defendants who are FAMU BOT members have been complicit in the full set of circumstances driving this controversy, and these same Defendants hold a majority vote on the FAMU BOT, Plaintiffs assert that Defendant FAMU BOT should not be in control of the selection of the independent consultant. Plaintiffs request that if this Court grants the requested remedy, the FAMU Foundation should be authorized to select the independent consultant to conduct this investigation.

Additionally, Plaintiffs further and respectfully request that this Honorable Court grant mandatory injunctive relief requiring the FAMU Foundation to conduct a full and complete financial analysis of the terms of a fiscally responsible presidential compensation package for FAMU, and present its findings to the FAMU BOT. The findings of this report should be the guiding metrics for a fiscally responsibility final FAMU presential compensation package, no matter the source of the funds to meet the package.

COUNT II: BREACH OF FIDUCIARY DUTY

70. Plaintiffs restate and incorporate by reference the allegations in paragraphs 1 through 69 of the above complaint.

71. Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson in their official capacity as members of the FAMU BOT each owe a fiduciary duty to the university. A university trustee's fiduciary duty encompasses three core obligations: care, loyalty, and obedience. These duties are legally binding, meaning trustees must prioritize the university's best interests above their own, or others adverse to the university. They must act with diligence, loyalty, and in accordance with applicable laws and institutional policies.

72. A breach of the university trustee's fiduciary duty occurs when a trustee fails to act in the best interests of the university, its students, and its endowment. The detail elements of the university trustee fiduciary duty include: (i) **Duty of Care:** Requires exercise of reasonable care and diligence in managing the university's affairs, including its finances and investments; (ii) **Duty of Loyalty:** Requires acting in the best interests of the university and avoiding conflicts of interest; and (iii) **Duty of Obedience:** Requires obedience to and compliance with university's policies and procedures, and any applicable laws and regulations.

73. Upon reason and belief, Plaintiffs allege that in the FAMU presidential search process, Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson, each individually and collectively committed gross negligence in their individual and collective deliberation and judgment as to the best qualified candidate to serve as the 13th university president. Plaintiffs allege further that Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson, each individually and collectively demonstrated gross disregard for the vital interests of FAMU as they shared or misused confidential information in the

deliberations and final decision process, actions which ultimately leveraged the best interests of President-elect Marva Johnson, and the best interests of the BOG, over the best interests of FAMU.

74. This conduct, by each Defendant/Trustee, constitutes a violation of their fiduciary duty to FAMU. The competence and capability of the next President of FAMU to effectively govern a nationally distinguished institution of higher learning, particularly in light of the complexity of national, state and local issues facing public universities, are clear and definitely factors in the assessment of the trustees' fiduciary duties. Thus the deliberations, judgment and ultimate decision to select a president are essential to the functioning and wellbeing of the university. Should a president selected by a university board of trustees be so substantially ill equipped and unprepared to tackle the challenges of the university, to the point that it places distinct risk to the university, then that selection borders on an act of negligence. Moreover, in the case of this particular set of circumstances, the actions of Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson have caused FAMU to be thrust into the focus of national news, and specifically cast light upon the discrepancies of the presidential selection process, resulting in significant damage to FAMU's distinguished national reputation and has eroded public trust.

75. Plaintiffs allege that should an independent investigation and audit of the FAMU presidential search process confirm that Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson were knowingly complicit in, or engaged in illicit conduct which substantially and adversely affected the presidential selection process, then the appropriate remedies for the such conduct are: (i) **Legal Liability:** Trustees can be held personally liable for breaches of fiduciary duty; (ii) **Damages:** Those harmed by a breach may be able to sue for financial damages, such as lost profits or diminished asset value; and (iii) **Removal from Office:** Trustees who breach their fiduciary duties may be removed from their positions. The trustees'

violation of fiduciary duties implicated in the harm in this case cannot be adequately remedied by monetary damages alone because this governance structure remains, and the prospect of further actions of the type demonstrated in the presidential process seems eminent. The devaluing of the FAMU culture, of the FAMU students, faculty and alumni, and the disregard of long-time FAMU corporate supporters is particularly impactful.

Proposed Florida Legislature Breach of Statutory Caps to Pay President-elect Johnson

76. In a late development, on or about Friday, June 13, 2025, a last minute state budget amendment was bumped up for approval by the House Speaker and Senate President that would allow the FAMU BOT to use carry forward funds to fill any gap in the president's proposed salary for the first year of an anticipated contract. This maneuver, if authorized, is a breach of statutory provisions that set a cap for state funding of presidential pay at \$200,000 as delineated herein. By reasons of belief, plaintiffs assert that the Defendant BOT and individual Defendant trustees, are seeking to evade judgment and management of FAMU executives by creating a financial deficit, using state distributed funds that are not earmarked for presidential salaries.

77. When the Foundation indicated that it lacked the funds to supplement the contract that the BOT and Johnson entered into on June 6, 2025, Defendants responded first by threatening to take illegal action to decertify the Foundation as a university auxiliary/direct support organization, and then acted in concert to reject the Foundation proposed budget during its June 12th meeting.

78. This clandestine state budget maneuver includes authorization for the FAMU BOT to raid the university reserve funds to complete the presidential compensation package. This proposed authorization would require no review by any university administrator, and notably would not

require review by the independent auditor for the university. Arguably, this provision could directly impact the university's fiscal audit.

79. This legislation is legally suspect in terms of compliance with state constitutional requirements for spending authority, and further suspect in light of previously cited statutes governing fiscal administration of state universities.

80. Plaintiffs allege that this legislative maneuver is most telling as a breach of fiduciary duty because it is pure, raw retaliation against the FAMU Foundation directors, the minority of trustees, including Chair Harper, who have argued that the compensation package is not fiscally responsible for FAMU, and against the university corporate body as a whole. This maneuver seeks to mandate FAMU to pay a level of compensation to a newly hired employee, based on the newly hired employee's request, over objections by the employers' executives. Most notably, this maneuver serves to entrench the BOT's micromanagement on this particular issue and, if enacted and implemented by the FAMU BOT, would force university administrators to deal with audit ramifications, and possibly search for replacement funds for the reserves.

81. Plaintiffs allege that Defendants, have turned a deaf ear to current and former trustees and university stakeholders and their requests to address the clear and apparent irregularities in the presidential search process, especially in light of the concerns of the SACS accrediting agency, which conduct is inexcusable.

82. Plaintiffs allege further that in escalating the controversy to demand an irresponsible presidential compensation package, Defendants demonstrated total disregard for the legal standards of governance of the university.

83. There is a dark cloud over the FAMU presidential selection process; first as to whether the selection process met the requirements of law, and further whether improprieties in the process

have adversely affected FAMU's accreditation, and additionally, whether the selection decision was arbitrary and capricious, and finally, whether the compensation package requested by the appointed candidate is within the financial capacity of the university.

84. In the face of this intense controversy, the Defendants who are members of the FAMU BOT have embarked upon a clear and deliberate pattern of conduct which is the height of fiduciary irresponsibility. These Defendants have discreet knowledge of the underlying facts; knowledge not available to the public, and they further have a clear duty to preserve the interests of FAMU in light of this knowledge, above any other interested party. To have persistently ignored any substantive inquiry into these allegations is negligent.

WHEREFORE , Plaintiffs request that this Honorable Court reserve jurisdiction in this matter pending the final investigative report of the independent consultant authorized herein. Should the final report of this investigation confirm that Defendants Brown, Washington, Gibbons, Crossman, Gainey, Vazquez, White and Lawson breached their fiduciary duty to the FAMU corporate body, Plaintiffs request that this Honorable Court impose remedies for such breach as are required by law.

PUBLIC POLICY

85. The public interest and sanctity of public education will be supported by granting the temporary mandatory relief..

86. The fiscal integrity of state funds allocated to FAMU will be preserved.

87. The reputation of FAMU, the professionalism of its governance, and its national stature as an academic institution will be revitalized.

Respectfully Submitted,

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**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “A”

FAMU Presidential Search Committee Presential search profile

FAMU

FLORIDA
AGRICULTURAL AND
MECHANICAL
UNIVERSITY



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Inviting Applications and Nominations for

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The **Florida A&M University Board of Trustees** is seeking the next **President of Florida A&M University**. The right candidate should have a proven track record of leadership, be a results-driven leader who can effectively attract and manage high quality talent to enable a high-performance culture, build consensus among stakeholders, and effectively respond to the evolving educational landscape.



FAMU VISION

Florida Agricultural and Mechanical University will be recognized as a leading national public university that is internationally renowned for its competitive graduates, transformative research, and innovation.

ABOUT THE UNIVERSITY

Founded in 1887, Florida Agricultural and Mechanical University (FAMU), located in Tallahassee, is the third oldest university in Florida's State University System and is the state's only public historically Black university. FAMU is an energetic and dynamic institution, acclaimed for the excellent achievement of its students, alumni, faculty, and its contribution to society in the pursuit of education and research. The university works every day to continue to propel itself to the forefront of innovation and scholarship. In recent years, the University has doubled its research expenditures and outpaced its peers in student achievement rates.

With an enrollment of nearly 10,000 students, FAMU ranks among the nation's Top 100 public universities in the 2025 *U.S. News & World Report* "Best Colleges" ranking, landing at #81; #3 among Historically Black Colleges and Universities; #1 public HBCU; #20 for Social Mobility; and #152 among National Universities.

FAMU's dedication to pushing the boundaries of discovery propels it forward as one of the nation's best public universities. Across disciplines, FAMU's world-class researchers seek answers to some of humanity's most challenging problems, addressing issues that impact Florida, the nation and beyond. With \$112.4M (FY24) in research awards, FAMU is on the precipice to achieve Carnegie Classification of Institutions

of Higher Education's highest and most coveted Very High Research Activity status (R1) in the next few years.

FAMU's 14 colleges and schools, offering more than 60 undergraduate and 40 graduate degree programs, through its College of Agriculture and Food Sciences, College of Pharmacy and Pharmaceutical Sciences, Institute of Public Health, College of Education, College of Law, College of Science and Technology, College of Social Sciences, Arts and Humanities, FAMU-FSU College of Engineering, School of Allied Health Sciences, School of Architecture & Engineering Technology, School of Business and Industry, School of Graduate Studies and Research, School of Journalism & Graphic Communications, School of Nursing, and School of the Environment.

The university offers more than 100 student organizations and several fraternities and sororities. FAMU is a member of the Southwestern Athletic Conference (SWAC) and fields 14 NCAA Division 1 athletic teams.

In addition to the main Tallahassee campus, FAMU has several satellite campuses across Florida. These include the University of Law in Orlando and the University of Pharmacy and Pharmaceutical Sciences, Institute of Public Health, which has sites in Crestview, Tampa, Jacksonville, and Miami.

FAMU MISSION

Florida Agricultural and Mechanical University is an 1890 land grant, doctoral/research institution devoted to student success at the undergraduate, graduate, doctoral and professional levels. FAMU enhances the lives of its constituents and empowers communities through innovative teaching, research, scholarship, partnerships, and public service. The University continues its rich legacy and historic mission of educating African Americans.

FAMU VALUES

Florida Agricultural and Mechanical University is committed to the values of **ACCOUNTABILITY, INCLUSION, INNOVATION, and INTEGRITY**. The University also values and endorses the Board of Governors' Statement of Free Expression and expects open-minded and tolerant civil discourse to take place throughout the campus community.

FAMU BOARD OF TRUSTEES

The FAMU Board of Trustees is the governing body of the University and is charged with policymaking for the University. Trustees serve without compensation and meet at least quarterly. The president serves as the corporate secretary to the Board of Trustees. The president has the responsibility for the day-to-day management of the University.

FAMU FOUNDATION

The FAMU Foundation is a non-profit organization, established with the specific mandate to serve as a custodian of contributions from the private sector, alumni, friends, and industry. The Foundation receives, invests, and administers funds. The president serves as an ex-officio member of the Board of Directors.



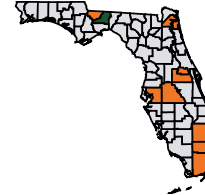
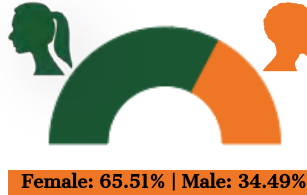
INSTITUTIONAL PROFILE, FY24–25

STUDENT POPULATION 9,313

Undergraduate: 81%

Graduate: 15%

Non-Degree Seeking: 4%



In-State: 76%

Out-of-State: 24%

2024–2025

U.S. News & World Report

COLLEGE RANKINGS



#1 PUBLIC HBCU
6 CONSECUTIVE YEARS



#20 SOCIAL MOBILITY



#81 TOP PUBLIC SCHOOL
AMONG NATIONAL
UNIVERSITIES



#87 BEST VALUE
AMONG NATIONAL
UNIVERSITIES



#1 HBCU
FOR RESEARCH AND
DEVELOPMENT
(N.S.F.)



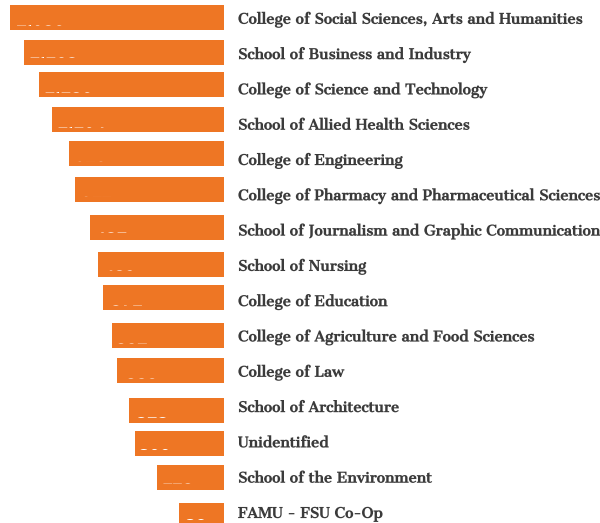
Fulbright HBCU
Institutional
Leader

<https://www.famu.edu/about-famu/index.php>

ACADEMIC PROFILES

Majors

Academic Area

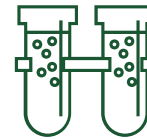


DEGREES / CERTIFICATES

2,138 AWARDS CONFERRED



RESEARCH AND GIVING | FY 2023



\$69.9M

Expenditures



\$26.9M



\$124.1M



\$162.9M

CONTACT US:



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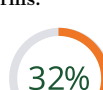
**DIVISION OF STRATEGIC
PLANNING, ANALYSIS AND
INSTITUTIONAL EFFECTIVENESS**

PERCENT OF DEGREES AWARDED BY GENDER

2023–2024 figures are comprised of Summer 2023, Fall 2023, and Spring 2024 Terms.



68%



32%

For inquiries and further information, please reach out to us:

Email: info@famu.edu

Phone: +1 (850) 599-3000

Website: www.famu.edu



THE OPPORTUNITY

The presidency at Florida A&M University (FAMU) provides a unique opportunity to lead a dynamic institution poised for continued growth and achievement. The new president will have an opportunity to expand academic and research programs to meet the growing economic demands of Florida and the nation.

FAMU seeks a bold, innovative, inspirational, and strategic visionary who will be an unwavering champion for students and the programs that have driven the institution's momentum.

The ideal candidate will be a fiscally minded, results-driven leader who has the proven ability to drive strategic direction with the experience and ability to integrate with the external constituents of the university. They must inspire excellence in others and bring exceptional experience and enthusiasm for leadership within and beyond the walls of the institution.

Moreover, the candidate must possess the presence, communication skills, and eagerness to actively engage in fundraising and to promote the university externally. The successful candidate must exhibit the highest level of integrity, earn and maintain public trust, and show a commitment to transparency, ethical leadership, shared governance, and free expression.

With a focus on continuous improvement and upward trajectory, the President will be a problem-solver, a listener, and an innovator. The President will drive the University's continued progress as outlined in the **2022–27 Boldly Striking Strategic Plan** and the **Florida Board of Governors' Strategic Plan** by enhancing the quality of the student educational experience, elevating FAMU's performance on internal and external metrics, and fostering faculty excellence.

FAMU Boldly Striking Strategic Plan

Click to download the plan 

Florida Board of Governor's 2023 Strategic Plan

Click to download the draft copy 

A confident and perceptive administrator who can make difficult decisions and pursue strategic courses of action, the President will work collaboratively with others, internally and externally, finding common ground among diverse viewpoints. The President will value the contributions of faculty and staff while seeking to advance FAMU's mission and goals to new levels.

The President will understand the significant role the institution plays in the community at large and will have an active presence in the community promoting partnerships, seeking support, and developing relationships that benefit the University, its students, and its employees. He or she will also be visible and active on all campuses.

Essential Duties & Responsibilities

Leadership and Administration

- **Strategic Leadership:** Assumes full responsibility for the organization, administration, and leadership of the University. Provides leadership for the academic programs and student support services.
- **Policy and Planning:** Makes policy recommendations to the Board of Trustees on all matters affecting the university and recognizes their oversight. Conducts appropriate planning for the University.

- **Performance Improvement:** Continually assesses productivity, student success, and financial metrics to enhance the University's performance according to the Florida Board of Governors' performance funding metrics.

Florida Board of Governor's 2023 Metrics

Click to download the draft copy 

Financial Management and Fundraising

- **Financial Oversight:** Possesses a thorough understanding of various funding models with a history of sound financial management.
- **Fundraising and Grants:** Directs and supports fundraising and grant solicitation activities to enhance financial resources available for programs and services.

Community and Partnerships

- **Partnership Building:** Promotes partnerships with businesses, educational agencies, civic organizations, military bases, and community groups to benefit the University and community.
- **Advocacy:** Advocates on behalf of the University with state and federal governments for the benefit of the University.
- **Community Engagement:** Provides leadership for the University's involvement and support in community activities. Acts as the public relations contact for the University.





Compliance and Policy

- **Policy Adherence:** Adheres to and ensures compliance with all University and Board policies in accordance with Florida Statutes and the State Board of Governors. Exercises broad discretionary power to carry out BOT policy. Serves as Corporate Secretary for the Board of Trustees, engaging in policy recommendations.
- **Legal and Accreditation Compliance:** Ensures familiarity with institutional, NCAA, and athletic accreditation processes and legal requirements, administering contracts, and recommending site locations and utilization in compliance with regulations.

Faculty and Staff Development

- **Professional Development:** Commits to professional development and success for all faculty and staff, fostering an entrepreneurial spirit and an institutional climate of professionalism.

Additional Responsibilities

- Performs other similar related duties as may be delegated by the Board of Trustees, including lending influence in the development of higher education on local, state, and national levels.

Qualifications & Experience

Educational Requirements

- Terminal degree or significant professional achievement, recognition, and prestige are required.
- Combined administrative and academic experience at a research university and experience with D1 athletics are preferred.
- Individuals with the requisite leadership experience in education, industry, government, the military, or other sectors and whose experience will further the mission of Florida A&M University will be given full consideration.



TALLAHASSEE, FLORIDA

Tallahassee is the site of the Florida State Capitol, Supreme Court of Florida, Florida Governor's Mansion, and nearly 30 state agency headquarters as well as Florida A&M University.

The city is a recognized regional center for scientific research, and home to the National High Magnetic Field Laboratory. In 2015, Tallahassee was awarded the All-America City Award by the National Civic League for the second time.

Close to the Gulf of Mexico, there is a plethora of things to do in Tallahassee. Great adventures and sites include the beaches, the Tallahassee Museum, the Florida History Museum, St. Marks National Wildlife Refuge, Mission St. Luis de Apalachee, St. Marks

Lighthouse, the Tallahassee Automobile Museum, the Florida Historic Capitol Museum, Railroad Square Art District, the Meek-Eaton Black Archives Research Center and Museum at FAMU, the Goodwood Museum and Gardens, Alfred B. Maclay Gardens State Park, Cascades Park, and many more walking and biking trails, outdoor exploration, and activities. Restaurants and shops are plentiful and superb.

Tallahassee is also known for its fabulous festivals and events, such as the Tallahassee Food and Wine Festival, the Greek Food Festival, the Harambee Festival, Springtime Tallahassee, First Friday festivals at Railroad Square, and Downtown Getdowns.

Application & Nomination Process

Confidential inquiries are welcomed, and nominations are invited.



Applications

- 1) All application packets must include the following:
 - a) Cover letter that describes strengths, skills, and knowledge that will benefit this position
 - b) Current curriculum vitae or résumé
 - c) At least five references with full contact information including e-mail (*References will not be contacted without consent from applicant.*)

A background and criminal report will be conducted on the finalists selected for campus interviews.

- 2) Submit application materials online, preferably as PDFs. Additional information is requested with the submission of materials. **For best consideration, complete applications should be received before March 14, 2025.**

[APPLY HERE](#)

Nominations

Submit nominations with complete contact and e-mail information for the individual being nominated.

[NOMINATE HERE](#)

Consultants

Kenny Daugherty, President of Myers McRae Executive Search and Consulting, is conducting this search with **Brianna Douglas**, Vice President, assisting. **Request a conversation at KennyDaugherty@myersmcrac.com.**



The Florida A&M University (FAMU) is committed, as evident in our policies, principles and practices, to an educational environment and equal opportunity workplace wherein each member of the University community is free from any form of harassment and discrimination. Therefore, the University prohibits discrimination on the basis of race, religion, color, age, disability, sex, sexual harassment, sexual orientation, gender identity, gender expression, marital status, national origin, genetic information, and veteran status, or any other legally protected group status (including Title IX of the Education Amendments of 1972), in accordance with state and federal laws. Discriminatory conduct in the form of sexual misconduct, including sexual harassment, sexual assault, domestic and dating violence, and stalking, is also prohibited.

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “B”

Curriculums Vitae of Finalists Selected by the FAMU Presidential Selection Committee

DONALD E. PALM III, PH.D.

PROFILE

- Accomplished visionary with an exceptional ability to collaborate with internal and external university stakeholders to build a culture of excellence in student success, academics, research and service.
- Innovative problem-solver demonstrated ability to engage others to work together to develop strategies and solutions.
- Skilled relationship-builder, facilitates and empowers individuals to reach their maximum potential.
- Trusted and loyal advisor to the President and other University Officials.

EDUCATION & TRAINING

Brown University Medical School, Department of Neurosurgery, Rhode Island Hospital, Providence, RI
Postdoctoral Training/Fellowship, 1991 – 1995

Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
Doctor of Philosophy (Ph.D.) in Pharmacology, 1991

Lincoln University, Chester County, PA
Bachelor of Arts (B.A.) in Chemistry, 1985

FACULTY STATUS

FLORIDA A&M UNIVERSITY FACULTY RANKS - COLLEGE OF PHARMACY & PHARMACEUTICAL SCIENCES

| | |
|--------------------------------------|-----------------------|
| Tenured Full Professor | 2007 – Present |
| Associate Professor (Tenured) | 2000- 2007 |
| Assistant Professor | 1995 – 2000 |

EXECUTIVE DEVELOPMENT

Harvard Institutes for Higher Education, Cambridge, MA
Management Development Program (MDP), Fellow, 2015

American Council on Education Fellows Program

Leadership Development Program: ACE Fellow, 2011 – 2012

Mentor, President Freeman Hrabowski, University of Maryland Baltimore County (UMBC)

Mentor, President Jay Perman, University of Maryland Baltimore (UMB)

Institute for Academic Leadership, Florida State University
System of Florida Department Chairs Workshop, 2008

CURRENT ADMINISTRATIVE POSITIONS

Florida A&M University (FAMU), Tallahassee, Florida

Executive Vice President and Chief Operating Officer - August 2023 - Present

The highest-ranking administrative officer reporting directly to the University President; Responsible for Administrative Oversight, Strategic Plan Implementation, Operational Efficiencies, Academic Quality, Student Success, and Research Productivity.

Direct Reports:

- **Provost and Vice President for Academic Affairs**
- **Vice President for Student Affairs**
- **Vice President for Research**
- **Vice President for Strategic Planning, Analysis and Institutional Effectiveness**
- **Chief Policy Officer**
- **Executive Director of Title III Programs**
- **Deputy Chief Operating Officer and Associate Vice President for Enterprise Risk Management**
- **Associate Vice President for Transformation**

Major Accomplishments:

Florida A&M University Rankings - 2025 U.S. News & World Report:

Recognized among the 2025 U.S. News & World Report's "Best National Universities," #152 in National Universities, #81 Top Public Schools, 6 years as the #3 Historically Black College and University, #20 in Social Mobility.

- Florida A&M University's National ranking **increased** by **18 positions** from **#170** in 2024 to **#152** in 2025
- Florida A&M University's Public-School ranking **increased** 10 positions from **#91** in 2024 to **#81** in 2025
- Florida A&M University's Social Mobility Index position **increased** from **#21** in 2024 to **#20** in 2025
- **6th year as the #1 Public Historically Black College and University (HBCU)**
- **Student Success Metrics - 2023-2024**
 - **Increase in Four-Year Graduation Rate - 35% to 41% (6% increase)** Record
 - **Increase in Academic Progress Rate - 81% to 86% (5% increase)** - Record
 - **Increase in Retention Rate - 87% to 90% (3% increase)**
- **Student Success Initiatives:**
 - FAMU Transformation Projects - \$3M
 - Slate CRM – Student Customer Relationship Management Platform
 - Inside Track – Re-enrollment for Stopped Out Population / Retention Coaching
 - Advance Financial Aid System – Efficient Award Processing
 - "Finish in Four" campaign
 - GPA checkpoint in 1st year seminar course to increase 1st year academic performance 500 students
 - Living Learning Communities - 13 communities with over 300 students
 - Advisement blitz (one per semester)
- **Academic Excellence:**
 - **New Degrees & Certificates:**
 - Aerospace Engineering (M.S. & Ph.D.)
 - Engineering Data Analytics (Graduate Certificate)
 - Systems Engineering Leadership (Graduate Certificate)
 - Cyber Security for Engineering (Graduate Certificate)
 - **Distant Education:**
 - Sport Management (Masters)
 - Global Security and International Affairs (Bachelors, Masters)
 - Bachelor of Architecture (Bachelors)
 - **Successful Reaccreditation of the following programs:**
 - Occupational Therapy (ACOTE); Journalism (ACEJMC); Public Relations (ACEJMC); Social Work (CSWE); Facilities Management (ABET); Doctor of Pharmacy (ACPE); Cardiopulmonary Science (CoARC); Health Care Management (AUPHA); Health Administration (CAHME); Doctor of Physical Therapy (CAPTE)
 - **Faculty Development & Support:**
 - Faculty Travel Grant
 - HBCU-UP Teaching & Learning Academy
 - Faculty Learning Communities
 - Service Excellence Training
 - Accelerate Research: Research Boost Fund
 - Research start-up packages
 - **Research Productivity:**
 - **Record** Research Expenditures - **\$68M**
 - **Research Awards - \$112M**
 - **Record** Indirect Cost Generation - **\$7M**
 - Establishment of Research Foundation
- **Athletics:**
 - Co-Chair of Athletics Action Plan Committee
 - Provide oversight – Comprehensive plan for student athlete success
 - Refine student athlete admission & transfer process

- **Policy:**
 - Established the Office of University Policy
 - Developed a Comprehensive Repository/Library of University Policies
 - Policy Website – Policy Resources, Templates, Manuals, Links to regulatory policies
 - Established University-Wide Policy Advisory Committee
 - **Strategic Planning:**
 - “Boldly Striking” Strategic Planning Implementation (University & Unit Levels)
 - Alignment of Strategic Planning and Budgeting
 - Alignment of “Boldly Striking” Strategic Plan across all Direct Support Organizations (DSO)
 - Advanced Strategic Plan execution with data-driven initiatives
 - **Operational Efficiency:**
 - **Artificial Intelligence (AI) Digital Strategy Initiative:**
Purpose –
 - To Integrate AI into Academics and Operations for Strategic Growth
 - To Establish a Responsible and Ethical AI Framework Aligned with University Values
 - To Enhance Student Success, Research Capabilities, and Administrative Efficiency
 - To Position FAMU as a Leader in AI-Driven Higher Education
 - **Resource Optimization Initiative:**
Purpose –
 - To Achieve Operational Efficiency and Financial Stability
 - To Align Resources with University Strategic Priorities
 - **Service Excellence Initiative:**
Purpose –
 - To Foster a Culture of Excellence and Continuous Improvement.
- “We Inspire Excellence by Showing Kindness and Delivering Exceptional Service”**

RECENT ADMINISTRATIVE POSITIONS – APRIL 2024 – FEBRUARY 2025

Florida A&M University (FAMU), Tallahassee, Florida

Interim Vice President for Advancement & Executive Director FAMU Foundation

Responsible for planning and leading advancement initiatives to capitalize on the university’s success, engage a broad range of constituents and grow the endowment. Cultivating and stewarding relationships, planning, and leading comprehensive advancement initiative to engage a broad range of constituents and philanthropic partners. Works with direct support organizations to maximize fundraising and advance the University’s mission.

Major Accomplishments:

July 2024 – February 2025 – Total \$12.6M with \$11.7M (New Cash)

CORPORATE ENGAGEMENT/FUNDRAISING - May 2024 - February 2025

- Participated in virtual meetings with Industry Cluster Program Member
- Industry Cluster - Hosted 50 members during the 2024 Fall Industry Cluster Meeting
- Lilly and Company
 - Advancing the Health Environment to the Next Generation Health Career Opportunities Program (AHCOP) in the School of Allied Health (Lilly Foundation) - **\$1M**
 - Lilly Rattler Scholars Program. Award scholarships for students enrolled in Allied Health Sciences, Business, Engineering, Science & Technology, Pharmacy & Pharmaceuticals Sciences/Institute of Public Health - **\$1.2M**
- JPMChase to Freshmen Studies, Financial Wellness Capacity Building and Financial Services Exposure Program, Living Learning Community (LLC) Financial Wellness, STEM Day - **\$250K**
- Chevron - Programming in Business, Engineering, and Science & Technology - **\$250K**

PREVIOUS ADMINISTRATIVE POSITIONS

Virginia State University (VSU), Petersburg, VA

VSU features academic environments within seven colleges and offers 31 undergraduate degree programs, 17 graduate degree programs, two doctoral degree programs and seven certificate programs, with about 5,000 students, a 231-acre campus, 11 residence halls, 18 academic buildings and a 412-acre agriculture research facility.

Executive Vice President & Provost - 2016 – 2023

The highest-ranking administrative officer reporting directly to the University President; oversees and manages a \$140 million budget. Responsible for institutional administrative oversight, academic quality, student success, research and safety.

Additional Positions Held During My Tenure

- **Vice President for Student Affairs – 2018 – 2023**
- **Vice President for Research – 2019 - 2023**
- **Direct Reports:**
 - University Deans** - Reginald F. Lewis College of Business, College of Agriculture, College of Education, College of Engineering and Technology, College of Health and Natural Sciences, College of Humanities and Social Sciences, College of Graduate Studies, University Library, Honors College
 - Associate Provost for Digital Learning and Extended Studies**
 - Associate Provost for Institutional Effectiveness**
 - Associate Provost for Student Affairs**
 - Executive Director of Enrollment Management, Student Success and Engagement**
 - Associate Vice President for Research**
 - Chief Information Officer (CIO)**
 - Chief of Police and Public Safety**
 - Executive Director of Title III Programs**

Major Accomplishments:

- **Strategic Planning** – Development & implementation “Preeminence with Purpose” 2020-2025
Facilitated the alignment for all divisions with the Strategic Plan metrics and the budget planning process.
- **Competitive Compensation Plan** – Implemented a competitive compensation plan for all faculty and staff after leading the University Climate Survey & Salary-Equity Study.
- **State Funding** – Successfully secured a record \$245 Million and \$48 Million, respectively in Capital and Operational funding through the Commonwealth of Virginia’s state funding process.
- **Successful Institutional Accreditation:**
 - Successful Regional Reaffirmation of Accreditation (SACSCOC) 2018 - 2028
 - Quality Enhancement Plan (QEP) – BOLT Becoming Outstanding Leaders of Tomorrow
- **Successful Reaccreditation of the following programs:**
 - Reginald F. Lewis College of Business -Association of Advance Collegiate Schools of Business (AACSB); Electronic Engineering Technology and Mechanical Engineering Technology – Accrediting Board for Engineering and Technology (ABET); Social Work - Council of Social Work Education (CSWE); Hospitality Administration – Accreditation Commission for Programs in Hospitality Administration (ACPHA); Art and Design - National Association of Art and Design (NASAD); Engineering and Computer Science Program ABET – Accreditation Board for Engineering and Technology (ABET); College of Education – Council for the Accreditation of Educator Programs (CAEP);
- **Academic Excellence:**
 - **New Programs:**
 - MSW Social Work; B.S in Education Special Education (K-12); Elementary Education (PreK-6th); Middle School Education (6th-8th); Career and Technical Education; Sports Management; MBA; M.S Data Analytics, Mechanical Engineering
 - **Distant Education:**
 - Established the 1st VSU online programs, currently six-fully online programs
 - Enhanced online course offerings
 - **Faculty Development & Support:**

- Established the Faculty Aspiring Leaders Development Program; Stipends for faculty Online Certification; Reinstated faculty Sabbatical Leave; Established the Provost Faculty Travel Grant; Established the Provost Faculty Leadership Program; Established Outstanding Faculty Award Program; Provide one course release time for new tenured track faculty members.
- **Staff Development & Support:**
 - Established Outstanding Staff Award Program; Established the Staff Aspiring Leaders Development Program; Established the Staff Travel Abroad program.
- **Enhanced Summer School:**
 - Trojan Advance – Summer courses offered at \$199 including textbooks
- **Research Accomplishments:**
 - Increased external research dollars to fund research & academic programs from \$13.7M in 2016 to \$28.8M in 2022.
 - Increased the amount of indirect cost recovered by from \$598K in 2016 to \$914K in 2022.
- **Student Success Initiatives:**
 - Established the Academic Center for Excellence (Centralized Student Support)
 - Supplemental Instruction, Advisement, Strategic Learning, Writing Center, Career Services, First Year Experience Course, 24 hr. Tutorial (Smartthinking), EAB
 - Established the first Living Learning Communities
 - Honors Living Learning Community; Medical Scholars Living Learning Community; Music and Fine Arts Living Learning Community; Engineering Living Learning Community; Education Living Learning Community
- **Graduations Rate:**
 - 8% increase in the 6-year graduation rate from 38% to 46%
 - 4% increase in the 4-year graduation rate from 28% to 32%
- **Advancement / State Government Relationships / Funded Initiatives**
 - Tech Talent Pipeline Investment \$7.3 Million over 20 years
 - The Wallace Foundation University Principal Preparation Initiative (UPPI) \$5.3 M
 - The STEM and Education Completion Program \$430,000 K
 - The Common Wealth Computer Graduate Engineering Program (CGEP) \$228 K
 - Verizon Stem Innovative Learning Program \$300,000
- **Crisis Management Experience:**
 - Enhanced mental health resources, support and awareness
 - University response to COVID- 19;
 - University response to inclement weather (Hurricane)
 - University response to campus violence
 - University response to hazing

PROGRESSIVE LEADERSHIP

Florida A&M University (FAMU), Tallahassee, Florida

- Associate Provost for Undergraduate Education, Office of Academic Affairs** (2015 – 2016)
Associate Vice President for Academic Affairs (2013 – 2015)
Assistant Vice President for Academic Affairs (2007 – 2013)
- Chair of the NCAA Academic Acceleration Support Program (AASP) Oversight Advisory Council – Charged with providing leadership in implementing the programs developed in the 2015 AASP proposal. Funding (\$300,000) was awarded by the NCAA to assist with student athlete academic success and improve Academic Progress Rates (APR).
 - Provided leadership initiatives to build a culture of excellence in operations, academics, research and service

through various internal restructurings; served as a liaison to the President, Provost, Vice Presidents, Deans, Directors, Legal Counsel and committees to expedite communications on academics, policies, procedures and processes.

- Assisted in establishing the FAMU Rural Diversity Healthcare Center in Crestview, FL.
- Facilitated the development of new academic programs: Vet Tech track, PharmD/MBA and Music Industry.
- Chaired the FAMU College of Dentistry initiative, conducting a feasibility study to justify establishment of a College of Dental Medicine to address the growing needs of underserved rural populations in Florida; led the project team through the process of securing approval from the FAMU Faculty Senate and FAMU Board of Trustees before the project was tabled by the Florida State University System Board of Governors in a period of economic cutbacks
- Served on Faculty Collective Bargaining Team to manage negotiations, broker compromises and reach agreements on faculty assignments, areas of responsibilities and compensation.

Service as a Faculty Member

College of Pharmacy & Pharmaceutical Sciences

- Faculty Senator (1995 – 2009)
- Chair of College of Pharmacy and Pharmaceutical Sciences Curriculum Committee
- Mentored College of Pharmacy & Pharmaceutical Sciences graduate/undergraduate research students
- Served as Major Professor guiding five successful doctoral candidates to earn their Ph.Ds.

HONORS & AWARDS

Gallery of Distinction Inductee 2025 - College of Pharmacy & Pharmaceutical Sciences/Institute of Public Health

News Service of Florida 50 Over 50 Recognition - 2025

President's Award, FAMU MLK Convocation Keynote Speaker 2024

Visionary Award, FAMU Center for Disability Access & Resources (CeDAR), 2013

Recognition of Outstanding Service to the Honors Program, FAMU, Honoree, 2005

Dean's Appreciation Award, FAMU, 2002 and 2004

Rising Star Award, FAMU, 2003

Exceptional Contribution in Grantsmanship, FAMU, 2002

FAMU Faculty of the Year (1999) and Advanced Faculty of the Year (2001)

SELECT COMMUNITY SERVICE & AFFILIATIONS

UNITED WAY of the Big Bend: Board Member - Present

Habitat for Humanity, Wakulla County: Board of Directors, 2013 – 2015

Bond Community Health Center: Board of Directors, 2011 – 2015

Sigma Pi Phi, Fraternity, Alpha Beta Boule: Member, 2008 – Present

Alpha Phi Alpha Fraternity Inc. - Life Member

PHA Mason, J.R.E. Lee Sr., Lodge #422: 2006 – Present

33° Grand Inspector General: Member, 2013 – Present

Prince Hall Shriner, AEAONMS, Ahmed Temple #37: Member, 2009 – Present

SELECT PUBLICATIONS:

1. Zhu, Z.P., Badisa R.B., **Palm, D.E.**, Goodman, C.B; Regulation of Rat MOR-1 Gene Expression After Chronic Intra-cerebroventricular Administration of Morphine. *Molecular Medicine Report*. February 2012; 5(2):513–516.
2. Daniel C. Lee, Carl B. Goodman, Maurice S. Holder, Otis W. Kirksey, Ceceile W. Mason, Tracy A. Womble, Walter B. Severs and **Donald E. Palm**. Hydrogen Peroxide Induces Lysosomal Protease Alterations in PC12 Cells. *Neurochemical Research*, Vol 32, No.9, April 2007, 1499–1510
3. Daniel C. Lee, Tracy A. Womble, Ceceile W. Mason, Inneke M. Jackson, Nazarius S. Lamango, Walter B. Severs* and **Donald E. Palm**. 6-Hydroxydopamine Induces Cystatin C-Mediated Cysteine Protease Suppression and Cathepsin D Activation. *Neurochemistry International*, March 2007, 50(4):607–618.

4. Daniel C. Lee, Fran T. Close, Carl B. Goodman, Inneke M. Jackson, Ceceile Wight–Mason, Lateesha M. Wells, Tracy A. Womble and **Donald E. Palm**. Enhanced cystatin C and lysosomal protease expression following 6–hydroxydopamine exposure. *NeuroToxicology*, Vol 27, Issue 2, March 2006, Pages 260–276.
5. T.A. Womble, D.C. Lee, I.N. Jackson, C.A. Mason, B.A. Smith, N. Anderson, **D.E. Palm**. An intermediate pathway of cell death involving cathepsin D during tumor necrosis factor– α –induced apoptosis. *Abstracts/Experimental Neurology* 198 (2006) 558–597.
6. D.C. Lee, **D.E. Palm**. Cathepsin D expression and activity is increased following 6–OHDA exposure and lysosomal cysteine protease suppression. *Abstracts/Experimental Neurology* 198 (2006) 558–597.
7. Conrad Johanson, John Duncan, **Donald Palm**, Andrew Baird, Edward Stopa, Paul McMillan. Choroid Plexus: A key Player in Neuroprotection and Neuroregeneration. *International Journal of Neuroprotection and Neurodegeneration*. February 2005, Vol. 1 (2) 77–85.
8. C.E. Johanson, P.N. McMillan, **D.E. Palm**, E.G. Stopa, C.E. Doberstein and J.A. Duncan, Volume transmission–mediated protective impact of choroid plexus–CSF growth factors on forebrain ischemic injury. In: *Blood–Spinal Cord Brain Barriers Health Dis.*, H.S. Sharma and J. Westman, eds., Academic Press, San Diego, CA, 2003, pp. 361–384.
9. Johanson, C.E., **D. E. Palm**, M.J. Primiano, P.N. McMillan, P. Chan, N.W., Knuckey, and E. Stopa; Choroid Plexus Recovery After Transient Forebrain Ischemia: Role of Growth Factors and Other Repair Mechanisms *Cellular and Molecular Neurobiology*. Vol. 20, No. 2, 2000, 197–216.
10. Angela M. Thornton, **Donald E. Palm**, Stephanie Dunbar; A Review of Drug Therapy for the Management of Kawasaki Disease. *Journal of Pediatric Pharmacy Practice* Vol. 4, No. 5, 251 – 257 September/October 1999.
11. Maurice S. Holder, **Donald E. Palm**, Otis W. Kirksey, Earl B. Britt, Cynthia M. Harris; A Focus on Hypertension and Hypertension–related Cardiac Hypertrophy In People of African Origin, Part II. *Florida Pharmacy Today*. December 1999.
12. Washington, J.L., Holder, M.S., Kirksey, O.W., and **D..Palm**; Fever in Infants: Appropriate Management Strategies. *Clinicians Reviews*. Vol 9, No 2, 51–68, February 1999).
13. Maurice S. Holder, Donald E. Palm, Otis W. Kirksey, Earl B. Britt, Cynthia M. Harris; A Focus on Hypertension and Hypertension–related Cardiac Hypertrophy In People of African Origin , Part I., *Florida Pharmacy Today* 22–26 November 1999.
14. Kirksey, O.W., E. Tarver, **D. E. Palm**, W. Sampson; Management of Erectile Dysfunction: The Role of Sildenafil. *Pharmacy Times* 22–27, August 1998.
15. Kirksey, O.W., M. S. Holder, **D. E. Palm**; Essential Features of Type 2 Diabetes Mellitus and its Pharmacological Management. *Florida Journal of Health–System Pharmacy*, 16: No. 3, 13–18, 1998.
16. Balaban, C.D., **D.E. Palm**, V. Shikher, R.V. Searles, L.C. Keil and Walter B. Severs: Mechanisms for vasopressin effects on intraocular pressure in anesthetized rats. *Experimental Eye Research*, 65, 517–531, 1997.
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Gerald L. Hector, CPA

Professional Experience

University of Central Florida

12/2020 - Present

The University of Central Florida is one of twelve institutions that make up the state of Florida's State University System (SUS). An institution on the rise that has a budget of approximately \$2.3 billion. An ever-growing national presence in cutting edge research and industrially impactful academic offerings, the university is poised to go even higher with the launching of our strategic plan, "Unleashing Potential."

Senior Vice President for Administration and Finance

Responsibilities:

Reporting to the president, I am responsible for all functions that oversee the following units: Human Resources, Campus Safety, Financial Reporting, Financial Management, Procurement, Taxation, Budget, Planning and Analysis, Student Accounts/Bursar, Treasury and Controller's Office. Through December of 2024 oversaw all matters relating to the Facilities, Grounds, Real Estate, Business Services and Auxiliary Enterprises.

Accomplishments:

- ❖ Oversaw the issuance of structured debt in both bank loans and capital market debt to finance a \$100 million renovation of the FBC Mortgage Stadium in the fall of 2024.
- ❖ Reestablished working relationships and partnerships with the Division of Bond Financing, and staff at the Board of Governors to ensure alignment on efficient processes and projects.
- ❖ Implemented the management concept of OATE (Ownership, Accountability, Transparency and Empowerment) within all units of the division to undergird our operating philosophy of a "Culture of Excellence."
- ❖ Led the effort for the implementation of a new \$50 million Enterprise Resource Planning (ERP) software in Workday. We went live with the system on July 1, 2022. Integrated all Direct Support Organizations (DSOs) into the main university's accounting and finance platform for the first time in the university's sixty-three-year history. The process significantly reduced accounts in the ledgers and streamlined reporting lines and functions for a better approach to the recording, summarizing, and reporting of financial information. Consolidated four disparate accounting systems into one that allows for greater transparency into the operations of all entities associated with the university.
- ❖ Played a key role in the athletics program moving from the American Athletic Conference to the Big 12 Power Four conference and served on the search committee that brought the current Athletic Director to the university.
- ❖ Completed all audits of eight DSOs inside the new Workday system by October 31st each year. The main campus audits were produced in a timely manner to meet state reporting obligations. All audits since the Workday implementation were received with unmodified opinions. The highest level of attestation an organization can receive. Additionally, there were no audit findings or letter comments. The same is expected for all future audits.

- ❖ Led the effort to implement a new budget planning tool in Adaptive Planning. Went live with the new system on July 1, 2022. That achievement led to an integration of all DSOs into one budget presentation for greater transparency to senior leadership and the Board of Trustees (BOT).
- ❖ Established a new reporting protocol where monthly Management Discussion and Analysis (MDA) reporting is provided to senior leadership, and quarterly reporting of all nine entities presented to our Board of Trustees. This was the first time that full sets of management reports covered all financial entities of the university in a single report during a fiscal year. These reports continue to be produced as they assist senior management and the Board of Trustees to make data driven decisions around the university's comprehensive finances.
- ❖ Created a new cash management protocol for reporting on all cash and cash equivalents at the end of each month with projections through the end of the fiscal year. For the most recently concluded fiscal year of June 30, 2024, the new strategy yielded an approximate 8% return, providing almost \$52 million of much needed investment earnings to augment operational resources. It is expected that as of June 30, 2025, we will have similar results based on our cash management protocols.
- ❖ Led the effort for the implementation of a new incentive-based Responsibility Center Management (RCM) budget model. Model launch was July 1, 2022. Ongoing refinement is under my purview. The process created "Profit and Loss Statements" by college and units for greater transparency into how resources are allocated across all fund types. The model that puts the university on a path to understanding the return on investments for funds invested in colleges and units.
- ❖ Played a role in developing and launching the strategic plan "Unleashing Potential" that was adopted by the Board of Trustees in the fall of 2022. Primarily responsible for the fourth pillar of Innovation and Sustainability by seeking alternative revenue sources and bringing greater efficiency to all administrative and financial operations to reduce costs for more robust investments to be made in the academic core.
- ❖ Leading the effort to transform the business processes of the university through the Service Enhancement Transformation (SET) project. Launched a new shared service model that supports SET launched on July 1, 2022. Currently we are revamping all business operating procedures to streamline how transactions are processed to reduce payment terms and hiring timelines for both savings and efficiency.
- ❖ Created the first ever Chief Financial Officer's Council at the university that includes all the Chief Financial Officers from all eight DSOs.
- ❖ Served as Chairman of the UCFCC, UCFSC, and UCFEC which are all DSOs of the university. Transitioned to the CEO roles to ensure that the state's sunshine laws are effectively managed. Currently these three DSOs operate as businesses versus the support role they had in prior iterations.
- ❖ Instituted new campus communications programs entitled "***Dollars & Sense***", and "***From the CFO***" to keep the campus apprised of the change management projects across the institution. "***Dollars & Sense***" are town hall styled meetings that occur after each board of trustees' meeting. "***From the CFO***" are quarterly articles written to the campus to keep them updated on our transformation efforts. Frequency is also determined based on urgency of topics that must be addressed.

- ❖ Instituted the “Weekly CFO Update” to keep all vice presidents and deans apprised of the financial and operational changes that would affect them as all major change efforts mature on campus.
- ❖ Created the position of University Treasurer position to manage risks associated with a more proactive liquidity management program.
- ❖ Created a working capital advisory committee to provide counsel on market vagaries around short-term working capital management, to keep our funds always working on our behalf.
- ❖ Reorganized the division within the first month of arrival to position personnel to realize the goals of the president and the board of trustees. That included strengthening the authority and scope of the University Controller.
- ❖ The division of Administration and Finance oversees four campuses, that includes a teaching hospital and the number one hospitality school in the nation.
- ❖ Created the university’s Real Estate office to oversee all land holdings and assets with a view towards monetizing this portfolio to drive the objectives and mission of the university.
- ❖ Completed a full marginal revenue analysis of all academic programs to understand, “How Much Does It Cost to Educate a Knight”. The work is ongoing as we continue to refine our budget and administrative practices and processes.

Morehouse College

05/2019 – 12/2020

Morehouse College is one of the nation’s premier Historically Black College and University (HBCU) and remains a top choice of young black men who are interested in being social entrepreneurs and making long lasting impacts on the nation and the world.

Executive Vice President and Chief Business Officer

Responsibilities:

Reporting to the president, I was responsible for Human Resources, Information Technology, Controller’s Office, Treasury, Tax Compliance, College Policy, Campus Operations, Facilities and Grounds, Risk Management and Insurance, College Compliance, Student Accounts, Financial Aid, Auxiliary Services, and Legal (as of June 2020)

Accomplishments:

- ❖ Restructured the division of business and finance within the first two weeks of tenure.
- ❖ Transferred the long-term portfolio custodial accounts my first month of tenure and oversaw a portfolio that grew exponentially since my arrival (51%)
- ❖ Implemented the management concept of OATE (Ownership, Accountability, Transparency and Empowerment) within all divisions to undergird our operating philosophy of a “Culture of Excellence.”
- ❖ Cast a new vision around how the college will transform its operations around people, processes, and performance (the three Ps)
- ❖ Found mentors within higher education for all my direct reports by teaming them up with former direct reports who are now in senior roles at larger institutions. This was one of several key strategies around succession planning.
- ❖ Created and Co-Chaired the college’s first ever Institutional Effectiveness and Budget Committee (placed students, faculty and staff on the committee).

- ❖ Chaired the college's first ever Academic Costing Committee that studied the cost structure of the academic units (report delivered to president in June of 2020), "The Cost of Educating a Morehouse Man."
- ❖ Completed a "skinny" ten-year master plan that has been woven into a full college strategic plan that was passed by the Board of Trustees in October of 2020.
- ❖ Co-Chaired an effort to revamp the entire enrollment management process from Admissions through to students' matriculation (included advising and student success).
- ❖ Led all negotiations for four (4) potential public/private partnerships that would monetize underdeveloped and unused parcels of land in the growing West End of Atlanta.
- ❖ Revamped the policy approval process to include tiered committees and assigned accountability and responsibilities to Executive Sponsors for every policy at the college.
- ❖ Led an effort to revitalize the research program of the college as a part of the college's revenue diversification strategy.
- ❖ Led the multi organization (including the Department of Education and several of the nation's private loan service providers) effort around the Student Success Program from Mr. Robert Smith, and its \$34 million effort to pay off student debt for the Class of 2019.
- ❖ Created both Facilities and Information Technology intake committees to monitor projects more holistically and transparently for a broad cross section of the campus.
- ❖ Created financial dashboards for senior leadership and the board of trustees. This allowed for data driven decisions to be made during a fiscal year.
- ❖ Started the process of extinguishing the total debt portfolio through the Cares Act before my departure when it was consummated.

Cornell University

08/2016 – 12/2018

Cornell University is one of the nation's eight Ivy League institutions. It has an annual operating budget of \$4.5 billion, with \$13 billion in assets as of June 30, 2017. The endowment is approximately \$7 billion. The institution has approximately \$1.3 billion in debt as of June 30, 2017. Enrollment is approximately 15,000 undergraduates, 8,000 graduate students and professionals, and is served by 14 schools/colleges across four campuses.

Vice President for Financial Affairs and University Treasurer

10/2017 -12/2018

Responsibilities:

Reporting to the Executive Vice President and Chief Financial Officer, I was responsible for the following offices and functions: Controller, Tax, Procurement, Sponsored Financial Services (Post Award), Payroll, University Business Service Centers, Bursar, Treasury, and the University Policy Office. Assumed the Treasurer's role in October of 2017.

Accomplishments:

- ❖ Maintained the responsibilities of the Vice President for Financial Affairs.
- ❖ Completed a total transformation of the accounting and finance staff for the Division of Financial Affairs.
- ❖ Oversaw a team of three individuals that managed a debt portfolio of approximately \$1.3 billion.
- ❖ Led a treasury team that negotiated terms for a \$150 million private placement debt structure in June of 2018 as part of the university's first "new money" issuance in almost a decade.
- ❖ Secured financing for \$150 million of a \$250 million residential housing complex approved by the Board of Trustees. The effort was split between the \$150 million private placement transaction, and \$100 million in tax exempt bond financing.

- ❖ Collaborated with the Investment Office to oversee the updating of our \$137 million outstanding commercial paper self-liquidity thresholds.
- ❖ Managed the working capital program, intermediate cash, and lines of credit for the university.
- ❖ Reorganized the treasury function to improve aspects of cash management and upgraded the skill sets needed by restructuring roles and responsibilities and changing job functions considering enhanced PCI compliance and the need for greater campus engagement.
- ❖ Conducted a full assessment of our short-term cash management practices and revised the investment options of working capital to drive greater returns. Drove short term returns by approximately 25bps to 30bps.
- ❖ Created a cross functional group of key stakeholders to monitor cash flow in our decentralized environment. The group met quarterly and was comprised of representatives from Advancement, Budget, Treasury, Facilities, and Sponsored Programs (Post Award).
- ❖ Renegotiated our corporate card program agreements to increase rebate percentages by 42bps that translated into estimated additional rebates of approximately \$300K-\$400K per year.
- ❖ Streamlined credit card programs utilized for purchasing by increasing both limits on cards and bid limits on contracts to increase the options and flexibility for end users to make purchases timely and effectively.
- ❖ Completed a yearlong study of procurement practices and launched a pilot phase of testing findings that allowed for greater opportunities to procure products and services faster.
- ❖ Co-Executive Sponsor for the Workday Time Tracking time management system implementation that replaced the older Kronos system.
- ❖ Executive Sponsor for the Concur travel system implementation.
- ❖ Chaired the inaugural Credit Card Advisory Group (CCAG) that was tasked with understanding all facets of the Payment Card Industry (PCI) requirements and ensuring that the university was aware of the risks and exposures in its decentralized environment.
- ❖ Relocated the Treasurer's office from a satellite location into the main operating facility of the division to take advantage of closer proximities and to enhance the cohesiveness of the team.
- ❖ Launched a successful RFP process and selected a vendor (Kyriba) that assisted the university in automating its cash management process.

Vice President for Financial Affairs

08/2016 – 09/2017

Responsibilities:

Reported to the Executive Vice President and Chief Financial Officer and was responsible for the following offices: Controller, Tax, Procurement, Sponsored Financial Services (Post Award), Payroll, University Business Service Centers, Bursar, Treasury, Risk Management and University Policy Office.

Accomplishments:

- ❖ Managed all aspects of recording, summarizing, and reporting of consolidated financial information, including financial statements.
- ❖ Oversaw the relationships with audit and tax professionals who provided services to the university around annual audits and IRS filings.
- ❖ Oversaw the treasury functions of the university that covered all three campuses. This was prior to adding the title Treasurer.

- ❖ Oversaw the management of financial interactions with the main campus in Ithaca and campuses in NYC at Weill Cornell Medicine, and Cornell Tech. There were also limited interactions with our campus in Qatar.
- ❖ Worked with several team members to establish a WOFE (Wholly Owned Foreign Entity) in China, and nonprofits in India.
- ❖ Managed a staff of approximately 130 accounting and finance professionals.
- ❖ Upgraded the staffing in the Controller's organization from two CPAs upon my arrival in the summer of 2016 to nine by the end of my tenure in December of 2018. The goal was to strengthen and reshape the general accounting functions to be prepared for significant FASB changes over the next three to four years.
- ❖ Reorganized the division to have five direct reports based on key functional groups in the division that drove our transformation efforts.
- ❖ Created a new discussion series "DFA Conversations" to engage the campus on a host of topics to connect the division to our decentralized operations. Meetings were held monthly with each unit in the division making a presentation about their services and projects.
- ❖ Instituted a professional development program and created "professional development arcs" for each unit within the division to create a realistic career path for aspiring leaders to follow.
- ❖ Launched a division wide transformation effort around the tenets of "People, Process and Performance" undergirded by the principles of Ownership, Accountability, Transparency and Empowerment. The effort was designed to have every member of the division thinking about the changes we had to undertake, and to set a firm foundation for future growth and development within the division.

Ithaca College

07/2013 – 07/2016

Midsized liberal arts institution located in Ithaca, NY with an enrollment of approximately 6,700 undergraduates. The total budget was approximately \$230 million, with assets totaling \$759 million. Total debt amounted to approximately \$150 million.

Vice President for Finance and Administration

Responsibilities:

- ❖ Reported directly to the president of the college and was responsible for the following offices and functions: Financial Services, Budget and Planning, Endowment and Investments, Facilities, Grounds, Technical Services, Dining Services, Print Production, Campus Store, Campus Center and Event Services, Auxiliary Services, Energy Management and Sustainability, Information Technology Services, Post Office, Purchasing and Procurement, and Identification Management.
- ❖ Member of the President's Council which is the final decision-making body to advise the president on major institution wide decisions.

Accomplishments:

- ❖ Restructured the budgeting methodology from incremental budgeting to the more strategic Zero-Based Budgeting within the first year of my tenure.
- ❖ Brought more ownership, accountability, and transparency to all financial functions of the college through the launching of the "***Dollars and Sense***" monthly educational series.
- ❖ Completed a ten-year master plan with a comprehensive deferred maintenance review from which the data drove future strategic decisions around capital and infrastructure planning.

- ❖ Instituted a formal five-year deferred maintenance strategy to address almost \$188 million in needed repairs and upgrades discovered through a facilities audit.
- ❖ Served the Finance, Building and Grounds, Audit, and Investment committees of the Board of Trustees.
- ❖ Managed a debt portfolio of approximately \$165 million of both fixed and variable rate strategies, with an eye towards creating balance sheet strength while maintaining cash flow for critical needs in information technology and facilities.
- ❖ Redesigned and reorganized the Information Technology department and instituted its first ever five-year strategic plan that increased the use of modern technology to drive efficiency and operational effectiveness in both the academy and administrative units.
- ❖ Completed the college's first solar energy deal with a private partner to provide approximately 10% of annual energy needs.
- ❖ Renegotiated power purchase agreements to save almost \$300K per year from a 2014 baseline. This was the first major initiative completed against a Climate Action Plan passed in 2009 with a carbon neutrality date of 2050.
- ❖ Worked with the Investment Committee of the Board of Trustees to revisit the overall vision and allocations of the long-term portfolio of approximately \$270 million to address both growth and intergenerational aspects of institutional portfolio management.
- ❖ Enhanced the endowment spend policy to strengthen budget predictability for cash flow planning and execution of strategies.
- ❖ Restructured approximately \$80 million worth of debt in the first two years of my tenure to extend favorable terms in a low-interest rate environment, but more importantly to garner synthetic fixed rates for budget certainty through derivatives and other financing vehicles.
- ❖ Reshaped leadership team by incorporating behavioral tenets around People, Process and Performance (the Three Ps). The division leadership team became more adaptive and responsive to the change efforts launched on campus, but more importantly to the challenges that higher education faced at the time.
- ❖ Within the first year of tenure, recruited and filled two key Associate Vice President roles in major areas of focus for the success of the college's transformation efforts. Functioned as both the Vice President and Associate Vice President during the transitions to get a good understanding of the issues relevant to the campus to allow for the right decisions to be made on the final candidates.
- ❖ Led the college's effort in a partnership with Cornell University and Tompkins Cortland Community College to establish a first of its kind Business Incubator in downtown Ithaca. The incubator was officially launched in September 2014.
- ❖ Led the college's efforts to engage around complying with New York Governor's tax-free initiative, Start Up New York. The initiative required the college to partner with startup businesses to take advantage of substantial tax breaks and spur economic growth. The effort was still in its nascent stages upon my departure.
- ❖ Co-Chaired the Institutional and Effectiveness Budget Committee for the college.
- ❖ Chaired the Facilities Planning Committee for all campus construction and renovations.
- ❖ Managed a division of approximately three hundred and thirty (330) professionals and staff.
- ❖ Played a leadership role in addressing the campus climate concerns between students and the administration. The division led by example by having weekly lunch meetings to discuss this topic during calendar year 2015 when many institutions had to face this issue head on.

Johnson C. Smith University**10/2004 – 05/2013**

Small liberal arts institution located in Charlotte, NC with an enrollment of approximately 1,500 undergraduate students. The total budget was approximately \$50 million, and upon departure, total debt was approximately \$4 million. Considered an HBCU, it is also a member of the United Negro College Fund, Inc.

Vice President of Business and Finance**Responsibilities:**

- ❖ Reported to the president and was responsible for the following offices and functions: Accounting and Finance, Endowment, Student Accounts, Motor Pool, Facilities, Grounds, Technical Services, Post Office, Purchasing and Procurement, Risk Management, Payroll, Campus Police and Auxiliary Services.
- ❖ Member of the President's Administrative Council that was the final decision-making body at the university.
- ❖ Member of the Institutional Effectiveness Committee.

Accomplishments:

- ❖ Managed an annual budget of approximately \$46 million, with total assets of approximately \$127 million, a growth of twenty seven percent (27%) during my tenure.
- ❖ Managed the University's endowment of approximately \$53 million, a growth of thirty four percent (34%) during my tenure.
- ❖ Grew the University's unrestricted cash reserves from less than \$1 million to approximately \$10 million in four years.
- ❖ Managed the University's overall debt strategies for capital financing on campus wide projects.
- ❖ Renovated and repurposed six buildings and completed three new construction projects.
- ❖ Completed negotiations with Mecklenburg County to upgrade and replace an eight-lane track that served a major community purpose to enhance the relationship between the county and the university. The negotiations resulted in a new \$1 million surface being installed.
- ❖ Reorganized the Division of Financial Affairs to streamline processes, and to create three new units that were not present upon arrival at the university but were essential to its operations.
- ❖ Led the effort to change the University's ERP system which allowed for automated reporting to Budget Managers across the campus, eliminating the need for paper and printed materials.
- ❖ Streamlined the budget and accounting processes so that Budget Managers could manage their own expenditures at a departmental level.
- ❖ Served the Budget and Finance, Audit, Investment, and Insurance committees of the Board of Trustees.
- ❖ Managed a staff of twenty people (20), plus all contracted vendors for the University in Facilities and Custodial operations.
- ❖ Led the Business Office during its 2006 reaccreditation efforts where the university did not receive any findings from SACSCOC. The effort was a year and a half process after my arrival and required working closely with the president to turn the finances around quickly to meet compliance.

United Negro College Fund, Inc.**11/1998 – 10/2004**

The nation's oldest fundraising organization for Historically Black Colleges and Universities. Founded in 1944, the organization supports approximately 39 institutions directly through its efforts, and raises funds for non-members

as well. It is best known for its slogan, "A Mind is a Terrible Thing to Waste." Total revenues are approximately \$79 million, total assets are approximately \$768 million, and total debt is approximately \$31 million.

Corporate Controller (November 1998 – October 2004)

Responsibilities:

Reported to the Vice President and Chief Financial Officer and was responsible for the following offices and functions: Controller's Office that included Treasury, Accounts Payable, Financial Reporting, Payroll, Telethon Support, and Investments (prior to a formal CIO being hired upon my recommendation).

Accomplishments:

- ❖ Managed an operating budget of approximately \$30 million, with programmatic expenses of approximately \$100 million annually.
- ❖ Managed and maintained the general ledger, cash management and all accounting related matters for the organization while working closely with the Chief Executive Officer to create and enhance major scholarship and academic programs.
- ❖ Created the financial framework for the landmark \$1 billion Gates Millennium Scholars program in September of 1999.
- ❖ Assisted in the negotiation of having the financial assets of the Gates Millennium Scholars program turned over in a lump sum for the organization's management.
- ❖ Oversaw the annual \$50 million annual distribution necessary to operate the Gates Millennium Scholars program.
- ❖ Monitored the recording, summarizing, and reporting of all organization's assets which amounted to \$964 million as of March 31, 2005 (departed position during the fiscal year ended March 31, 2005).
- ❖ Monitored the accounting and GAAP reporting for the defeasance strategy of investing applied to the Gates Millennium Scholars program assets.
- ❖ Worked closely with the Chief Investment Officer to update the accounting for the program back to the Bill and Melinda Gates Foundation.
- ❖ Completed the final accounting and reporting for the \$280 million Capital Campaign 2000.
- ❖ Created the financial framework for the \$130 million Technology Enhancement Capital Campaign.
- ❖ Monitored and supervised the back-office operations for the annual An Evening of Stars Celebration (a \$14 million dollar effort) that included supervising over 350 individuals receiving approximately 11,000 telephone calls over two days.
- ❖ Provided financial oversight for the Operation Bang Direct Mail campaign that yielded on average \$5 million dollars each year of unrestricted resources.
- ❖ Served as the financial liaison between senior management and the Board of Directors (including the Audit, Budget, and Investment Committees).
- ❖ Provided the accounting expertise to spin off the federal programs of UNCF into the UNCFSP (a separate entity).
- ❖ Monitored the annual unrestricted distributions of approximately \$28 million dollars to the 39 (during tenure) member institutions that made up the organization's membership.
- ❖ Monitored the accounting and reporting for approximately 450 scholarship programs and the Frederick D. Patterson Research Institute.
- ❖ Monitored and managed the accounting for a portfolio of approximately 90 special events across the United States that netted approximately \$5 million dollars annually.

- ❖ Provided the accounting services and expertise to twenty-five area offices (during tenure) across the United States.
- ❖ Managed a staff of fifteen (15) people.

Deloitte and Touche Washington DC

08/1993 – 11/1998

Big six (at the time) accounting firm specializing in attestation, tax, and consulting services. A global company with offices located in almost every major city in the United States and the world.

Public Accountant

Responsibilities:

Reporting to team leads (i.e. engagement partners and managers), I provided attestation services for clients that ranged from international independent power plants to nonprofit organizations. My total client base was more than \$3 billion.

Accomplishments:

- ❖ Worked with the firm's tax department to ensure total compliance with all federal and state regulations and provided business advisory services.
- ❖ Specialized in multinational independent power utilities and nonprofit organizations.
- ❖ Provided accounting expertise regarding the building and commissioning of several independent power plants both nationally and internationally.
- ❖ Reviewed and audited complex accounting transactions pertaining to foreign energy contracts and various derivative instruments.
- ❖ Generated financial information to assist with FASB 109 tax calculations for multinational entities.
- ❖ Reviewed 10Q and 10K filings for one major public independent power plant.
- ❖ Served as a member of the firm's Minority Initiative Council.
- ❖ Selected as a trainer for the implementation of the firm's AS/2 audit software in the Mid Atlantic practice office.

Education and credentials

- ❖ Currently engaged in course work for an EdD in Higher Education Administration at UCF
- ❖ Graduate of LifeWorks Orlando, June 2024
- ❖ Certified Public Accountant, State of Florida License Granted, November 2022
- ❖ Masters of Christian Thought, Gordon Conwell Theological Seminary, May 2017
- ❖ Institute for Educational Management, Harvard University, July 2015
- ❖ Common Fund Endowment Institute Level II, Yale University, July 2012
- ❖ Common Fund Endowment Institute Level I, Yale University, 2010
- ❖ College Business Management Institute, University of Kentucky, 2008
- ❖ Certified Public Accountant, State of Maryland License Granted, July 1998
- ❖ Bachelor of Business Administration, Howard University, with honors May 1993, Accounting

Professional Activities

Boards and Committees:

- ❖ Board Member, Winter Park Institute, Orlando Florida
- ❖ Associate Minister, The Hope Church, Orlando Florida
- ❖ Mentor and Faculty Member for the Higher Education Leadership Institute at Clark Atlanta University (September 2022 to present)
- ❖ Chief Executive Officer for UCFCC, UCFSC, and UCFFC simultaneously (June 2023 to present)
- ❖ Board Chair for UCFCC, UCFSC, and UCFFC simultaneously (September 2021 to June 2023)
- ❖ Member NDAA Advisory Group (December 2018 to 2020)
- ❖ JHUA Executive Committee (December 2018 to present)
- ❖ Board Member and Treasurer, Gordon Conwell Theological Seminary (October 2017 to present)
- ❖ Board Member, Air Services Board of Tompkins County (October 2016 to December 2018)
- ❖ Board Member, Hospicare, Ithaca, New York (June 2016 to December 2018)
- ❖ Board Member, EACUBO (June 2017 to December 2018)
- ❖ Member, Program Services Committee, EACUBO (June 2016 to December 2018)
- ❖ Council Member, Research Institutions, NACUBO (National Association of College and University Business Officers). Term ended in 2018
- ❖ Member, Blue Ribbon Panel for Tompkins County Library System (2014). Recommendations forwarded to City Council and Legislators for consideration
- ❖ Chairman, National Risk Management Subcommittee Educational & Institutional Insurance Administrators, Inc. (EIIA) (2011 – 2013)
- ❖ Member, Joint Advisory Council for Educational & Institutional Insurance Administrators, Inc. (EIIA) (2007 – 2013)
- ❖ Member, Employee Benefits Task Force for Educational & Institutional Insurance Administrators, Inc. (EIIA) (2007 – 2013)
- ❖ Board Member, Park Property Management, Charlotte, North Carolina (2006 to 2019). Treasurer and Secretary (2006-2013)
- ❖ Financial Reviewer, SACS (Southern Association of Colleges and Schools) (2006 – 2013 & 2019 to present)
- ❖ Board Member, Northwest Corridor Community Development Corporation, Charlotte, NC (2004 – 2009)

Presentations:

- ❖ Selected Panelist, “*State University System Funding*”, Florida Senate Higher Education Committee, March 2025
- ❖ Selected Panelist, “*2025 Budget Overview*”, Florida House Higher Education Committee, February 2025
- ❖ Selected Panelist, “*The Big 12 CBO Scorecard*”. NACUBO 2024 Annual Meeting. This scorecard is the first of its kind for Chief Business Officers to measure their personal performance and their impact on our institutions.

- ❖ Keynote Speaker, 28th Annual Joseph C. Andrews Mentoring Celebration at the University of Central Florida, “*Community Excellence.*” February 2022
- ❖ Selected Panelist, “*Advancing Diversity and Inclusion on Campus: Continuing the Conversation.*” NACUBO 2018 annual meeting
- ❖ Selected Panelist, “*Enduring and Emerging Roles for the Chief Financial Officer*”, NACUBO 2018 annual meeting
- ❖ Selected Panelist, “*New Ways to Lead, Collaborate and Succeed with IT Investments,*” NACUBO (July 2017)
- ❖ Facilitator, “*Managing the University*” Administrative Management Institute, Cornell University (July 2017)
- ❖ Contributor, “*The Power of Storytelling in Driving Participation across the Institution.*” Howard Teibel’s “Navigating Change” National Podcast series,
- ❖ Facilitator, “*Navigating the New Normal*”, Board Retreats for Bennett College, Miles College, and Elizabeth City State University (Summer 2016).
- ❖ Panelist, “*CBO’s Role in Race and Diversity*” NACUBO (June 2016)
- ❖ Instructor, “*New Business Officer Program*” NACUBO (July 2016)
- ❖ Co-Facilitator, “*Access and Success: Chief Enrollment and Chief Financial Officers Bridge the Need – Merit Gap*”. AACRAO (March 2016)
- ❖ Mentor, *New Business Officers Program*” EACUBO (Eastern Association of College and University Business Officers) (February 2016)
- ❖ Presenter, “*The Power of Direct Engagement.*” NACUBO’s CBO Speaks series. (August 2015)
- ❖ Co-Presenter, “*Access and Success: Chief Enrollment and Chief Financial Officers Bridge the Need – Merit Gap*”. AGB (Association of Governing Boards) (October 2015)
- ❖ Co-presenter, “*Fulfilling Financial Responsibilities: How Board Members and CFOs Can Contribute to More Effective Governance.*” AGB (Association of Governing Boards) national webcast (October 2015)
- ❖ Presenter, “*Navigating the New Normal Financial Education Series*” HBCU Nation Radio Show (Spring and Summer 2015 & rebroadcasts started in summer of 2020)
- ❖ Presenter, “*Avoiding Financial Exigency*”. SACUBO (Southern Association of College and University Business Officers) Annual Meeting (April 2015)
- ❖ Presenter, “*The Confusion of the “Ms” in Enrollment: Money versus Mechanics.*” AGB (Association of Governing Boards) Annual Meeting, (April 2015)
- ❖ Presenter, “*Looking Under the Hood: Institutional Aid Policies and Strategies*”. NACUBO national webcast (April 2015)
- ❖ Presenter, “*The Intersection of Strategy and Reality; Where Finances, Policies, Practices and Effectiveness Meet.*” EACUBO Annual Meeting (October 2014)
- ❖ Presenter, “*Navigating the New Normal; Imperatives for MSI Effectiveness and Avoiding Financial Exigency.*” Southern Education Foundation national webinar (September 2014)
- ❖ Presenter, “*Avoiding the Financial Icebergs at Minority Serving Institutions*” Southern Education Foundation Annual Meeting in Washington, DC (June 2013)
- ❖ Presenter, “*Back to the Basics*” Southern Education Foundation Annual Meeting (June 2012)
- ❖ Facilitator, “*Accreditation is a Process Not an Event*” Board retreats for Jarvis Christian (2011) and Bennett College (2012)

Articles, Publications and Media:

- ❖ Author, “*The New Normal Continues to Affect Institutions*” AACRAO (American Association of College Registrars and Admission Officers) (October 2016)
- ❖ Author, “*Enlightening IT*”. NACUBO’s Business Officer Magazine (March 2016)
- ❖ Collaborator, “*Benchmarking Breakthrough.*” NACUBO’s Business Officer Magazine (October 2015)
- ❖ Author, “*Navigating the New Normal*” video tutorial launched nationwide. Tutorial is accompanied by worksheets for trustees and senior administrators (February 2015)
- ❖ Co-Author, “*Past Rationale, New Thinking Are Keys to Proper Planning*”. NACUBO’s Business Officer Magazine (November 2014)
- ❖ Author, “*Navigating the New Normal; Imperatives for MSI Effectiveness and Avoiding Financial Exigency.*” –Southern Education Foundation, (August 2014)

Awards:

- ❖ Awardee, Howard University School of Business 45th Anniversary Exemplar Alumni (October 2015)
- ❖ Awardee, Boys Scouts of America Northern Virginia Chapter Outstanding Accountant Award – 1998
- ❖ Awardee, four-year track and field scholarship, Howard University (1989 – 1993)
- ❖ Awardee, Scholar Athlete Recognition, Howard University (1990 – 1993)
- ❖ Inductee, Golden Key National Honor Society (1993)

Service in Personal and Community Organizations

- ❖ Black History Month Speaker, “*The Collective Climb: Ascending the Ladder.*” Darden African American Network, February 2024
- ❖ Host, “*Its Easy Son*”, ongoing podcast series launched in June of 2020 (close to 100 episodes)
- ❖ Author, “*Its Easy Son, Quit Making Things Difficult*”, published in October of 2019
- ❖ Speaker, “*Its Easy Son*”, JACAN, 9th Annual Trailblazer Scholarship Banquet (September 2019)
- ❖ Speaker, “*If Not Now When*”, Baccalaureate Speaker Gordon Conwell Theological Seminary Commencement (May 2017)
- ❖ Speaker, “*It Is On Us Now*”, NAACP Elmira/Corning Chapter MLK Breakfast (January 2017)
- ❖ Men’s Bible Study, Calvary Baptist Church, Ithaca, NY (June 2014 – July 2020)
- ❖ Minister in Training at the Park Church (2010 – 2013)
- ❖ Instructor, High School Sunday School The Park Church (2006 – 2013)
- ❖ Coach, U-10 Girls Strikers Soccer Center (2006 – 2012)
- ❖ Task Force Appointee, Attorney General of North Carolina Campus Safety Task Force 2007 – 2008 to study the Virginia Tech campus shooting
- ❖ Co-Chairman, Board of Trustees, Florida Avenue Baptist Church (1998 – 2000)
- ❖ American Institute of Certified Public Accountants (1998 – 2006)
- ❖ Maryland Society of Accountants (1998 – 2006)

- ❖ Speaker, *“Leading from Within”*, Jamaican American Cultural Association Annual Dinner, Charlotte, North Carolina, 2007
- ❖ Co-Chairman, Accounting Advisory Board, Howard University School of Business (1996 – 1997)
- ❖ Speaker, *“Education is Key, Education is Essential”*, Rotary Club of Kingston, Kingston, Jamaica 1996
- ❖ Panelist, *“The NCAA Clearinghouse and its Impact on Student Athletes”*, Mico and Sam Sharpe Teachers College, Kingston, Jamaica 1996
- ❖ Participant, Deloitte and Touche Southeastern Challenge for Howard University (1992)

MARVA BROWN JOHNSON, ESQUIRE

SENIOR EXECUTIVE LEADER

Higher Education Leadership | Strategic Planning | Operational Excellence | Innovation & Transformation



An accomplished, senior executive with 30 years of experience leveraging legal, strategic, and business acumen to drive institutional excellence. A visionary leader with a proven ability to set strategic direction, inspire high performance, and foster continuous growth. Actively engages in fundraising, external advocacy, and consensus-building among stakeholders to advance an organization's mission. Committed to integrity, transparency, and shared governance, ensuring a culture of ethical leadership and free expression. A dynamic change agent capable of expanding academic and research programs to meet evolving economic demands while attracting and managing top-tier talent. Balances collaboration with decisive vision-setting, utilizing data-driven decision-making to propel growth.

Executive Impact

- Leadership & Administration
- Financial Oversight & Management
- Policy, Planning & Compliance
- Performance Improvement & Metrics
- Community & Strategic Partnerships
- C-Suite & Board Relationships
- Stakeholder Engagement
- Professional Development
- Team Development & Leadership
- Culture Development
- Fundraising & Grant Management
- Process Optimization

"Marva is a visionary leader with an unwavering commitment to excellence. Her innately strategic thinking coupled with her focus on delivering results, makes her an exceptional leader." – Roscoe Y., CEO & President of Young Kinsley

Professional Experience

CHARTER COMMUNICATIONS • Stamford, CT • 2016 – Present

A Fortune 100 company and leading broadband connectivity company and cable operator with services branded as Spectrum.

Group Vice President (2020 – Present)

Regional Vice President, State Government Affairs (South) (2016 – 2020)

Provides executive leadership across state, local, and regulatory portfolios in 9 southeastern states, driving legislative and regulatory policies to support business objectives and enhance service delivery. Serves in a C-Suite capacity to lead an internal team of 27, including 7 direct reports, and over 50 external consultants.

- Drives broadband expansion and grant compliance, including overseeing Charter's commitment to the Rural Digital Opportunity Fund (RDOF), which provides broadband to 1.2M underserved locations—40% within the Southeast region.
- Leads local franchise relationships including franchise negotiations, ensuring infrastructure deployment and strategic community investments, and the expansion of the Spectrum Internet Assist Program for low-income families.
- Advocates for local programming, coordinating production of a news show, "In Focus," across 4 states to highlight regional issues.
- Maintains regulatory oversight to ensure compliance with state public service commissions and optimizes shared infrastructure access for network growth.
- Leads legislative advocacy to consistently achieve substantial cost savings and operational improvements.
- Facilitated securing public-private partnerships, including state and local grants, to connect 300K unserved locations.

BRIGHT HOUSE NETWORKS, LLC (ACQUIRED BY CHARTER IN 2016) • Syracuse, NY • 2006 – 2016

Offers video, high-speed data, home security and automation and voice services. The 6th largest cable operator in the US.

Corporate Vice President, Government & Industry Affairs (2010 – 2016)

Transitioned into government affairs, managing the company's legislative and regulatory portfolios alongside technology policy duties. Led a team of 24, including 5 direct reports and external lobbyists, advancing business objectives while ensuring effective customer advocacy.

- Modernized statutory codes, ensuring telephony services met fire code compliance standards.
- Revitalized the company's Political Action Committee (PAC), securing employee engagement and funding for political advocacy.
- Repositioned Bright House as an enterprise-level telephony provider, securing major contracts, including as the official communications provider for the Republican National Convention in Tampa, FL.
- Expanded the company's market presence and enabled the company to secure district-wide contracts with school systems.

Corporate Vice President, Technology Policy & Industry Affairs (2008 – 2010)**Interim Vice President, CLEC Operations (2008 – 2009)**

Led the telecommunications network operations team during management transition. Promoted to a senior external-facing role and positioned the organization and the cable industry favorably in legislative and regulatory discussions.

- Engaged with key industry groups, influenced federal policies such as net neutrality, and aligned company operations with evolving regulations.
- Developed fraud management strategies, ensured compliance with the Digital Millennium Copyright Act, and advocated for modernized telephony regulations, balancing innovation with legal and consumer protections.

**Director, Carrier Services & Financial Operations (2006 – 2008)**

Joined organization during a critical transition, leading the shift from reselling Verizon's telephony services to developing an independent infrastructure. Managed intercarrier functions, regulatory compliance, negotiated agreements, and oversaw finance operations for the telephony segment.

- Seamlessly migrated nearly 1M customers to company's self-provisioned network without a single failure.

Earlier Career

SUPRA TELECOMMUNICATIONS (CLEARTel) | ORLANDO, FL • Vice President & General Counsel
KMC TELECOMMUNICATIONS (CENTURYLINK) | ATLANTA, GA • VP & Senior Counsel; Director, ILEC Compliance
MCI (VERIZON) | ATLANTA, GA • Acting Executive Director & Senior Manager, Business Markets Product Development
BELLSOUTH (AT&T) | ATLANTA, GA • Senior Staff, Internal Audit
ARTHUR ANDERSEN | TAMPA, FL • Experienced Staff, Audit Division

Education

JURIS DOCTOR (JD) • Georgia State University
MASTER OF BUSINESS ADMINISTRATION (MBA) • Emory University
CTAM EXECUTIVE MANAGEMENT PROGRAM • Harvard Business School
BACHELOR OF SCIENCE (BS), BUSINESS ADMINISTRATION • Georgetown University

Professional Accomplishments**Bar Admissions**

State Bar of Georgia

Leadership

Women in Cable & Telecommunications Senior Executive Summit | Stanford University
 Leadership Florida Education Class Program

Honors & Awards

Florida 500: Most Influential Executives (Florida Trend); MSO Executive to Watch (CableFax); Most Influential Minorities in Cable (CableFax); Top Women in CableTech (CableFax); 100 Influential People in Florida Politics (Influence Magazine)

Board Experience**Chair (2 years); Executive Committee (4 years) | The Women in Cable & Telecommunications (WICT) Network**

The leading organization representing women in media, entertainment, and technology.

Board Member (8 years); Chair (4 years) | Florida State Board of Education

Appointed by Governor Rick Scott, spearheaded transformative education policies, implementing accountability systems that tracked student progress through college. Enabled Florida's State College System to be recognized as the nation's best, excelling in affordability, accessibility, and workforce alignment. Championed rigorous standards, educational reform, and expanded opportunities for underserved communities. Implemented success-based policies to support increased investment in education.

Founding Board Member | Florida Scholars Academy Board

Appointed by Governor Ron DeSantis. Oversees education for state's most vulnerable students, including those in juvenile justice or state custody. Provides critical educational alternatives for better life outcomes.

Board Member & Chair | PACE Academy for Girls

Offers supplemental support and alternative learning environments to at-risk adolescent females to help them overcome challenges.

Board Member | Florida College Foundation Board

Supports fundraising and advises on expenditures to support initiatives that help the Florida College System meet its goals of responding to workforce demands and address community needs.

CURRICULUM VITAE

RONDALL E. ALLEN, B.S., PHARM.D.

EDUCATION AND TRAINING:

| | |
|------------|--|
| June 1996 | American Society of Health-System Pharmacists Accredited Pharmacy Practice Residency Baptist Memorial Hospital-Medical Center Memphis, Tennessee |
| May 1993 | Doctor of Pharmacy Xavier University of Louisiana College of Pharmacy New Orleans, Louisiana |
| April 1989 | Bachelor of Science in Pharmacy Florida A&M University College of Pharmacy Tallahassee, Florida |

RELEVANT POSITIONS:

| | |
|---------------------------|--|
| July 2022 – Present | Provost and Vice President for Academic Affairs University of Maryland Eastern Shore |
| November 2021 – June 2022 | Acting Vice President for Strategic Initiatives University of Maryland Eastern Shore |
| July 2015 – October 2021 | Dean, School of Pharmacy and Health Professions University of Maryland Eastern Shore |
| July 2014 – June 2015 | Associate Dean for Academic Quality South University School of Pharmacy |
| July 2009 – June 2014 | Associate Dean for Student Affairs Xavier University of Louisiana, College of Pharmacy |
| July 2006 – June 2009 | Assistant Dean for Program Assessment Xavier University of Louisiana, College of Pharmacy |

ACADEMIC ADMINISTRATIVE EXPERIENCE:

University of Maryland Eastern Shore – Princess Anne, MD July 2015 – present

The University of Maryland Eastern Shore (UMES) is a public, 1890 land-grant, historically black university located in Princess Anne, MD. It has approximately 2,900 students enrolled and offers programs at the baccalaureate, master's, and doctorate level.

Provost and Vice President for Academic Affairs – July 2022 – Present

The Provost and Vice President for Academic Affairs (VPAA) is the second-ranking officer of the University, reports directly to the President and serves collaboratively as part of the President's Cabinet. As the Chief Academic Officer, the Provost and VPAA provides leadership for the development and implementation of all academic planning, policies, and budgeting; reviews all academic appointments; and makes recommendations to the president on all promotion and tenure decisions. The Provost and VPAA also manages a budget of over \$38,000,000 and provides leadership over six academic schools, the Frederick Douglass Library, Center for Instructional Technology and Online Learning, Center for International Education, Center for Access and Academic Success, and international programs. Furthermore, the Provost and VPAA oversees coordination of course offerings at other academic centers and satellite locations including the Maryland Center for Career and Technology Education Studies at the Baltimore Museum of Industry; the Universities at Hagerstown, which coordinates with the UMES program in Hospitality & Tourism Management (HTM); and the Universities at Shady Grove, which coordinates with programs in both HTM and Construction Management Technology.

Key Accomplishments:

Leadership Experience

- As the Middle States Commission on Higher Education (MSCHE) Accreditation Liaison Officer, I oversaw the regional accreditation process for the University.
- Led the initiative to develop online programs for the University; the initiative included course development, program approval, marketing, a OneStop for students and parents, and implementation of 8-week sessions in the fall and spring semesters.
- Provost Faculty Fellows Program – developed and implemented the program as a means to provide hands-on leadership training for faculty who desire to become deans or senior administrators. The inaugural cohort began fall 2024.
- Assistant Department Chair Leadership Program – developed and implemented a leadership development program for faculty who aspire to become a department chair. The pilot phase began spring 2025.
- Oversaw one of the largest growths (110%) in research funding at the University; FY 23 funding increased from \$19,358,793 to \$40,826,101.
- The first Historically Black College and University (HBCU) to offer a course on the edX platform. The course is offered via our Hospitality and Tourism Management program and has had over 12,000 learners in which 500 of them were paid learners.

ACADEMIC ADMINISTRATIVE EXPERIENCE:

Academic Growth and Excellence

- Approval of ten new academic programs via the University System of Maryland and the Maryland Higher Education Commission. The programs include BS degrees in Fashion Merchandise and Design, Biomedical Engineering, Gaming and Software Engineering, Electrical Engineering, and Mechanical Engineering, MS degrees in Data Science and Analytics Engineering, Electrical and Mechatronics Engineering, and Human Ecology, PhD degree in Applied Computing and Engineering, and Doctor of Veterinary Medicine.
- Approval of eight new programs to be offered online via the University System of Maryland and the Maryland Higher Education Commission; this included the B.S. degree programs (Engineering Technology, Construction Management Technology, Human Ecology, Sport Management, and Hospitality and Tourism Management), two M.S. degree programs (Criminology and Criminal Justice and Data Science and Analytics Engineering) and one Ph.D. program (Applied Computing and Engineering with an area of concentration in Cybersecurity).
- Approval of five Upper Division Certificates (Special Education, Aviation Maintenance Technician-Powerplant and Airframe, Career and Technology Education, and Work-Based Learning and Career Counseling) and three Post-Baccalaureate Certificates (Special Education, Career and Technology Education, and Work-Based Learning and Career Counseling).
- The Department of Education developed an upper division certificate and post-baccalaureate certificate in Special Education.
- The School of Business and Technology had successful accreditation visits for their Professional Golf Management, Engineering, Engineering Technology, and Cybersecurity Engineering Technology programs.
- The School of Pharmacy and Health Professions had successful accreditation visits for the Physician Assistant and Rehabilitation Counseling programs.

Student-Centered Advocate

- Collaborated with the campus community to develop the University's Student Success Strategic Plan. The plan was implemented in fall 2024 and achieved a fall 2024 to spring 2025 persistence rate of 90% for the new first-time full-time freshmen.
- Convened a task force to examine academic policies that served as potential barriers to student progression. The task force was successful in receiving support to streamline the transfer credit process and expanding the number of credit hours that can be taken by a student at another institution in their last year.
- Provided support for over 50 students to participate in study abroad trips during 2023-24 academic year.

Fundraising Successes

- Obtained \$260,000 from Johnson & Johnson Health Care Systems, Inc. for student scholarships. This is a continual funding stream of \$100,000 per year for the School of Pharmacy.

Promoter of Inclusion and Belonging

- Custodian for the HBCU Settlement Funds that provides approximately nine million dollars per year through 2032 for the University. A portion of the funds is used to provide professional development for faculty and professional staff in all of the Schools.

ACADEMIC ADMINISTRATIVE EXPERIENCE:

Strategic Collaborator and Community Builder

- Oversaw the development of the dual-degree programs with Rowan College and Harford Community College. The students who participate in these programs will receive an Associate degree in Chemistry and a Doctor of Pharmacy degree in five years.
- Developed Memoranda of Understanding with Wicomico, Dorchester, Somerset, and Worcester counties for their high school students to participate in our dual enrollment program.
- Collaborated with the Department of Business, Management, and Finance to secure a statewide agreement with the Maryland State Department of Education. The agreement will allow high school students in the state of Maryland to receive credit for courses in our business, management, and finance programs.

Acting Vice President for Strategic Initiatives – November 2021 – July 2022

The Acting Vice President for Strategic Initiatives (AVPSI) reports directly to the President and is a member of the President's Cabinet. The AVPSI focuses on developing and executing initiatives that represent the current strategic priorities for the University.

Key Accomplishments:

Leadership Experience

- Appointed by the Governor to the Board of Directors of TEDCO. TEDCO is Maryland's Technology Development Corporation that provides funding, resources and connections that early-stage technology and life sciences companies need to thrive in Maryland.

Student-Centered Advocate

- Established an affiliation agreement with the Philadelphia College of Osteopathic Medicine as a pathway to a medical program for our pre-medical students.

Strategic Collaborator and Community Builder

- Oversaw the process to develop and implement the University's strategic plan; served as the liaison to the University System of Maryland.
- Monitored the initiatives to improve UMES' ranking among HBCUs. The University is currently ranked #9 among public HBCUs (AY 22-23).

Dean and Professor with Tenure, School of Pharmacy and Health Professions – July 2015 – October 2021

The dean reports to the Provost and Vice President for Academic Affairs and serves as the chief academic and administrative officer for the School of Pharmacy and Health Professions (SPHP). The SPHP consists of the School of Pharmacy and the following departments: Kinesiology, Physical Therapy, Physician Assistant, and Rehabilitation Services. The dean has direct supervision over two associate deans, three assistant deans, six department chairs, one director, and one administrative assistant.

ACADEMIC ADMINISTRATIVE EXPERIENCE:

The dean oversees the School's strategic plan, maintains accreditation for all applicable programs, hires faculty and staff, develops new sources for external funding, oversees the retention efforts for each program, and manages a budget of eight million dollars.

Key Accomplishments:

Leadership Experience

- The faculty in the Pharmaceutical Sciences Department were awarded several patents during my tenure as dean. The patents focused on drug-resistant epilepsy and prostate cancer.
- The School of Pharmacy received two proclamations from the Mayor of the City of Salisbury for American Pharmacists Month and Epilepsy Awareness Day.

Academic Growth and Excellence

- Oversaw the development of the online post-baccalaureate certificate program in Rural Health Disparities and Social Inequities.
- Oversaw the launch of the School of Pharmacy's first graduate program in fall 2015. The program offers a Master's and the Doctor of Philosophy degree in Pharmaceutical Sciences.
- The Physician Assistant program was granted Accreditation-Provisional status by the Accreditation Review Commission on Education for the Physician Assistant, Inc.
- The accreditation for the Master's degree program in Rehabilitation Counseling was extended through October 2024.
- Provided oversight for the School of Pharmacy (SOP) to extend its accreditation through June 2027. The School received the full 8-year term.
- The accreditation for the Doctoral degree program in Physical Therapy was extended through August 2027.

Student-Centered Advocate

- Established a pharmacy computer lab and a mock pharmacy for the School of Pharmacy. The mock pharmacy allows students to simulate patient education and medication therapy management services in a community pharmacy practice environment.
- The School of Pharmacy had the highest board exam pass rates among Historically Black Colleges and Universities for three consecutive years (2018-2020).
- Oversaw the development of five international agreements with institutions in Taiwan (pharmacy), Vietnam (pharmacy), Brazil (physical therapy), India (pharmacy), and Haiti (pharmacy). The faculty and students participated in mission trips to Haiti and Vietnam and student exchanges in Brazil and India.

Fundraising Successes

- As the University liaison, I oversaw the design and planning of the new School of Pharmacy and Health Professions (SPHP). This was a \$90,000,000 building project and funds were secured from the state of Maryland. The building was occupied in 2022.
- Developed a proposal to secure \$1,383,000 to re-establish the Physician Assistant (PA) program. The proposal was funded by the State of Maryland's Work-Force Development Initiative.
- Secured \$900,000 to renovate space on campus for the School of Pharmacy research lab.

ACADEMIC ADMINISTRATIVE EXPERIENCE:

Promoter of Inclusion and Belonging

- Led the effort to add diversity, equity, and inclusion priority to the School's strategic plan. The new priority was embraced by faculty, staff, and students.

Strategic Collaborator and Community Builder

- Appointed by Governor Hogan to the Board of Trustees for the Maryland Health Benefit Exchange. The Board is responsible for overseeing the Affordable Care Act for the state.
- Collaborated with the Vice President for Administration and Finance to establish an Eastern Shore regional rate to make the tuition and fees more affordable for pharmacy students from Delaware and eastern shore of Virginia.
- Developed dual-degree articulation agreements with Salisbury University (3+3), College of Southern Maryland (2+3), and Wor-Wic Community College (2+3). The students are able to earn a bachelor's or an associate degree and a Doctor of Pharmacy degree in six or five years respectively.
- Developed a Memorandum of Understanding with the School of Agricultural and Natural Sciences to create a pipeline of students to matriculate into the School of Pharmacy from high school. This group of students represents approximately 25% of the School's enrollment.
- The School of Pharmacy certified over 400 people to recognize an opioid overdose and safely administer the rescue drug naloxone. The School was recognized by the Maryland General Assembly and was tagged as a "promising practice" by the Governor's Opioid Operations Command Center.

South University – Savannah, Georgia July 2014 – June 2015

South University is a private, for profit, university whose main campus is located in Savannah, GA. It has approximately 17,000 students enrolled across its 13 campuses and online. It offers programs at the baccalaureate, master's, and doctorate level.

Associate Dean for Academic Quality, Associate Professor, School of Pharmacy

The Associate Dean for Academic Quality (ADAQ) reports to the dean of the School of Pharmacy and is a member of the School's executive council. The ADAQ has direct supervision over an associate dean, an assistant dean, three directors, and four coordinators. The ADAQ is responsible for overseeing the School's assessment plan, strategic plan, student retention program, faculty development activities, student affairs and career services, admissions and recruitment activities, accreditation reports, and the alumni affairs program.

Key Accomplishments:

Leadership Experience

- Developed and implemented a new faculty mentor program. The program focused on ensuring junior faculty were prepared to progress through the academic ranks in a timely manner.

ACADEMIC ADMINISTRATIVE EXPERIENCE:

Student-Centered Advocate

- Developed and implemented a Student Success Center to improve the academic performance of at-risk students. After the first two quarters, the number of deficient grades was reduced by 43% for the first-year students.

Strategic Collaborator and Community Builder

- Led the initiative to implement a new strategic plan for the School of Pharmacy.

Xavier University of Louisiana – New Orleans, LA January 2003 – May 2014

Xavier University of Louisiana has approximately 3,000 students and is the nation's only private, historically black, catholic university. It offers programs at the baccalaureate, master's, and doctorate level.

Associate Dean for Student Affairs, Clinical Assistant/Associate Professor, College of Pharmacy, August 2009 – May 2014

The Associate Dean for Student Affairs (ADSA) reports to the dean of the College of Pharmacy and is a member of the College's executive committee. The ADSA is the chief student affairs officer in the College and has direct supervision over nine people to include two assistant deans. The primary responsibilities of the ADSA include: overseeing the College's Academic Enrichment Programs; creating a career development program; managing the recruitment and admissions process; overseeing student organizations; developing a leadership training program for student organization officers; providing guidance for the coordination of the new-student orientation program and the White Coat Ceremony; serving as a faculty advisor; and managing the budget and resources for the Office of Student Affairs.

Key Accomplishments:

Leadership Experience

- Developed a new recruitment plan to address the College's declining enrollment. The College attained its enrollment goal of 150 students for the first year and exceeded its goal for the second year.
- Developed and implemented a Contingent Admit Program (CAP) which allows high achieving high school seniors to be admitted to the College of Pharmacy.
- Developed the Pharmacy Pre-Matriculation Summer Program (PPMSP). The PPMSP is a one-month intensive program that exposes first-year students to their first semester course material and instructors in an effort to improve their academic performance. After the first year of implementation, only eight percent of the students made a non-passing grade in their first semester courses compared to 19% in the previous year.

Student-Centered Advocate

- Implemented the use of a structured interview during the admissions process. This interview model allowed the College to evaluate the non-cognitive attributes of prospective students.

ACADEMIC ADMINISTRATIVE EXPERIENCE:

Assistant Dean for Program Assessment, Clinical Assistant Professor, College of Pharmacy January 2006 – July 2009

The Assistant Dean for Program Assessment (ADPA) reports to the dean of the College of Pharmacy and is a member of the College's executive committee. The primary responsibilities of the ADPA include implementing the College's assessment plan, serving as chair of the Program Assessment Committee, and participating in the institutional effectiveness planning for the College and University.

Key Accomplishments:

Academic Growth and Excellence

- Became certified as an Accreditation Council for Pharmacy Education (ACPE) site team evaluator.

Student-Centered Advocate

- Developed and implemented an Academic Enrichment Program (AEP) to provide academic and non-academic support for students enrolled in the College of Pharmacy. Received grant funding of \$100,000 over a three-year period to support the program.

Director, Professional Experience Program, Clinical Assistant Professor, College of Pharmacy January 2003 – December 2005

The Professional Experience Program (PEP) Director reports to the Chair of the Division of Clinical and Administrative Sciences. The primary responsibilities of the PEP Director include managing the introductory and advanced pharmacy practice experience programs, developing and maintaining a continuous quality improvement plan, securing affiliation agreements with new rotation sites, and managing the budget.

Key Accomplishments:

Academic Growth and Excellence

- Developed a new curriculum for the Introductory Pharmacy Practice Experience Program. The curriculum was composed of six courses with didactic and experiential activities for the first, second, and third-year students. The first-year experience was a nutrition service-learning experience. The Accreditation Council for Pharmacy Education recognized the first-year experience as a "Noteworthy Practice."

Student-Centered Advocate

- Led the initiative to reschedule 847 clinical rotations for 121 senior pharmacy students after Hurricane Katrina in August 2005. All of the students graduated on time in May 2006.

Strategic Collaborator and Community Builder

- Led the effort at the College to collaborate with the Louisiana Board of Pharmacy to implement a state-wide preceptor training program.

PROFESSIONAL DEVELOPMENT:

| | |
|-----------|---|
| May 2019 | Millennium Leadership Institute American Association of State Colleges and Universities Washington, DC |
| June 2018 | Institute for Management and Leadership in Education Harvard Graduate School of Education Cambridge, MA |
| July 2012 | Academic Leadership Fellows Program American Association of Colleges of Pharmacy Alexandria, VA |

FUNDING:

| | |
|---------------|--|
| October 2022 | Secured \$200,000 from the US Department of Education, Title III Program at UMES, to provide opportunities for non-traditional students to receive a degree. |
| February 2022 | Awarded \$260,000 from Johnson and Johnson Health Care Systems, Inc. The funding will provide scholarships for students in the School of Pharmacy. |
| April 2021 | Awarded \$100,000 via the ELC Grant (Co-PI). The grant was sponsored by the Maryland Department of Health, Office of Minority Health and Health Disparities. |
| January 2018 | Awarded \$1,383,000 to reinstitute the Physician Assistant program. The proposal was funded by the State of Maryland's Work Force Development Initiative. The program received the funds over a three-year period (2019-2021). |
| October 2017 | Secured \$424,000 from the US Department of Education, Title III Program at UMES, to provide research equipment for the Pharmaceutical Sciences graduate program. |
| April 2017 | Awarded \$900,000 to renovate space in Trigg Hall for a small animal research facility. The funding was provided by the Maryland State Department of Budget and Management. |
| October 2016 | Secured \$375,000 over three years from the US Department of Education, Title III Program at UMES, to provide assistantships for graduate students in the Pharmaceutical Sciences graduate program. |

FUNDING (CONT'D):

| | |
|-------------|--|
| June 2012 | Xavier University College of Pharmacy was awarded a Health Resources and Services Administration (HRSA) Center of Excellence Grant in the amount of \$2,500,000 annually for five years to support faculty development, academic enrichment, and experiential education – Co-Principal Investigator. |
| August 2006 | Xavier University College of Pharmacy was awarded a HRSA Center of Excellence Grant in the amount of \$2,100,000 annually for three years. Wrote a section of the grant to support the Academic Enrichment Program which received \$100,000 over a three-year period. |

SELECTED PUBLICATIONS:

Kirchain W and Allen R. **Drug-Induced Liver Disease** in: Dipiro J. ed. Pharmacotherapy: A Pathophysiologic Approach 11th edition:2020. Columbus, Ohio:McGraw-Hill Companies.

Okogbaa J, Allen R, Sarpong DF. **Time Spent at Work and Its Impact on the Academic Performance of Pharmacy Students.** Int J Environ Res Public Health:2020;17(2).

Allen R, Diaz C, Gant K, Taylor A, Onor I. **Preadmission Predictors of On-time Graduation in a Doctor of Pharmacy Program.** AJPE;2016:80(3)Article 43.

Allen R and Diaz C. **Use of Pre-admission Criteria and Performance in the Professional Program to Predict Success on the North American Pharmacist Licensure Examination.** AJPE;2013:77(9)Article 193.

Allen R, Copeland J, Franks A, Karimi R, McCollum M, Riese D, Lin A. **Team-Based Learning in US Colleges and Schools of Pharmacy.** AJPE;2013:77(6)Article115.

Allen R. **Why Minority Students Should Pursuit a Career in Pharmacy.** Keepsake Magazine March 2012;78-79.

Robinson K, Mayfield B, and Allen R.**Food and Lifestyle Interactions with Warfarin.** America's Pharmacist;April 2012;39-50.

Skrabal M, Jones R, Nemire R, Boyle C, Assemi M, Kahaleh A, Soltis D, Allen R, et al. **National Survey of Volunteer Pharmacy Preceptors.** AJPE;2008:72(5)Article 112.

Isaac K and Allen R. **Optimizing Asthma Therapy: Patient Counseling Strategies for Pharmacists.** America's Pharmacist July 2008;Vol.130, No.7:26-34.

SELECTED PUBLICATIONS (CONT'D)

Allen R. **Book Review of the Preceptor's Handbook for Pharmacists.** AJPE; 2006;70(5) Article 122.

Allen R and Skrabal M. **Effective Precepting Takes Time, Skills, and Support.** Pharmacy Today, 2005;11:30.

Allen R. **A Cost-Effective Approach To Warfarin Pharmacotherapy.** Cardiovascular Economics, 1997;1:10-11.

Contributed Scientific Abstracts:

Allen R. **Online Training Program to Address Rural Health Disparities.** Xavier University of Louisiana College of Pharmacy, 13th Annual Health Disparities Conference, New Orleans, LA, March 2020 (conference was canceled due to COVID-19).

Echeverri M and Allen R. **Thinking Critically About Pharmacy Students Critical Thinking.** American Association of Colleges of Pharmacy Annual Meeting, Orlando, FL, July 2012.

Harris M and Allen R. **Use of the APhA Career Pathway Evaluation Program in an Introduction to Pharmacy Course.** American Association of Colleges of Pharmacy Annual Meeting, San Antonio, TX, July 2011.

Skrabal M, Jones R, Allen R, et al. **Volunteer Preceptors Opinions Regarding Experiential Teaching: Why Do Pharmacists Precept and What is Most Challenging?** American Association of Colleges of Pharmacy Annual Meeting, Chicago, IL, July 2008.

Brock C, Mihm D, Mihm L, and Allen R. **Community Outreach as a Measure of Student Confidence in Patient Care Performance.** American Association of Colleges of Pharmacy Annual Meeting, Chicago, IL, July 2008.

Allen R, Robinson D, Mitchell A, et al. **Evaluating the Impact of a Nutrition Service-Learning Course on First-Year Pharmacy Students.** American Association of Colleges of Pharmacy Annual Meeting, Chicago, IL, July 2008.

Skrabal M, Jones R, Allen R, et al. **Regional Preceptor Perceptions Regarding Experiential Workload and Compensation.** American Association of Colleges of Pharmacy Annual Meeting, Orlando, FL, July 2007.

Skrabal M, Jones R, Allen R, et al. **The Impact of School and Site Characteristics on Preceptors Perceptions of Experiential Loads, Quality and Time Issues, and Compensation.** American Association of Colleges of Pharmacy Annual Meeting, Orlando, FL, July 2007.

Allen R, Jamero D, and Cooke J. **Assessing the Impact of a Preceptor Training Program on the Behavior of Pharmacy Preceptors.** American Association of Colleges of Pharmacy Annual Meeting, San Diego, CA, July 2006.

PUBLICATION REVIEWER:

| | |
|--------------------------|---|
| July 2013 – present | Journal of Health Care for the Poor and Underserved |
| September 2012 – present | Currents in Pharmacy Teaching and Learning |
| September 2006 - present | American Journal of Pharmaceutical Education |
| July 2004 – Present | Lippincott Williams and Wilkins |

SELECTED PRESENTATIONS:

“Serving Students Like Family While Maintaining a Relevant Academic Portfolio”, Higher Digital Podcast with Mr. Joe Gottlieb, Episode 87, October 2024.

“Building Bridges: Educating, Leading, and Understanding”, American Association of State Colleges and Universities Annual Meeting, Plenary Panel Discussion, Denver, CO, July 2024.

“Pillars of Student Support”, Middle States Commission on Higher Education Annual Conference, Philadelphia, PA, December 2023.

“Seek First to Understand: Developing a Long-Term Diversity, Equity, and Inclusion Strategy to Address the Long-Term Challenge of Enhancing Physician Workforce Diversity”, American Association of Colleges of Osteopathic Medicine, Board of Deans Retreat, November 2021.

“Implementation of a Post-Baccalaureate Certificate Program in Rural Health Disparities and Social Inequities”, Salisbury University Justice and Equity Forum, April 2021.

“The Historical Context of Racism and Contemporary Implications on Health Care”, Anti-Racism Summit, Salisbury University Anti-Racism Summit, January 2021.

“Mitigating Health Disparities: Leveraging Partnerships for Equitable Outcomes”, Panel Discussion at the Association of Public and Land-Grant Universities Annual Meeting (Virtual), November 2020.

“Implementation of an Online Post-Baccalaureate Certificate Program in Rural Health Disparities and Social Inequities”, Justice and Equity Forum, Salisbury University, Salisbury, MD, April 2020 (conference was canceled due to COVID-19).

“American Association of Colleges of Pharmacy New CEO Deans Program”, Dean Facilitator; Special Session at the American Association of Colleges of Pharmacy Interim Meeting; Long Beach, CA, February 2018.

“Insights into Pharmacy Education in the United States” to students, faculty, and administrators; International Conference on Pharmacoepidemiology and Pharmacoeconomics: Roadmap to Harmonization of Pharmacy Education in India; Chalapathi Institute of Pharmaceutical Sciences; Guntur, India, February 2017.

SELECTED PRESENTATIONS:

“Teaching and Learning Development Series: Assessment Primer” to pharmacy residents; South University School of Pharmacy, Savannah, Georgia, October 2014.

“Reflections on Plagiarism and the Use of Turnitin®” to pharmacy educators; Special Session at the American Association of Colleges of Pharmacy Annual Meeting; Chicago, IL, July 2013.

CONSULTING WORK:

| | |
|-----------------------|--|
| June, November 2021 | Florida A&M University College of Pharmacy and Pharmaceutical Sciences Conducted a mock site visit to help the program prepare for an Accreditation Council for Pharmacy Education (ACPE) focused- site visit. |
| May 2010 – March 2014 | University of South Florida College of Pharmacy Provided guidance for the program as it progressed from pre- candidate to candidate status; conducted a mock site visit to help the program prepare for an ACPE comprehensive self- study visit. |

BOARD MEMBERSHIPS:

| | |
|------------------------|---|
| January 2022 – Present | Board of Directors TEDCO |
| October 2019 – present | Board of Directors TidalHealth |
| June 2018 – March 2024 | Board of Trustees Maryland Health Benefit Exchange |

COMMUNITY SERVICE:

| | |
|----------------|--|
| October 2020 | Alzheimer’s Walk Participant Salisbury, Maryland |
| September 2020 | UMES COVID-19 Testing Faculty Supervisor (registration) University of Maryland Eastern Shore |

COMMUNITY SERVICE:

| | |
|------------|--|
| March 2018 | UMES 5K Strides for Epilepsy Participant Salisbury, Maryland |
| April 2017 | Substance and Opioid Abuse Awareness Response (SOAAR) Event Coordinator University of Maryland Eastern Shore |

PROFESSIONAL LICENSURES:

| | |
|-------------|--|
| August 1991 | Pharmacist, License No. 15016 Louisiana - Active |
| August 1989 | Pharmacist, License No. 24732 Florida – Active |

HONORS and AWARDS:

| | |
|---------------|--|
| Spring 2016 | Phi Kappa Phi Honor Society |
| December 2009 | Fellow of the American Society of Consultant Pharmacists |
| 1988 | Rho Chi Honor Society Florida A&M University College of Pharmacy and Pharmaceutical Sciences |

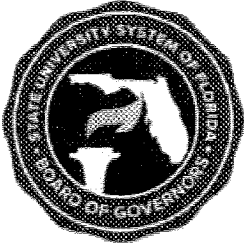
REFERENCES

AVAILABLE UPON REQUEST

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “C”

Letter Dated April 21, 2025 From Florida Board of Governors to FAMU Interim President
Timothy Beard, Ph.D.



Florida Board of Governors
State University System of
Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685

April 21, 2025

Interim President Timothy L. Beard
Florida Agricultural and Mechanical University
1601 S. Martin Luther King Jr Blvd.
Tallahassee, FL 32307

Dear Interim President Beard:

The Board of Governors Office has received concerns surrounding confidential information related to the FAMU Presidential Search. We are currently evaluating the information and the appropriate action to take.

We request that the university provide us with a listing of all individuals who signed a non-disclosure agreement (NDA). This includes but is not limited to members of the Presidential Selection Committee as well as FAMU employees. Additionally, we would like a copy of each signed NDA associated with the listing provided.

With much appreciation,

Julie M. Leftheris
Inspector General and Director of Compliance

cc: Ray Rodrigues, Chancellor
Kristin Harper, Chair of the Board of Trustees
Devron Gibbons, Chair of the Presidential Section Committee
Rachel Kamoutsas, Chief of Staff
Joe Maleszewski, Vice President of Audit

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “D”

Letter Dated April 14, 2025 from Southern Association of Colleges and Schools to FAMU
Interim President Timothy Beard, Ph.D



April 14, 2025

Dr. Timothy Beard
Interim President
Florida A&M University
1601 South Martin Luther King Jr. Blvd.
Tallahassee, FL 32307-3100

Dear Dr. Beard:

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) policy, "Unsolicited Information" (available at www.sacscoc.org), stipulates that the Commission give appropriate consideration to significant accreditation-related unsolicited information revealed about an institution between periods of scheduled review. This policy affords the institution an opportunity to respond to concerns raised by the review of unsolicited information.

SACSCOC has received internal institutional communications that raise questions about ongoing compliance with the *Principles of Accreditation (Principles)*. In addition, SACSCOC learned from several members of the institution that a member of the FAMU Board of Trustees contacted the administration in what was described as an attempt to interfere with the institution's ability to implement its policies and procedures regarding faculty employment. The documents and discussion with members of the institution raise concerns about clear distinctions between the FAMU Board of Trustees' and the administration's roles and responsibilities, particularly as it relates to the administration's ability to implement and administer policies and the general direction set by the board without undue interference. In addition, the communication between a member of the FAMU Board of Trustees and employees of the institution appear to call into question adherence to the Board's Conflict of Interest Policy, specifically "[t]rustees shall act in good faith, with due regard to the interest of the University, and shall comply with the fiduciary principles and laws set forth in the Code of Ethics for Public Officers and Employees..." outlined in Article 6.1, Conflict of Interest, of the FAMU Board of Trustees Operating Procedures.

In light of these circumstances, and in accordance with SACSCOC policy and procedures, I am requesting that the institution prepare a report that explains and documents the extent of its compliance with the following standards of the *Principles of Accreditation*:

Standard 4.2.b (Board/administrative distinction and shared governance)

This standard expects the institution's governing board to ensure a clear and appropriate distinction between the policy-making function of the board and the responsibility of the administration and faculty to administer and implement policy.

Standard 4.2.d (Conflict of Interest)

This standard expects the institution's governing board to define and address potential conflict of interest for its members.



Dr. Timothy Beard
April 14, 2025
Page Two

In addition, please provide a narrative and supporting documentation addressing any additional information related to the received internal documents and communications that may impact the institution and its compliance with the *Principles of Accreditation*. A copy of the *Principles* is available on our website.

Please submit a copy of the institution's response to this letter as a zipped file via the Institutional Portal by May 19, 2025.

Upon receipt of the institution's response, staff will review and determine whether the information is of factual substance and related to accreditation. If so, the staff will forward unsolicited information and documentation, along with the institution's response to the SACSCOC Board of Trustees for review. Or it is possible that the SACSCOC President could authorize a Special Committee to review the institution's compliance with the *Principles*.

If you have any questions, please feel free to contact me at (404) 679-4501, ext. 4540.

Sincerely,

A handwritten signature in blue ink, appearing to read "Geoffrey C. Klein". The signature is fluid and cursive, with a large loop at the end.

Geoffrey C. Klein, Ph.D.
SACSCOC Vice President

GCK:ktf

cc: Dr. Belle S. Wheelan, President, SACSCOC
Mrs. Kristin Harper, Board Chair, Florida A&M University

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “E”

April 22, 2025 Tallahassee Democrat article

Tallahassee Democrat.

FAMU NEWS

FAMU search committee identifies four final candidates for president. Here's who they are



Tarah Jean

Tallahassee Democrat

April 21, 2025 | Updated April 22, 2025, 7:27 a.m. ET

Key Points AI-assisted summary

- FAMU's presidential search committee has narrowed the applicant pool to four finalists.
- Public forums with the candidates are scheduled for the week of May 12.
- The selection process has faced scrutiny and speculation regarding the inclusion of certain candidates.

Florida A&M University's presidential search committee has narrowed its applicants for president down to an unranked list of four final candidates amid [preliminary discussions](#) in the Rattler community of who was in the running.

“There was a great pool of candidates,” the committee’s chair Deveron Gibbons, who also serves as vice chair of FAMU’s [Board of Trustees](#), told the Tallahassee Democrat April 21. “It was a very hard selection process, but it was very open and transparent. I felt like everybody worked very hard to try to find the four most competent people to lead FAMU.”

According to a prepared message that FAMU’s Deputy General Counsel Iris A. Elijah shared with the search committee April 21 on behalf of Gibbons – and that

is expected to be posted on the university's [presidential search website](#) – the four final candidates are:

- Rondall Allen, Provost and Vice President for Academic Affairs, [University of Maryland Eastern Shore](#)
- Gerald Hector, Senior Vice President for Administration and Finance, [University of Central Florida](#)
- Marva Johnson, Group Vice President, State Government Affairs, [Charter Communications](#)
- [Donald Palm](#), Executive Vice President and Chief Operating Officer, FAMU

The names were identified by the Tallahassee Democrat [on April 15](#).

“The finalists are a cross section of the very best people to lead Florida A&M into the future,” Gibbons told the Democrat. “FAMU is a launching pad for so many leaders across America and the globe, so we really want to get the best and brightest to lead it and build on the excellence of the past, the current and the future state of FAMU's brand.”

FAMU's search comes after former President [Larry Robinson](#) stepped down last year following a major multi-million-dollar gift mishandling, where an [investigation report](#) found the donation to be 'fraudulent.' Interim President [Timothy Beard](#) has been serving in the role since August for a one-year term.

Although candidates' information was not yet disclosed to the public during the [15-member search committee's](#) closed sessions earlier this month where first-round interviews were conducted, the four final candidates were all among the names that have been mentioned prominently in texts and conversations in the FAMU community.

State Rep. [Gallop Franklin II](#), D-Tallahassee, was also believed to be a prospective contender in the search. But his name is not included in the unranked list of finalists, which comes during a time when a [series of Republican politicians](#) are being selected to lead public colleges or universities under Gov. Ron DeSantis.

More: [FAMU's closed search for its next president: Who may be in the running?](#)

There has been wide speculation that Gibbons insisted on adding Johnson – a former Florida Board of Education chair who has been appointed to board positions in the past under both former Gov. Rick Scott and DeSantis – to what was initially a list of three final candidates that committee members interviewed and voted on during closed sessions in a downtown Tallahassee office space.

But Gibbons says there were “no issues with the process whatsoever.”

“The process worked just like it was supposed to,” Gibbons said. “It's unfortunate that people don't know what they're talking about. We were all bound by NDAs (nondisclosure agreements), and I would hope that people are not violating the NDA because what I have seen and what I have heard is not accurate related to the process.”

Under Florida [Board of Governors Regulation 1.002](#), part of the presidential search process requires university trustee boards to present their final list of candidates to Board of Governors Chair [Brian Lamb](#) for [review and approval](#). Details of when this step was taken during FAMU's search ahead of the four finalists being announced are unclear.

More: [Board of Governors' tight control over president searches raises concerns from trustees](#)

Although the university planned to announce the final candidates sooner, Gibbons told the Democrat the announcement was held back to be “sensitive to the issues that were going on with our neighbor next door,” referring to the [April 17 mass shooting at Florida State University](#) that left two dead and six injured.

“Last week's shocking and tragic events on the campus of our next-door neighbor Florida State University have underscored the importance of a strong and permanent leader for our own institution,” Gibbons said in his prepared message. “We share their pain and pray for healing for the entire FSU community.”

Related news: [After shooting, a subdued return for FSU students with tears and flower-lined walkways](#)

As FAMU moves on with its presidential search, the four candidates will participate in public forums during the [week of May 12](#) for the university community to get to know them and explore their vision for the institution. The next steps of the process would then consist of the Board of Trustees voting on the selection of the president before the Florida Board of Governors votes on whether to confirm the selected candidate.

Tarah Jean is a reporter for the Tallahassee Democrat. She can be reached at tjean@tallahassee.com. Follow her on X: [@tarahjean_](#).

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “F” COMPOSITE

Tallahassee Democrat articles: April 24 and April 28, 2025

Tallahassee Democrat.

FAMU NEWS

Florida A&M presidential search continues as scrutiny over process intensifies

'Things that I've heard, if they're true, ...question the credibility of this entire search process,' one trustee said.



Tarah Jean

Tallahassee Democrat

April 24, 2025, 7:00 p.m. ET

Key Points AI-assisted summary ⓘ

- Florida A&M University's presidential search is facing scrutiny amid allegations of irregularities.
- Some trustees called for a pause to the search and an independent investigation, but the motion failed.
- Four finalists are proceeding with campus visits and open forums.

Florida A&M University's ongoing [presidential search](#) was thrown into a tailspin with its credibility being questioned, all while a bombshell announcement was made about the Board of Governors investigating allegations involving the process.

Amid the efforts of some trustees to pause the presidential search, which ended up failing in an 8–5 vote during the FAMU Board of Trustees' April 24 virtual meeting, circulating [rumors](#) were brought to the table about premature salary

negotiations and search committee members being pressured to add an extra candidate to an unranked list of finalists that was recently announced.

But FAMU's interim Vice President, General Counsel Shira Thomas, who initially indicated that the Board of Governors has opened an investigation, later referred to a letter from the board, saying its inquiry to the university "speaks to confidentiality regarding the presidential search" and does not address the specific allegations that were raised.

Thomas caught trustees off guard, with some – including FAMU Board of Trustees Chair Kristin Harper – frustrated about not being made aware until the meeting.

At the same time, in a text message to Harper at noon during the April 24 meeting, Florida Board of Governors Vice Chair Alan Levine – who is also on FAMU's 15-member presidential search committee – said statements being made about the governing board's concerns with the search are "patently untrue," ultimately calling the university out for the inaccuracy.

"I participated in every meeting of the search committee, observed the process, provided input related to our regulations and reported to the Chancellor (Ray Rodrigues) that, based on my observations, this process was handled absolutely in compliance with our regulations," Levine told Harper in the text message, later obtained by the Tallahassee Democrat.

"Absolutely no one speaks for the BOG but the BOG, and it is not fair or appropriate for anyone on the FAMU board to attempt to do so," he added.

"There is no reason to delay this search. Doing so would be a mistake and would have no basis."

Despite claims that none of the rumored issues have occurred during the search, a few trustees expressed concerns about the process – including FAMU trustee Belvin Perry, who supported an initial motion that trustee Earnie Ellison made to halt the search altogether and hire an independent consultant to investigate it.

“Things that I’ve heard, if they’re true, bring to question the credibility of this entire search process,” Perry said. “If we don’t clear this cloud that’s out there, then whoever comes in as the next president is going to have a cloud over them, and whoever that person is will not have the faith and the confidence of the FAMU family.”

The board’s discussion came after speculation that FAMU board Vice Chair Deveron Gibbons insisted on adding Marva Johnson – a former Florida Board of Education chair also appointed to other boards by both former Gov. Rick Scott and current Gov. Ron DeSantis – to what was initially a list of three [final candidates](#) committee members interviewed and voted on during closed sessions.

Gibbons told the board the search process is “well run” and has been going “very smoothly.”

“It is apparent to me that folks are making things up (and) putting it on social media to sway the board,” Gibbons said in the virtual meeting after he left the Zoom call for several minutes when it was initially time for him to provide updates on the search. “I can assure you that all of these innuendos and rumors that are flying around are not accurate in any way, shape or form.”

More: [FAMU search committee identifies four final candidates for president. Here's who they are](#)

Besides Johnson, the unranked list of the four final candidates include:

- Rondall Allen, Provost and Vice President for Academic Affairs, [University of Maryland Eastern Shore](#).
- Gerald Hector, Senior Vice President for Administration and Finance, [University of Central Florida](#).
- Donald Palm, FAMU's executive vice president and chief operating officer.

All of the finalists save for Johnson have experience as a university administrator. She is group vice president of state government affairs for [Charter Communications](#), an internet and cable TV concerns that operates under the Spectrum brand name.

As the search continues despite trustees Perry, Ellison, Craig Reed, Natlie Figgers and board chair Kristin Harper voting in support of a pause, the university is working on having its 13th leader named by this summer.

The search follows former President [Larry Robinson's](#) resignation last year. Interim President [Timothy Beard](#) has been serving in the role since August for a one-year term.

FAMU board chair: 'There may be a rumor mill'

Ahead of the board's vote regarding whether the search should continue or be paused, FAMU board members such as trustees Kelvin Lawson, Michael White and Loryn May – FAMU's Student Government Association president – did not see a need for the process to come to a halt.

“I just caution us to not be overly influenced by the court of public opinion,” Lawson said.

The suggestion of pausing the presidential search also comes after Leon County District 1 Commissioner Bill Proctor wrote a letter to the Board of Governors and FAMU's Board of Trustees April 23, urging them to suspend the search and calling the process the "Hanky Panky Express."

More: [FAMU president search draws fire: Leon Commissioner Bill Proctor flags weak finalist pick](#)

"Certainly, there may be a rumor mill, and I believe that when questions are raised – whether it be by the public, the media or a member of this body – we have an obligation to address those questions," Harper said. "Anything less, in my opinion, would risk undermining the credibility both of the search and ultimately, the confidence that's placed in this board."

But Harper later questioned how the finalists' names were made public by the Tallahassee Democrat before the university's announcement.

"How were the names of the supposed finalists announced in the Tallahassee Democrat before interviews took place?" she said. "How were the names of the actual finalists communicated in the Tallahassee Democrat this past Monday before the university issued an official media release regarding this process?"

"Tell me how that happened when there's a nondisclosure agreement that everyone who is associated with this search process signed," she added.

FAMU campus visits, open forums underway as search continues

From the start of the board meeting, discussions began regarding the presidential search as individuals such as FAMU Foundation Board member Chekesha Kidd shared public comments about the process.

Kidd – who started a [petition](#) calling for a transparent selection process – also referred to an “Unsolicited Information Request” [letter](#) Beard received from the [Southern Association of Colleges and Schools Commission on Colleges](#) (SACSCOC) regarding concerns about an unnamed FAMU trustee interfering with “faculty employment.”

The letter, dated April 14, was not specific about what had happened, including whether it was connected to the university’s ongoing presidential search. In Beard’s presentation to the board, he briefly addressed the letter, saying that a report will be sent to the commission by May 19.

While trustee Reed asked what the commission’s inquiry focused on, Beard reiterated the language in the letter and did not offer any additional insight.

“The presidential search process and recent SACS inquiry raise concerns about whether merits and qualifications are truly driving this selection,” Kidd told the board. “The (candidates’) actual experiences – not promises and potential – should determine your decision.”

In addition, Kidd suggested Palm as “the right candidate” to be FAMU’s next leader, whereas FAMU alumna Erinn Tucker-Oluwole shared public comments to support Allen for the role.

What's next

As the search moves on with its four final candidates, here is a timeline of who the university will be hosting for campus visits and open forums ahead of a May 16 FAMU Board of Trustees meeting for a vote.

- Monday, May 12: Rondall Allen.
- Tuesday, May 13: Gerald Hector.

- Wednesday, May 14: Marva Johnson.
- Thursday, May 15: Donald Palm.

Tarah Jean is a reporter for the Tallahassee Democrat. She can be reached at tjean@tallahassee.com. Follow her on X: [@tarahjean_](https://twitter.com/tarahjean_).

Tallahassee Democrat.

FAMU NEWS

FAMU presidential search now faces review by state Board of Governors

Despite a few trustees pushing for the search to be paused, most board members voted in favor of continuing the process.



Tarah Jean

Tallahassee Democrat

April 28, 2025 | Updated April 29, 2025, 11:03 a.m. ET

Key Points AI-assisted summary ⓘ

- Florida A&M University's presidential search is under scrutiny by the Florida Board of Governors over concerns about confidentiality.
- The Board of Governors requested information regarding individuals signing NDAs and video footage of the search committee's closed meeting.
- Rumors of leaks, premature salary negotiations, and pressure to add a specific candidate to the finalist list are circulating.

Florida A&M University's presidential search is under scrutiny as the Florida Board of Governors has asked for a list of individuals who signed nondisclosure agreements (NDAs) as part of the process.

But the requests don't stop there. The governing board has also asked FAMU for access to a video of the **presidential search committee's** closed meeting where members voted on an **unranked list of four final candidates**.

While an April 21 letter about the NDAs was addressed to FAMU interim President Timothy Beard, a separate letter dated April 23 regarding video footage of the committee's closed session was sent to FAMU's interim General Counsel Shira Thomas, who dropped a bombshell on university trustees in an April 24 meeting when she said the Board of Governors has opened an investigation on the search.

“The Board of Governors Office has received concerns surrounding confidential information related to the FAMU Presidential Search,” Board of Governors’ Inspector General and Director of Compliance Julie Leftheris told Beard in the April 21 letter. “We are currently evaluating the information and the appropriate action to take.”

Both letters were obtained by the Tallahassee Democrat following [FAMU's virtual board meeting](#) April 24, where Thomas – who initially indicated an investigation by the Board of Governors – later said the governing board's inquiry “speaks to confidentiality regarding the presidential search.”

On April 15, the Democrat reported a list of names being [discussed by the Rattler community](#) as likely candidates for the job – and most of those names ended up being on the list of finalists released to the public. In 2022, Florida enacted a law making most of the public university presidential search process confidential, save for finalists.

In a text message to FAMU Board of Trustees Chair Kristin Harper, Board of Governors Vice Chair Alan Levine – who also serves on FAMU's 15-member presidential search committee – said that statements being made about the governing board's concerns with the search are “patently untrue.”

At the same time, Levine says the confidentiality issue that the Board of Governors is taking into consideration is “separate and distinct” from the search committee following procedures for selecting the final candidates, which he says was “100% done by the book.”

“I think we have four excellent candidates,” Levine told the Democrat during a phone call April 28. “The only thing I’m concerned by is that the names of the candidates were leaked out before we even interviewed them.”

“Anybody who violated their nondisclosure also violated the law by doing so,” he added. “It’s unfair to the candidates who entered the process by virtue of a promise that their name was going to be held confidential.”

According to [Board of Governors Regulation 1.002](#) on presidential searches and selections, “Failure to abide by the requirements of the non-disclosure agreement may subject an individual to civil or criminal penalties under Florida’s Sunshine Laws.”

The concerns and requests for more information also come as circulating [rumors](#) are on the forefront of discussions about the FAMU search, including claims of premature salary negotiations and search committee members being pressured to add an extra candidate to an unranked list of finalists that was recently announced.

Discussions at the trustees' April 24 meeting came after speculation that FAMU board Vice Chair Deveron Gibbons insisted on adding Marva Johnson – a former Florida Board of Education chair also appointed to other boards by both former Gov. Rick Scott and current Gov. Ron DeSantis – to what was initially a list of three [final candidates](#) committee members interviewed and voted on during closed sessions.

Although Gibbons is aware of the claims, he has not admitted to them and said during the Thursday trustees meeting "all of these innuendos and rumors that are flying around are not accurate in any way, shape or form."

Despite a few trustees pushing for the search to be paused, most board members voted in favor of continuing the process. "In this case, the violation of the nondisclosure agreement didn't have a bearing on the process," Levine told the Democrat. "There's no reason to have halted the process."

Besides Johnson – who is currently group vice president of state government affairs for [Charter Communications](#), an internet and cable TV concerns that operates under the Spectrum brand name – the unranked list of the four final candidates include:

- Rondall Allen, Provost and Vice President for Academic Affairs, [University of Maryland Eastern Shore](#).
- Gerald Hector, Senior Vice President for Administration and Finance, [University of Central Florida](#).
- Donald Palm, FAMU's executive vice president and chief operating officer.

After hearing discussions in the community and on social media about the lack of transparency in the presidential search, Levine says he encouraged Florida State University System Chancellor Ray Rodrigues to review the videos of the search committee's meeting to validate his report about the "integrity of the process, which is indisputable."

"This is not an investigation," Levine said. "This is the chancellor literally just validating what I shared with him."

It is unclear what the Board of Governors' next steps will be after reviewing the requested information. As FAMU moves forward with the search for its new leader, campus visits and public forums are scheduled to be held May 12 to May 15.

Tarah Jean is a reporter for the Tallahassee Democrat. She can be reached at tjean@tallahassee.com. Follow her on X: [@tarahjean_](https://twitter.com/tarahjean_).

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “G”

FAMU Presidential Search Committee Nondisclosure Agreement

Florida Agricultural and Mechanical University Board of Trustees
Presidential Search Committee
Non-Disclosure Agreement

The Florida Agricultural and Mechanical University Board of Trustees (the "Board") has launched a search for the next President of Florida Agricultural and Mechanical University. As the review of presidential applications commences, it is imperative that, to the extent required or permitted by law, applicants be afforded maximum confidentiality. To attract and retain the most competitive group of talented applicants, and to safeguard the integrity of the process, the undersigned member of, and/or support to, the Presidential Search Committee (the "Committee") agrees and commits to the following:

1. I certify that I am not an applicant for the position of President of Florida Agricultural and Mechanical University. I accept responsibility for conducting myself in a professional manner as an ambassador of the University, its Board, and the University's presidential search process.
2. I acknowledge that only the Chair of the Committee is authorized to speak to the news media on behalf of the Committee, and only the Chair of the Board is authorized to speak for the University.
3. I acknowledge that information is a crucial component of the work to be performed related to the Presidential Search. This work includes information developed and received about applicants and their employing organization. I understand this effort is necessary to attract and retain high quality applicants, to avoid putting their current positions in jeopardy, and to protect the integrity of the University. Specifically, to the extent required or permitted by applicable law, I will adhere to the following principles:
 - a. I understand and acknowledge that I must hold in strict confidence, and protect information containing the identity of, or any other information about, applicants for the presidential position at Florida Agricultural and Mechanical University. This includes, but is not limited to, names, past or present employers, locations, education, experience, or any other information that might provide clues as to the identity of an individual. I also understand that I am responsible for maintaining confidentiality regardless of any purported waiver by an applicant.
 - b. I understand and acknowledge that I will have access to confidential information of the University, the Board, and the presidential search process, such as discussions regarding the qualifications and merits of individual applicants, possible candidates for the position, and of current or former University employees. I understand and acknowledge that I must hold now, and in the future, in strict confidence and protect information I receive as a result of that access and from those discussions. I understand that the duty of confidentiality carries on in perpetuity.
 - c. I will be fair, accurate, honest, and responsible in my management of information germane to the search.
 - d. I will not contact individuals for informal references or other information on applicants, unless this is specifically requested by the Committee.

e. I agree to take all steps reasonably necessary to prevent unauthorized persons from gaining access to any confidential information in my possession relating to the search and to safeguard passwords and computers from unauthorized access.

4. I will return all records relating to the search, as requested, during the period of the search, and return all records at the conclusion of the search.

5. I will follow all applicable rules and regulations of the University and applicable state and federal laws. I understand that nothing in this Agreement will prevent Florida Agricultural and Mechanical University from complying with the requirements of Florida law, including, but not limited to, Chapter 119 of the Florida Statutes and Section 1004.098, Florida Statutes, regarding disclosure of public records, now and in the future.

6. This Agreement is intended for the benefit of the Board, member of the Committee, those providing support to the Presidential Search Committee, and their respective permitted successors and assigns, and is not for the benefit of, nor may any provision hereof be enforced by, any other person.

7. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. I understand that breach of this Agreement may result in my removal from the Committee and that the University reserves the right to pursue further legal remedies consistent with Florida law.

**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “H”

Florida Attorney General James Uthmeier post



James Uthmeier

@JamesUthmeierFL

Follow

Congratulations to Marva and @FAMU_1887 —what a terrific selection for the university community!

And well done by team DeSantis and the SUS for driving this home! Great result for Florida's higher ed and next generation of leaders.



Florida A&M University @FAMU_1887 · 9h

The Florida A&M University Board of Trustees announces Marva Johnson, J.D., as President-elect! The appointment will move to confirmation by the Florida Board of Governors.



**GABRIELLE ALBERT, ET. AL V. FLORIDA BOARD OF TRUSTEES, ET. AL
PETITION FOR TEMPORARY MANDATORY INJUNCTIVE RELIEF**

EXHIBIT “I”

Memorandum of Understanding (MOU) between FAMU and the FAMU Foundation

MEMORANDUM OF UNDERSTANDING
between
FLORIDA A&M UNIVERSITY
and
FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY FOUNDATION,
INC.

This Memorandum of Understanding (hereinafter the “Agreement”) is made between The Florida A&M University Board of Trustees (hereinafter the University) and the Florida A&M University Foundation, Incorporated (hereinafter the Foundation).

RECITALS

- A. The Foundation is a Florida nonprofit corporation under the provisions of Chapter 617, Florida Statutes, qualified under Section 501(c)(3) of the Internal Revenue Code and exists for the purposes of stimulating voluntary private support from alumni, parents, corporations, foundations, and others for the benefit of Florida A&M University; and,
- B. The University has officially certified the Foundation as satisfying the standards and eligibility requirements as a direct support organization set forth in 1004.28, Florida Statutes; and,
- C. The Foundation exists as a corporate fiduciary to raise, manage and administer private resources to support the mission and priorities of the University, as established by the Board of Trustees and the President of the University; and,
- D. The Foundation is dedicated to assisting the University by fostering a culture of philanthropy, growing the endowment and in addressing, through financial support, the long-term academic and other priorities of the University and to provide opportunities for students and a margin of institutional excellence unavailable with state funds; and,
- E. The parties desire to formalize the relationship between the University and the Foundation by setting forth the manner in which the University is to provide support to the Foundation and in which the Foundation is to provide support for the University.

TERMS

In consideration of the mutual covenants, promises and conditions herein contained, and for good and valuable consideration the adequacy of which is hereby acknowledged, the University and the Foundation, agree that the foregoing recitals are true and correct and are incorporated

herein by this reference as though set forth fully. The University and the Foundation further agree as follows:

1.0 The Foundation Support of the University.

1.1 The Foundation's sole purpose is to provide support to the University, including its associated entities. In accordance with the Foundation's governing documents that support includes, but is not limited to:

- 1.1.1 Raising, receiving, investing, acknowledging, accounting for and administering funds and real and intellectual property on behalf of the University to use for its charitable, scientific, research, and educational purposes;
- 1.1.2 Assisting the University in its fundraising, marketing, public relations and alumni outreach activities and development programs with individuals, corporations, foundations, and other organizations;
- 1.1.3 Soliciting cash, securities, real and intellectual property, and other private resources for student scholarships, faculty support, facilities, programs, endowments, and supporting other educational, research, cultural, scientific, public service, charitable activities and any lawful purposes of the University;
- 1.1.4 Promoting the welfare and development of the University;
- 1.1.5 Performing other acts as may be deemed appropriate in carrying out the purposes or mission of the University.

2.0 Use of the University Name.

2.1 The Foundation may, in connection with its lawful business and activities, use the name of Florida A&M University as well as the University's logos, acronyms, seal, and other symbols and marks of the University ("University Marks"), provided that, the Foundation clearly communicates that it is conducting business in its own name for the benefit of the University. All correspondence, advertisements, and other communications by the Foundation must clearly indicate that the communication is by the Foundation and not from the University. The Foundation may use University Marks only in connection with the services rendered for the benefit of the University and in accordance with the guidance and directions furnished to the Foundation by the University, or its representatives or agents, from time to time, and only if the nature and quality of the services in connection with which the University Marks are used shall be satisfactory to the

University. The University shall exercise control over and be the sole judge of whether or not the Foundation has met or is meeting the established standards of quality.

2.2 The Foundation shall not delegate the authority to use any University Marks to any person or entity and agrees that no transfer or ownership of University Mark is granted. Any preexisting use of University Marks by third parties previously authorized by the Foundation shall be subject to review and ratification by the University. The University reserves the right, in its sole discretion, to reject any copy or usage of the University Marks.

2.3 The Foundation agrees to cease using the University Marks if:

2.3.1 The Foundation dissolves;

2.3.2 This Agreement is terminated;

2.3.3 The Foundation ceases to be a nonprofit corporation or ceases to be recognized by the Internal Revenue Service as described in section 501(c)(3) of the Internal Revenue Code; or

2.3.4 The University revokes such authority for failure to conform with the requirements of section 2.1, above. Such revocation shall not occur until after the Foundation is provided written notice of its failure to conform and has had a reasonable opportunity to cure such non-conformance.

2.4 Notwithstanding the provisions of section 2.1, the Foundation agrees that it will not offer any course or seminar using the University's name.

3.0 Relationship between the Foundation and the University.

3.1 The University agrees to encourage and maintain the independence of the Foundation and, at the same time, foster the cooperative relationship between the University and the Foundation.

3.2 The Chairman of the Florida A&M University's Board of Trustees or a designee and the President of the University or a designee and the Vice President for Administrative and Financial Services/Chief Financial Officer of the University shall be voting members of the Foundation's Board of Directors.

3.3 The Board of Directors of the Foundation shall be responsible for control and management of all assets of the Foundation, including prudent management of all gifts to the Foundation consistent with the donor's intent.

- 3.4 The Executive Director of the Foundation shall be selected by the President of the University in accordance with Florida law and University policy. The Executive Director reports to the President of the University or a designee reporting directly to the President of the University. The Executive Director shall advise, inform, and serve as the key liaison to the Foundation Board of Directors, especially with respect to business and fiduciary matters. The Executive Director is responsible for implementing Foundation policies and actions taken by the Foundation Board of Directors.
- 3.5 The Foundation will maintain an audit committee which does not have any employees of the University or the Foundation as a member. This committee will receive and review the annual audit of the Foundation and relevant annual tax forms to be submitted by the Foundation in accordance with section 6.1.

4.0 The Foundation's Obligation to the University.

- 4.1 The Foundation agrees to solicit and accept gifts in accordance with established University policy.
- 4.2 The Foundation agrees to advise prospective donors of restricted gifts that acceptance of such gifts is conditioned upon the University's approval under section 4.1, if required.
- 4.3 The Foundation agrees to coordinate with the University Office of Institutional Advancement or other appropriate University Office(s) regarding funding goals, programs, and campaigns.
- 4.4 The University and the Foundation agree to annually review existing guidelines regarding fund labeling and identification, so that the intended beneficiary, whether the University or the Foundation, receives the appropriate funds.
- 4.5 The Foundation shall obtain, operate, and maintain its accounting, development activities, alumni records, and other information on University-compatible data processing equipment, peripheral hardware and software and shall make its data reasonably available to the University in accordance with existing University guidelines and regulations and as otherwise required by applicable law. Notwithstanding the foregoing, the Foundation shall maintain ownership of and control access to any prospect and donor information it collects in accordance with applicable law. The Foundation agrees that it will establish and maintain a policy governing the retention and destruction of documents including electronic files and which prohibits destruction of documents if an investigation into wrongdoing or litigation is anticipated or underway.

- 4.6 The Foundation shall administer its funds and make distributions to the University and its associated entities in accordance with policies and procedures established by the Foundation from time to time, with advice and counsel from the University. The Foundation agrees that all transfers of funds from the Foundation must be documented in writing or electronically in a form that has a retrievable transaction trail.
- 4.7 The Foundation will provide services to the University as may be agreed to in writing before the services are provided. The University will reimburse the Foundation for these services in an amount that is agreed to in writing before the services are provided.
- 4.8 The Foundation shall promptly notify the University if the Foundation: (a) materially breaches any provision in this Agreement; (b) fails to properly receive, apply, manage or disburse funds; (c) engages in conduct prohibited or subject to sanction under state or federal law; (d) its officers fail to comply with the conflicts of interest policies; or (e) is being investigated by any state or federal regulatory body and such investigation may have a significant impact on the Foundation or its status as a tax exempt entity.
- 4.9 The Foundation agrees to operate using sound fiscal and business principles, to ensure that sound internal control structures are in place, and to follow generally accepted accounting procedures.
- 4.10 The Foundation shall create an annual operations and capital budget.
- 4.11 The Foundation agrees not to make any payments to a University employee, except for approved expense reimbursements without prior written approval from the President of the University and in accordance with Internal Management Memorandum No. 2003-01 – Direct Support Organizations. Payments to the President, except for approved expense reimbursements, must be approved by the FAMU Board of Trustees. All salary and non-salary compensation of employees of the Foundation shall be approved in advance by the Board of Directors of the Foundation.
- 4.12 The Foundation officers and employees who have check signing authority or who handle cash or negotiable instruments must be bonded in an amount determined to be reasonable by the Foundation Board of Directors and the University.
- 4.13 Without waiving any defenses or immunities, the Foundation assumes liability for the negligent or wrongful acts or omissions of its employees, officers and agents while acting within the scope of their employment.

- 4.14 The Board of Directors of the Foundation shall obtain general liability and directors/officers insurance in an amount determined to be reasonable by the Foundation board, including bonding of its officers and other appropriate persons.
- 4.15 The Foundation must not engage in substantial lobbying activities and may not engage in any political activities.
- 4.16 The Foundation may not incur unsecured debt in excess of \$500,000.

5.0 The University Support of and Obligations to the Foundation.

- 5.1 The University will provide services to the Foundation as may be agreed to in writing before the services are provided. The Foundation will reimburse the University for these services in an amount that is agreed to in writing before the services are provided.
- 5.2 The University may provide reasonable support to the Foundation including personnel services consistent with the support outlined above and based upon an annual budget plan agreed to by the parties, as measured by staff hours, space, equipment and supplies.
- 5.3 When the University receives funds from the Foundation for a specified purpose, the University shall use such funds received for the specific purpose.
- 5.4 The Foundation agrees that when the University personnel provide services for the Foundation and there arises a conflict between the University and the Foundation, the University employee must comply with the policies, regulations, and directives of the University; provided that said employee shall notify the Foundation in ample time to remedy the conflict or approve the intended action when feasible. If prior notification is not feasible, the Foundation shall be promptly notified in writing by the appropriate University Administrator of the conflict and action taken.
- 5.5 To the extent permitted by Section 768.28, Florida Statutes, without waiving any defenses or immunities, including without limitation, sovereign immunity, the University assumes liability for the negligent or wrongful acts or omissions of its employees, officers and agents, including those assigned to the Foundation, while acting within the scope of their employment.

6.0 The Foundation Audits and Reporting.

- 6.1 The Foundation agrees to select a certified public accounting firm, to serve as the

Foundation's independent auditor and to complete a full and complete annual audit of its finances and operations. The Foundation agrees to notify the University in writing within thirty (30) days if it selects a different auditor.

6.2 The Foundation agrees to provide to the University, annually on or before January 1 of the following year:

6.2.1 The annual audit report, management letters and responses to management letters, and the publicly disclosed portion of the Foundation's IRS Form 990;

6.2.2 The list of the members of the Foundation governing board, officers, and employees;

6.2.3 The names of the officers and governing board members of all the Foundation associated or affiliated entities.

6.2.4 An annual report of operations that shows actual versus budgeted revenues and expenditures.

6.3 The Foundation agrees to allow the University to inspect and audit all foundation books and records at reasonable times, and to provide timely such other reports of and information on its financial status and operations as required by the Chancellor of the State University System of Florida.

7.0 Conflicts of Interest.

The Foundation will establish and maintain conflicts of interest policies pertaining to its relationship with the University, members of the governing board and persons doing business with the Foundation. Such policies shall provide that (a) all transactions (other than expense reimbursements set forth in 5.3), between the Foundation and an officer, director, or employee of the Foundation, must be approved by the Foundation Board; (b) no Foundation officer, director, or employee having a private business interest in the Foundation's business transaction may be involved in the decision with respect to whether the Foundation should enter into such transaction; (c) no Foundation scholarship or fellowship award may be made to an officer, director, or employee of the Foundation or to a family member of such person.

8.0 Compliance with Board of Governors and University Policies and Regulations and the Foundation Bylaws.

The University and the Foundation agree to comply with the policies and regulations of

the Board of Governors pertaining to the relationship between the University and associated entities, including amendments thereto. The University shall provide the Foundation with proposed amendments to such policies and regulations not less than fifteen days prior to their effective date. The Foundation agrees to provide the University with a copy of its Bylaws and shall provide any proposed amendments not less than fifteen days prior to the meeting of the Foundation at which they are considered for adoption.

9.0 Effect of Agreement; Modification.

This Agreement (and its attachments, if any) contains all the terms between the parties and may be amended only in writing signed by an authorized representative of both parties.

10.0 Confidentiality.

Neither the Foundation nor the University shall disclose or use any private, confidential, proprietary, or trade secret information provided from one to the other except as required in and by the terms of this Agreement or as required by law. The Foundation recognizes its and the University's obligation to comply with Florida Public Records laws.

11.0 Term and Termination.

The initial term of this Agreement shall be two years and shall be automatically renewed for successive one year terms, unless and until either party gives notice in writing to the other party of its intent not to renew the Agreement at least 30 days prior to the beginning of a new term. Either party shall have the continuing right to terminate this Agreement at any time without cause upon 90 days written notice to the other party. The University may terminate this Agreement at any time if the Foundation fails to abide by the policies or regulations of the University, the Board of Governors or Florida law which govern the relationship between the University and the Foundation.

12.0 Dissolution.

In the event of dissolution of the Foundation, either voluntary or involuntary, all assets and property which remain after the discharge of the Foundation's liabilities and unless otherwise designated by the donor of an asset shall be paid over or distributed by the University or to any other nonprofit corporation or corporations organized to support the University or any of its Colleges, Schools, Departments, or affiliated organizations as determined by the University in its sole discretion, and shall be used or distributed for no

other object or purpose whatsoever; provided, however, that any such organization must be exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code, as amended and be an associated entity approved by the University pursuant to regulations of the University of Florida .

13.0 Compliance with Applicable Law and Non-Discrimination.

- 13.1 The Foundation agrees to comply with all executive orders, federal, state and local rules, regulations, and laws, and University regulations and policies applicable to the Foundation as currently in effect and as may be amended from time to time, including applicable provisions of Florida's public records and public meeting laws. The Foundation further agrees not to discriminate in any manner on the basis or sex, sexual orientation, gender identity, gender expression, veteran status, race, creed, age, color, national origin, religious belief or disability, as provided by law and to comply with all non-discriminatory laws and policies that the University promulgates and to which the Foundation is subject.
- 13.2 The Foundation will maintain a confidential and anonymous mechanism to encourage employees to report any inappropriateness within the entity's financial management and will not punish or retaliate against any employee for recording problems.

14.0 Notice.

Any notice to either party hereunder must be in writing signed by the party giving it, and shall be deemed given when mailed postage prepaid by U.S. Postal Services first class, certified, or express mail, or other overnight mail service, or hand delivered, when addressed as follows:

To the University:
Florida A&M University
Office of the President
Lee Hall, Suite 400
Tallahassee, FL 32307

Attn: University President

To the Foundation:
Florida A&M University Foundation, Inc.
Executive Director

Attn: Chair of Board of Directors

Or to such other addressee as may be hereafter designated by written notice. All such notices shall be effective only when received by the addressee.

15.0 General Provisions.

- 15.1 This Agreement shall not be assigned or otherwise transferred by the Foundation without the prior written consent of the University.
- 15.2 The delay or failure of either Party to exercise any of its rights under this Agreement for a breach thereof shall not be deemed to be a waiver of any subsequent breach either of the same provision or otherwise.
- 15.3 The terms of this Agreement are severable such that if any term or provision is declared by a court of competent jurisdiction to be illegal, void, or unenforceable, the remainder of the provisions shall continue to be valid and enforceable.
- 15.4 This Agreement shall be construed, governed, and interpreted in accordance with Florida law.

IN WITNESS WHEREOF, the authorized representative(s) of the University and the authorized representative(s) of the Foundation have executed this Agreement on this _____ day of _____ 2014.

Chair
Florida A&M University Board of Trustees

University Attorney

Date: _____

President
Florida A&M University Board of Trustees

Date: _____

Approved as to form.

Chair
Florida A&M University Foundation, Inc.
Board of Directors

Date: _____

Executive Director
Florida A&M University Foundation, Inc.

Date: _____