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Interview with Thomas Panza - General Counsel

Thomas Panza
Nova Southeastern University

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JP: This is Julian Pleasants and I’m at Nova Southeastern University and it is the 22nd of June 2010 and I’m speaking with Tom Panza.

Tom, talk a little about your undergraduate work and your legal background and how you first came to be involved with Nova Southeastern.

TP: Okay. For an undergraduate, I went to Florida State University and graduated from there in December of 1969. I went from there to Stetson University and received a law degree in 1971. From Stetson University, I went -- my first job -- I was also in ROTC, so I was in the Army so I had to serve some time but, in addition to that, I went from Stetson -- I went over to the State Attorney’s Office in Dade County and started to work there. And then, in about 1973, the first part of ’73, I was going to leave the State Attorney’s Office and come up to Broward County to practice law and when I was leaving there, the State Attorney’s Office, I had, I was in a very small practice
here in Broward County with two other individuals who I had known who wanted me to come up and do some trial work and so I did, and when I came up here, I had started to be involved with the Police Benevolent Association, which was then the union for the police and it was in its very formative stages. It was just starting and they asked me if I wanted to be, you know, a lawyer for this union, of which I knew nothing about and I said, “Sure.” So, I did that and I met a couple of people in this union operation and one of which was a faculty member up at Florida Atlantic University and he asked me if I wanted to teach a course over at this place called Nova and I said, “Yeah, great.” You know, criminal law or something in a little criminal justice program they had started. So, I came up, it was in 1973. I came over here to Nova, went over and met with, in the Rosenthal Building, which was, there was only three buildings at the time, Parker, Rosenthal and the one we’re sitting in now, Mailman, and I met with this guy by the name of Bill Gelfand and he was running this criminal justice program. And, at that time, the university had been in extreme financial straits during this period of time and for the next four or five years or so after that. So they had teamed up, the university had some informal or formal agreement with a place called New
York Institute of Technology. So, New York Institute of Technology had a very large criminal justice program in New York and they were in competition with John Jay and some of the big ones, so they were setting up this criminal justice program here in South Florida at this campus. So, I started to work with Gelfand and then I had been working with the police and I said, you know, this was when the federal government was attempting to put together the Law Enforcement Assistance grants to educate police officers, because in those days, this would have been 1973, most police officers didn’t have undergraduate degrees at that point, so they wanted to do that and they gave the incentive money to do it and that’s what accomplished it.

So then, they said, “Well, we can marry these two things together,” and we did and we set up undergraduate programs first and then we set up a graduate program, a Masters, and during that period of time, ‘73-’74, we wound up within, I don’t know, six or eight months whatever it was, it wasn’t long, having the criminal justice program all over the State of Florida and then we went outside of the state to other jurisdictions in other states and we wound up with a couple thousand undergraduate students and we wound up with a fairly significant Masters program.
Then, we expanded the Masters program to other states where we had other programs like education or some of the other ones, business, that were operating.

JP: You’re talking about now other programs from Nova?

TP: From Nova, yeah. They had the educational leaders program, the program for community college presidents, etc., they had the business program, they had the public administration programs. They were in other states.

JP: So, you just tied into that structure?

TP: Right. I tied into the structure because over here at that time the president of the university was Abe Fischler, and Abe Fischler had this saying that he did, and his saying was that, “Every tub sits on its own bottom,” so if you want to start a program, great, more power to you, but you have to go cannibalize something else, you’ve got to go figure out where you’re going to, you know, it’s like, the state institutions, and I know you had mentioned that you were teaching in Florida, Florida gets a budget and everybody fights over how they’re going to cut up the pie. Well, at Nova, there was no pie, there was no budget, there was no berries, there was no nothing. So, if you wanted to do something to start a program you had to grow
the berries, go figure out how you’re going to get the crust, put the pie together and then you could worry about cutting it up later. But, you had to get through all those steps. So, what I did is I had a little office that they gave to me, that was the only thing they gave me, and it was over where the IHOP is in Davie, there was a little office building we had over there, and education was across the hall from me, so I went over and actually took some of their furniture and whatever it was and we set up this program and we started to do the Masters in Criminal Justice and the undergraduate became a very successful program.

JP: So you were doing this more than practicing law at that time?

TP: Yeah. I had a regular office and my regular practice and then I was just doing this kind of avocationally we’ll say.

JP: Okay.

TP: And so I was teaching some courses and doing some consulting here with Nova on the issue of the criminal justice because I knew the field pretty well and so we developed the program and so then, one of the components of the program was that Nova Southeastern, well then Nova University, developed a center in Panama, in the Country of
Panama. And so, we had gotten a call one day that said, “We want to take the Canal Zone Police,” this was 1978 now, so we moved up, it wasn’t ’78 it may have been ’76, but it was going to be in ’78, that they were going to give the Panama Canal back to the Country of Panama and so the Canal Zone Police all had undergraduate degrees so they wanted to give them a Masters, so they asked us if we would come down, so I went down there, set up the program, the Masters program in criminal justice and that’s what led to the Panama Center that the university had for, you know, 20-something years. So, we set up the criminal justice program for all of them. So, that’s how I initially got started. So, when I got started in it--

JP: Now, let me stop you a minute. Were you an employee of Nova at that point?

TP: Yeah, for part of the time, yeah, maybe starting in the end of ’73-’74. I was employed in one capacity or another. I may have been an independent contractor. I may have been an employee. I’ve held all - I’ve never been president and I’ve never been CFO, but I’ve done most of the other things around here over all these years. So, I was, you know, I was employed to do a lot of these things. So, I would work a lot with Abraham Fischler, the President and, in those days, there was only three buildings. There
was all sandspurs out here. There was nothing out here. It was impossible to have the view or the vision of what it is now in comparison to then.

So, I worked with Fischler all the time and one of the expertise that I had from my normal law practice was administrative and regulatory kind of work, which was the thing that Nova did, engaged in when they went around to other states, and they would go to these other states and they would have these education programs and would go in. And, I would work, and I was, Nova had Washington lawyers, a guy by the name of Herschel Shanks, in a great big gigantic firm, and these other states would try and stop us from coming in. And, they would think that Nova was going to come in and it was going to be this, you know, gigantic operation. We’d come in and maybe would have 25-30 students. We would fly the professors in, this was primarily in education, they would fly the professors in, they would get the top professors, the ones who wrote the book, and they would go in and teach the class over the weekend and this distance learning that they created back in the early 70’s - late 60’s, was really the model of what everybody does now on the weekend learning and all this, but back then that was absolutely sinful. You could not, I mean you said that, that was tantamount to a diploma mill
with your name on the back of a matchbook cover. I mean, that’s what it was like and it was worse than that. So, what we would do is, Sue Maurer, my law partner, started with me in about 1978 I guess, and at that point in time the university was getting denied in a lot of these other states so we would have to go around there, file lawsuits and, you know, try and get injunctions or whatever we would do to allow us to be able to operate in the state.

JP: I know specifically you had a lawsuit in North Carolina.

TP: Yeah, we had it in North Carolina. We had a big one in Massachusetts where there was an injunction that they issued an injunction to stop us. We up on a Sunday, or I mean, I guess it was a Friday. We were there the whole next week, you know, got the injunction dissolved. In that instance, we actually had, they said we didn’t have a library, but we actually had the articulation agreement with Harvard. I mean, we had their library but, to the state regulators and to the state political bureaucracies of education, they didn’t want us coming in. They didn’t understand what this was. We had the best professors. They didn’t like that idea. Their tenured professors really didn’t like this idea. This was something that was very, very -- Now it’s so commonplace that everybody would
look at me with three heads saying, “What are you talking about?” Well, in those days it wasn’t. It was a very, very unique concept.

JP: Did you go before an administrative judge? How did that work?

TP: We would go before, we’ve been in front of regular, you know, it would be our circuit court judges here in Florida, trial judges, administrative law judges, appellate panels, boards of education.

We were in Puerto Rico, as an example. We’d go down to one of the deans of one of the education schools that did the community college administration program. We have a program, Nova has a program in Puerto Rico. And so, we got a call that they’re closing the program down, we’re not licensed under the Puerto Rican law, or whatever it was. So, I go down there with him, the two of us, and we went down there and we say, “Okay. We’re here,” and they’re going to have a hearing and that’s great and they’re all talking to us exactly like we’re talking right now. The hearing starts and they start talking in Spanish. So, I raise my hand, you know like, I say, “Excuse me, excuse me, excuse me, I’m sorry.” I said, “I don’t understand, I don’t speak Spanish and I don’t understand Spanish, you know, could --” They said, “Well, that’s our native
language, you know, too bad.” And so we had, the two of us sat there, I mean and, obviously, it was pretty obvious what the outcome of it was going to be, but then to get creative about it, Nova actually chartered a boat and we would put the students on the boat each, whenever the weekend was, the Saturday and Sunday, and they would go out three miles or twelve miles or whatever it was and go around the island of Puerto Rico and teach the classes.

So, we were always required to be at the cutting edge of creativity or innovation on our part to be able to deliver the education the way we thought it was, the way the university wanted it delivered, and my role was to be the facilitator of that, to figure out the legal strategy, the methods. How is all this going to really happen? Are we really going to just attack these people and go to them in their courts and, you know, suffer home cooking sometimes, in like Georgia and other places we were in? Or, do we go in there and do we have other strategies that we could employ? And, we’ve employed, you know, all of the different strategies.

JP:  It was different in every state.

TP:  It was all different. In some states we’d make them go across the border to the other state and have the
classes there. We’d do whatever was necessary to have the classes taught in a legal way and that’s what we did.

JP: I seem to remember Abe telling me something about Houston or Dallas that there was some problem that they agreed to allow them to teach the courses and then they changed their mind?

TP: Right there was a, yeah, it was in Texas. It was also out in, I think, Montana or something, one of the other Border States, and they told us we could teach the courses. We actually had to go over to Canada to teach the courses and stuff. So, that would not be an unusual thing. It would never be unusual to sit around with Abe Fischler and to say to him, “Okay, well here’s the problem.” He never had an answer, “Well, we can’t do that. That’s too bad. Let’s go home.” It never was like that. You know, figure it out. And he believed in all of this and he believed in this delivery system and, if it wasn’t for him, a lot of this delivery system would have never, ever happened. Because of his tenacity, he believed in it one hundred percent. He didn’t think this was some kind of second rate education. He didn’t think, he thought this was first rate and a half on top of it because he thought it was a much better way of doing it because you focused, you targeted on the population you were looking for and
really focused on those people and what they needed, the skill sets that they needed to have versus a more traditional university that everybody has a cookie cutter approach and this is what it is.

So, that was my early involvement and from that involvement dealing primarily with licensure, accreditation, any of the regulatory issues that dealt with us going to different, you know, places, different states rather, it kind of grew from there and then, of course, I started to do other things here.

JP: So, in the beginning you were in effect a paid consultant to the university?

TP: Yeah, a lawyer, consultant, yeah, both.

JP: Well, one of the issues for I guess Abe in the very beginning was the educational program had to work because that’s about all the money they had. So, I know you were aware of the dire financial system as you were working with the university.

TP: Well, we were so aware of the dire financial system that there was periods of time I didn’t get paid for a whole year when I was more of a lawyer for the institution, but aside from that there was actually periods of time, there was a CFO in the very early days of this by the name of McLaughlin, very, very nice guy, very
gentleman, very, very good guy, and he would, we would have cluster coordinators, which would be these police, this was keeping with the criminal justice now, that would be police in a particular, you know, from Orlando, wherever they were from, you know, some city someplace, and they would be the cluster coordinator. They were there to organize the cluster, get the classroom, make sure that the students had the books, you know, just like be the administrator of that particular site, and they would get paid a small amount of money for doing that. It may have been, you know, $200 a weekend or $500. It wasn’t a tremendous amount, but whatever it was, and what would happen is the university would never pay them. So, it got to the point where I actually had, we would collect the checks, there was nothing electronic in those days, we collected checks in like a shoebox and I’d go over to McLaughlin and hold the shoebox and I said, “I’m not giving you the shoebox until you give me the other checks for all these guys that working out in the field.” And I mean that’s, and it was done in a friendly way. I mean, there wasn’t anything nasty about it, but I mean that was the level of when they didn’t have any money around here. And I mean, it was so bad, and that’s why New York Institute of Technology to a large degree came in, I guess either loaned or whatever
they did, contributed money to here and then, you know, of course there was that great big gigantic lawsuit between the university and them.

JP: Were you involved in the initial agreement with NYIT?

TP: No. The initial agreement had already been in existence when I came in because NYIT was running, NYIT owned certain programs, when I say owned, they had the rights to certain programs, one of which was the criminal justice and business and a couple others. And so, they were very dependent upon, the university was very dependent on a person by the name of Alex Schure, who was the chancellor of NYIT, a guy by the name of David Salton, who was the provost, Mike D’Oria, who was like the counsel I guess, or whatever it was, and it was a whole series of the people from New York that came down and there was this kind of a joint venture if you want to call it that, I mean, that’s probably the best way of putting it, and it lasted several years and then they had a parting of the ways through that lawsuit that they did over the Goodwin Trust.

JP: Well, part of it in the beginning was, as Abe would say, was prepaid rent, that they came and used the facilities.

TP: Right.
JP: But they also made several contributions and, in fact, he told me that Alex Schure was the one who prodded him to start the law school.

TP: There’s no question, yes.

JP: And Abe said, “We don’t have the money.”

TP: Right.

JP: And Alex said, “Do it anyway.”

TP: Right. And Alex Schure was a visionary in his own way. I always liked him. I always got along with him. He was a very respectful individual I always thought and he, yeah, he’s the one who prompted a lot of things to happen in those particular days of when they started the law school and they started some expansion programs here.

JP: Do you know the circumstances of the breakup and the lawsuit?

TP: Yeah. Pretty much. There was a trust that was left by Leo Goodwin, who was the heir to GEICO Insurance, or at least one of their heirs to it. He had left $16.5 million or so to the university. There was a dispute between NYIT and Nova over who was to receive the, you know, the corpus of that trust when he died and that was the, that was the fight. I mean but there was other, I guess there was just other tensions that were going on. I wasn’t a member of the trustees or anything, so I don’t,
there would be other people that, and probably Abe could talk about that better.

JP: He said that at some point the circumstances had reversed that the amount of money that NYIT was taking out of Nova was so extensive as opposed to what they were putting in that that was part and parcel of the fact that it needed to change, but I’ve always thought and never got anybody to tell me specifically there was something else going on that Alex Schure was forcing them to buy computers or something, there was another element to this disagreement. Do you happen to know what that was?

TP: Well, I’m not so sure about him forcing them to buy computers, but I think that he was pushing for them to, and there was computers involved with it, but I’m pretty sure that they were, NYIT was, for lack of a better term, exercising their muscle because they had the financial strength at the time and really trying to push Nova into a particular direction. I think the board here didn’t like that type of a push. You had some very, very, very strong members of the board, very successful businessmen of the Nova Board.

JP: And NYIT did have a one-member majority on the board.
TP: Correct. They did that and I think that’s what they were pushing and I think that’s what really, that in addition to, there were certain issues with the computers and with Alex Schure directly that -- but I think the major issue was the issue of control. Is this going to be a locally controlled institution or isn’t it? If it’s going to be a locally controlled institution you had some very, very high quality, high level, very, very successful business people from the community that had spent years out here when this place was very, you know, it started off with, you know, the Foremans giving the property and them having a little place on Las Olas and all that. But, all of those people were very, very successful in their own rite and they thought they wanted to, as I believe they probably, you know, should have, to, the university should be controlled by the local community. This was where it was at. It wasn’t a satellite of NYIT and I think that’s what really created the issue.

JP: Abe, of course, has really mixed feelings about that. He said one of the problems was that Schure was an employer and he saw himself as an employee working for the board of trustees.

TP: Right.
JP: And yet, at the same time, he said, “Look, he saved us twice.”

TP: Right.

JP: You know, “So, we have a great debt to him personally.”

TP: Sure.

JP: “But on the other hand, at what point do you cut these ties because it’s hurting the development of Nova?”

TP: Correct.

JP: And I think, and I also understand and I can’t remember who told me this, but somebody said that there was somebody downtown waiting to serve a lawsuit if Schure didn’t agree to the final--

TP: Yeah. I’m sure that was Terry Russell at Ruden, Barnett.

JP: Yeah.

TP: They’re the ones that sued eventually. You’re talking about over the issue of the Goodwin Trust? That was really what the issue was.

JP: That’s what it was, okay.

TP: Yeah. It was that lawsuit that, and it was Ruden, Barnett and it was Elliott Barnett, who was--

JP: So, NYIT wanted the money?
TP: Yeah. I believe NYIT, I think there was a dispute over it as to who was supposed to get the money, who was the beneficiary of the money. I didn’t handle the lawsuit. I was ancillary involved in it, so there are probably other people that can give you -- Terry Russell is a lawyer still in town if you have any real interest in the whys and wherefores of all that, he’s the one who handled the actual case back then. I didn’t handle that.

JP: Well, as I understand it, this was an unusual, this was like a unitary trust, which was sort of a new concept and the attorney, as you know, was Della-Donna who had, he and his secretary I think and somebody else, maybe an ex-wife or something, and they ended up trying to control the money.

TP: Right.

JP: And the argument he was making, Della-Donna, was that this is not a local institution, but the Goodwin Trust was supposed to go local and this was owned by NYIT.

TP: Right, and he wanted to take and give the money. Della-Donna basically was a trustee over at Holy Cross and at, I don’t know if it was the Girls Clubs, Boys Clubs, there was another, a couple, two or three local charities that Della-Donna wanted to, plus Della-Donna was also, he
was the trustee of these things and controlled them and he was the one who made the interpretations of them.

JP: Plus, he was getting a lot of billable dollars out of this.

TP: Yeah. That’s, what you said, I was almost ready to say that. Like I say, I wasn’t, you know, I was ancillary in that.

JP: It was kind of interesting because, in essence, the money was badly needed by the law school for accreditation and secondly the delay in getting that money was really harmful to Nova and so it was in the courts for several years and so, from the perspective of Abe, you know, he was very frustrated because this is money that would be essential to continuing the operation and you can’t get it.

TP: Well, it’s true and it was and it was almost as though it was being choked off.

JP: Yeah.

TP: And it’s obvious. In any litigation like that, you know, the person that’s stopping the other one, they know they’re going to have the leverage and that’s what, that’s what this was all about and it lasted a couple of years and they got it resolved and, you know, Nova got the money.
JP: Eventually, as I’m sure you know, Della-Donna was disbarred. It went before the Florida Supreme Court and they said he clearly misrepresented the trust and clients and that sort of thing. So, this was a very difficult time period for Nova.

TP: It was a very, very difficult time period and it wasn’t just that. It was the whole entire, the university had started off that it was going to be a hard science institution. They very quickly learned that in the late 60’s, they started in ’64 I guess and by ’67-’68 when Fischler came in that was never going to happen. You were never going to have 12 students and 40 faculty, you’d never make it. So, it was a very difficult time for the university financially because it didn’t have the reputation. They were out in all these different states and everything having great difficulty in, you know, getting into the states and not having the state licensure folks, the departments of education in these particular states going ahead and trying to run them out of town basically was what it was, so you had all of that going. You didn’t have the reputation to draw in this enormous student body. You’re dealing with a new concept that really hadn’t been tried and tested very many places and the only places it really was were, you know, the famous
diploma mills. I mean because, “What is this concept, you know, you only go there on the weekend or they, you do this stuff, you know, long distance?” I mean, this was just some concept that wasn’t real clear. So, you take all of those combined, you take whatever growth the university was trying to do and they flat had no money. I mean, absolutely no money. It was not unusual at all for when I was on the payroll to hold your pay, not for every single employee out here, but somebody like me, you know, to hold the paychecks and to not, you know, cash them until the following Tuesday. I mean, it was just, you know, it was just the way, it was a way of life and I always look back on it kind of fondly in some respects. I mean, it was a very hard time out here.

But you look, as big as this place is now, when I started, the budget was about $8 to $9 million I guess, whatever it was. Now it’s, you know, $600 million-$500 million, whatever it is it’s gigantic. But, you look at it now, everybody gets paid on time, everything happens on time. That was not the Nova of old I mean at all, it had nothing to do with that. You would have never recognized it.

JP: Did you think it was going to survive?
TP: Yeah, I always did. I thought it was going to survive for several reasons. I always thought Fischler would make it survive. I thought the concept of the distance learning was very good. I thought that it was going to be, you know, the wave of the future. It made total sense. So, usually if something makes sense, you know, and it’s not some hair-brained idea, I mean, you know, it should eventually work. And I always thought, if they could just withstand it long enough and get past the hurdle of everybody calling you a diploma mill, like they did with the, you know, when they sued the Cincinnati Enquirer, or whatever it was, when they, you know, were calling the place a diploma mill, because it hurt for years. I mean, because those articles get redredged and redredged, and I could imagine what it would have been like now with the internet. It would have been horrendous because then you would have seen them every five minutes. At least then, they didn’t even have fax machines, so it wasn’t as though those articles were being reproduced on a daily basis, but all that stuff really hurt, and that was a time in history --

JP: Were you in that lawsuit with the Cincinnati Enquirer?
TP: No, but I was ancilliarily involved in it with Herschel Shanks and the Washington lawyers, yeah. Yeah, because it involved what we were doing, which was the licensure.

JP: And, to some degree there is still lingering out there this sense of Nova as a diploma mill, I suspect.

TP: There’s a big sense of that. I went, after I was here for a while in the, I don’t remember, it guess it was in the 80’s, I don’t know, I went up to FAU and I got a doctorate in addition to my law degree in higher ed and at FAU, FAU is, in those days, in the 70’s there was really, there were some people in the education department and whatever over there that really didn’t particularly care for Nova and there was that publication in Kappa and all that stuff or whatever it is, and they used to write pretty nasty stuff, I mean it’s all published, public domain kind of information and things, but because Nova was this, I think this perceived threat to a lot of people because of the way that they were operating, what they were doing. They were bold. They were brash. They didn’t care about what the rules were, they were going to go do what they needed to do. And, FAU to a large degree in those days were really against Nova and that was one of the big problems because that was an institution that was, you
know, local in a sense. They weren’t necessarily across the street in those days, but they were, you know, up in Boca, and the -- I at that same period of time, you know, I always had my regular law practice and I was representing the faculty, you know, United Faculty of Florida, I would do cases for them, and I’d be suing up there to FAU, to the president and whatever for some faculty member to get tenure or whatever happened, you know, so and deposing those people, and so they had this particular dislike I would say for Nova, for me, for you know a lot of it, and that’s why I really wanted to get the doctorate. So, it was, that contributed to a lot of it.

Other institutions, Florida, other ones, none of them really embraced Nova. This was this new thing down here that was lingering, there was so much said about it being a diploma mill, being this distance learning that no one ever knew what it was, and all of that whole kind of Gestalt, that whole group of things, the whole constellation of all those issues lingered on and on and on and it’s hard to get rid of that reputation. I think they clearly have now, but you know, 15 years ago or so, no. I mean, it stayed on and stayed on and people had this kind of notion in their mind that this was what this was, and the notion started to change when more and more acceptance of the technology age,
more and more acceptance of other institutions like the University of Florida and Florida State.

When we started the program in Panama for the criminal justice program the school that was right next to me, I mean like right from here to that wall, was FSU. They had a program down in Panama. Nobody said anything about them. They were wonderful. They were the greatest thing since sliced bread. This wasn’t even -- this was a state institution that has a program in another country. So, you know, with Nova they would -- they were in the position of having these programs that were just not accepted. They were competition. People looked like they were getting all, you know, like Nova was being successful at it, and it was totally contrary. Nova did not have tenure and Fischler was unabashed about talking about why he didn’t want to have tenure, and the faculty members that were tenured in state institutions quite frankly didn’t like that. They liked teaching six hours a week and their pay, you know, I used to make jokes about it all the time because, you know, I used to deal with it a lot. I said, “Their papers looked like parchment paper.” I mean, they could have not changed their lecture in the last 20 years, you know, but they would, they were tenured, they had their club, they had their union, they had their faculty group,
whatever it was, and all this to me was one big threat and it only stopped when everybody else caught up with it and everybody else says, “This makes some sense. It makes a lot of sense. It makes the sense that, why would you have working adults have to quit their job to go to school? What’s the magic of going from 9:15 to 10:05? I mean, does it matter? Or, you go on Saturday from whatever. I mean, what’s the substantive difference?”

JP: And then when you get to the virtual classroom—

TP: Right. Then it’s even more. And so, as long as the outcomes are there and I used to get into these knockdown-dragouts with Fischler all the time. One time he took a book, one of those books he had behind him, in this building, up on the third floor, and he took it and, you know, he throws it and he hits me with this damn book because I used to be on him all the time. I used to give him these arguments. I said, “What’s the outcomes? How are we going to prove these outcomes? You’re telling me that by doing this, this is the greatest thing since sliced bread. Okay. Well, where’s the outcome? What are we going to do to do it?” Well, eventually, the outcomes kind of caught up, you know, but in the early days, clearly, you wouldn’t have, you know, that kind of—
JP: He told me at one point when it was really bad that they actually went to FSU and Florida and Miami to see if they wanted to merge and see if the state wanted to take over.

TP: Right.

JP: And he said, “I’m so glad we did not lose the ability to maintain our private institution, because once we got caught up in the state system they couldn’t have been as innovative.”

TP: No.

JP: So, you’ve observed all these period of years, what’s the advantage and disadvantage of being a private, not-for-profit over a state university?

TP: Well, there’s a lot of advantages. I was involved -- I’ve always been involved with the governmental side of Nova with doing the legislative, all of the governmental work, everything up in Tallahassee. We have an office in Tallahassee and have had it for 35 years. So, we’re very, very familiar with all of the machinations and I was personally there on a couple of occasions when different legislators wanted to go ahead and acquire Nova basically, you know, and just merge them into the system. The difference is, the difference is, you know, what is the difference between, you know, a public and a private
institution, which happened to be the dissertation I did, and so when you talk about what’s the difference of it and what’s the advantages, Nova had all the advantages in the world. We had the advantages, we are the same as a public institution and this was always my position. The only difference between us and a public institution, there’s two major differences, one is our board is just a privately selected board, but they’re quality people, they have, you know, the same thing. It’s no different than if the governor selects whoever is going to be the members of the board of trustees or whatever of the state universities, so we’re governed. We don’t have unbridled discretion to do whatever we feel like doing. We have a fiduciary -- that board has a fiduciary obligation no different than the board of trustees does at Florida or Florida State or wherever it is. So that’s all the same.

The difference is, is that any monies that we had, we would have to acquire it, the institution would have to acquire it and, as a result of acquiring the monies by the university itself, it would allow the university to do the innovation and to allow the university to develop new programs and develop the type of programs that it thought was appropriate, measure them in an appropriate way and make a determination as to whether these have any validity.
to them. A state institution couldn’t do that in 50 years. Now, they could do it in 50 years, but it would take them 50 years because by the time they got through the bureaucratic maze of 12 committees to go through and determine whether you’re going to start -- We started criminal justice. They had this little tiny program going. I got involved. I sat over at Gelfand’s house, I said, “Okay, this is what we’re going to do.” It was done within three months. There was no, there wasn’t all these committee meetings, there wasn’t all of the rest of the bureaucracy, there wasn’t all of the faculty members, there wasn’t all of the rest of it and the output that came, and the program that came out of that was accredited. It was the same as any of the other programs around the state, except what happened is there was a need and by having, at Nova they had the ability to fulfill that need within a very reasonable period of time and in a very responsible period of time. A state institution to do that, it would take them five years of planning horizon and then they’d go have all these meetings and by the time they had the meetings and they did all of this stuff, the issue they were trying to solve, which was in those days, was to get undergraduate degrees for police officers, that was the goal, that was what the mission was. It wasn’t a very
complicated mission, but for a state university to do that, it would have taken them five years. By the time they did it, there wouldn’t have been any of this need anymore.

And the other issue that it allows is, it allows for a freewheeling curricular design. It allows an institution like Nova to develop a curriculum that meets a particular need at a particular time and they can go ahead and do that.

State institutions are just inhibited from it. Even if they had the money, it’s very, very difficult for them to get through the bureaucratic maze. There’s nothing wrong with state institutions. I went to one. I’m big time with FSU, the whole thing, but there’s a big difference from an academic standpoint and I do not believe that a state institution’s academics are any better than a private institution’s academics. You have to look at the individual program, the professors, the students, and the curriculum to determine what you have and what are the outcomes of that program. You know, how are you going to measure them? So, once you do all of that -- That’s what Nova had. That was the magic that Fischler created. That’s what he created and, if it wasn’t for him, that would have never gotten created because, what they would have done is they would have had Nova out here that would
have been a glorified community college. It would have been called Nova College and it would have probably been, you know, 1,000 students or something and they would have had your traditional undergraduate program and they would have taught the normal array of undergraduate courses and it may have developed into a more upscale undergraduate liberal arts college because of the location probably more so than anything else. You would have never gotten the targeted audience that they got and their targeted audience was very, very targeted just to a large degree like it is now. It’s mainly all working professionals. You know, first professional degrees and graduate degrees. That’s the vast, vast majority of Nova.

JP: One example of this would be the dental school.

TP: Right.

JP: They started the dental school when they were closing other dental schools.

TP: Right.

JP: And they had determined that there was a need for this that they would be able to be successful and they immediately literally in the academic span of time this was almost an instantaneous achievement.

TP: Right.

JP: I mean, in a year they had the dental school.
TP: Absolutely. You look at, you look at HPD as a whole and you look at the buildings that they had, they were in North Miami Beach when I first started. I represented HPD before the merger and all that when it used to be called SECOM or, you know, Southeastern University and when they were down there and you look at their buildings and you look at what they did and then when they decided to come up here this would have never happened in a state institution in a thousand years because, even if the state institution had the $100 million or whatever it cost to build the thing, it would have taken them years and years and years to go through that and to build it and go through all the bureaucratic maze. Here, Dr. Terry said, “We’re going to build these buildings,” and they were built within, you know, six months, a year or whatever it took to physically build the building and to start the program.

JP: Were you involved in that merger?

TP: Yeah, to some degree, yeah.

JP: Talk a little bit about it. I had been talking to Stanley Cohen this morning and he was talking about Mort Terry, a really strong leader, had a lot of vision, but they were limited in where they were and it was going to be hard for them to grow and Feldman had just sort of taken over as president here and he had the land and so these two
people got together and said, “Well, look this is going to be beneficial to both schools.”

TP: Yeah, but Feldman had very little if anything to do with this.

JP: Okay.

TP: I mean if--

JP: Mainly Ovid Lewis?

TP: Ovid had a lot to do with it. Ray Ferrero had a lot to do with it. A trustee that has since passed, David Rush, had an enormous amount to do with it. The one that probably had the least amount to do with it would have been Feldman, who was then president. He may have embraced the idea, but Ovid always liked the idea of a medical school. Ovid had a background in science he was a very, very brilliant guy. I mean, the most brilliant person I ever met.

So, in that, he had this vision, but Ray was involved in it and there were several of the trustees who were involved in it, but the primary moving force of all this stuff was Dr. Terry. Dr. Terry was an osteopathic physician. Him and Dr. Melnick and several others had a hospital down in North Miami. They sold the hospital. They made significant amounts of money off of, from the hospital. They put that into developing Southeastern. So,
when they developed the school, Southeastern, they would start, you know, they developed the osteopathic medical school and then I think pharmacy and optometry, whatever, they had a few of the schools going, but they were limited and they were limited by not having the advantage of a full-blown institution, because there was lots of synergies and lots of other advantages that come with that and they were pretty successful in their own right, but Dr. Terry had a vision of what it was and Dr. Terry, everything that Dr. Terry did was, he looked at life, you know, in my view, as a very pragmatist, you know, “How am I going to get from point A to point B and how am I going to really do this? Now, you know we can talk about all these theories and having people movers and having all the rest of the stuff that’s going to happen or we can talk about it. Let me get in my car and go up there and go do it.” And, that’s the way he was and he was the kind of person who was a total mover. He had the vision. He wanted this place to merge. Ovid wanted it to merge. Ray Ferrero wanted it to merge. David Rush and some other members of the trustees really were pushing to have this thing merge. Fred Lippman, who is the Chancellor now of HPD, was at Southeastern and wanted it to, you know, wanted this merger to take place. So, between all of those forces they came together when
they wrote the merger document, and I don’t mean the legal document that they had afterwards, but the actual, you know, deal points, they did it on the back of a program at a graduation. They actually wrote it right there on the back of the program. “This is what we’re going to do. Here’s how it’s going to work.” And that’s what they did. And that’s the way Dr. Terry would operate and they did that and a handshake and that’s the way it started and that’s the way, you know, that’s the way it worked. That’s how they came here.

JP: It was a great benefit to Nova, who needed the money.

TP: Well, it was a big benefit to Nova because what it did for Nova is that synergy by virtue of having all the health sciences here would allow Nova to expand that they would have never had that opportunity to expand in. Because, for them to go start their own medical school, their own dental school, their own pharmacy, optometry, nursing school, I mean it just, it would been out of sight. It would have just never happened and they would have been an institution that would not have had that piece. So, that piece was a great synergy for them. But, it was a great synergy for SECOM, because that allowed them to have all of the other trappings of a university, of a full-blown
university. So now, when you take these two parts and you put these parts together, you know, you’ve got, you know, three instead of two and because of the magnitude of their contribution, Southeast’s contribution, and the magnitude of Nova, you wind up with a full-blown, rounded out institution that allowed Nova to start other programs that they probably never would have been able to start, either one of these groups on their own. It just was never going to happen.

JP: Yeah. Southeastern built the building, built the garage, paid for the moving, paid for the whole thing.

TP: Yeah.

JP: And so, Nova had the land.

TP: Right.

JP: It’s a perfect fit.

TP: It was a perfect fit geographically, it was a perfect fit financially, but what was really the perfect fit was the vision that Fischler had and that Ray Ferrero had and Ovid also, the three of them, was that this was going to be a Broward University. This was going to be a big time university. This isn’t going to be just some specialty shop over here for, you know, the college of education some place or the, you know, the Teachers College of Michigan or something, it wasn’t going to be that. So,
they had this vision that they were going to take Nova, this little place, when I started here it was three buildings, this was one of them, and they were going to take this and elevate this in only 40 years or however long it’s been, 45 years I guess, up to where, you know, to the level we’re at now, the sixth largest institution in the country, you know, private institution, which is, you know, it’s astronomical to ever have that happen and to be able to have that vision and to be able to move this place forward like that is incredible.

JP: Talk a little bit about the opening of the law school. Were you involved in that?

TP: Yeah. The law school was I think in 19--

JP: ’74 or ’75.

TP: ’74 or ’75. Yeah. The law school started and it was, you know, a relatively modest operation. There were lots of issues with the accreditation concerning, you know, actually they would come in here, the ABA would come in here, the accrediting agency would come in here with tape measures and measure the size of the desks for the square inches of the desks. This is how screwed up and this is part of the reason why Nova had the difficulty it did when it was doing the licensure in other states. They would look at the outcomes. What is this widget going to look at
the end of the day? Is the widget going to be a better principle or whatever? Or, are we going to look at every input that there is? And that means the number of books you’ve got physically in that library. Nobody ever may look at them, but you got them there. The square inches of the desks and all those kinds of metrics, and that’s what happened with the law school in the very beginning of this and that’s why they were having the greater difficulty, or whatever difficulty they had with the, you know, with the accreditation and everything was, you know, the physical plant and then they were here --

JP: Nova didn’t have a law school.

TP: Right.

JP: I mean in the formal sense. They didn’t have enough room for the library.

TP: No. They didn’t have all those factors. And so what then they did is, they moved it over from there, from over here over to the east campus and that was the operating engineers building, and so they got the operating engineers building. Behind the operating engineers building, there was a placed called the Fort Lauderdale Oral School, it was the Gore Oral School or something, and so I did the merger on that. We acquired that. We
acquired, that’s now the Baudhuin School, which became the, the autistic school.

JP: Let me stop you just a second. There was also a union hall involved. How did Nova get that building? Did they pay for it? Did they lease it?

TP: No, they bought it.

JP: Just bought it.

TP: You’re talking about the operating engineers building?

JP: Yeah, the three-story building.

TP: Um-hum.

JP: And that was apparently a pretty good deal from what Abe told me, that they were building a new building and this was sort of obsolete.

TP: Yeah. There was a building that was on Ninth and they didn’t want it, it was about, I would say it’s probably six, seven stories. It’s in a funny location, in the sense that it’s right kind of in the middle of a residential area. It had plenty of parking. Behind it was this Fort Lauderdale Oral School. They didn’t call it Oral School, it was like the Fort Lauderdale School for the Deaf or something in those days, whatever they called it. The Gore family had it. They wanted to acquire that also, so we got that and we did a deal with them where we merged
them into Nova. I did that. And then we, that’s when we started to build, we built the building that’s over here now on that main campus here, the family center, not the new family center, but the old one, and so we had built the, we had taken that and that all became part of the law school. So that’s when the law school was, had moved and they had the, which would have been like the union hall, I mean that became the library and all that. So, that’s what allowed them to do all of that, and that’s about the time, they had the law school here, they moved over there and that’s about when Ovid Lewis was coming in as, I guess he would have been provost or whatever his position was, or no, Dean of the Law School.

JP: He would have been Dean of the Law School.

TP: He would have been Dean of the Law School. And so the first day he comes in, he’s not even here yet, and I had met him and prior to him coming down here, so he comes in and we have, the day before I guess he gets here to start, we had this cheating scandal going on over in the law school, and I get this call and said that there’s a big problem that this woman who worked at the circulation desk and her husband worked in the print shop, and in those days they would print the examinations, and she would actually
sell the examinations from the circulation desk. So, I said, “Man, this is a problem.”

JP: Particularly in the law school.

TP: Right, and a lot of the students had the exams. Out of 200, 100 of them had them, you know. So, and this is the day before Ovid starts. So, I call over to the law school and I tell some professors who will remain unnamed that are still here, and I said, “You know, your tests are compromised, you can’t use these tests.” They said, “It doesn’t matter.” I said, “It does matter. It’s going to matter. Just trust me, it’s going to matter.” “Nah, it ain’t going to matter.” So, anyway so some of them went forward with their tests when half the students had them, or how many number of them had them and so Ovid comes in the next day, this is his first kind of day on the job as dean, and so he’s looking at this thing and so I’m trying to explain all this to him, so we start to do this investigation and the woman that we’re investigating who was at the front desk is a self-proclaimed white witch who lives in this coven or something. So, Ovid’s coming in here and he’s like, you know, “What?” And her husband was supposedly some Santinista or something back in those days and I mean this whole wild story of all of this stuff is going on and this is how he starts his deanship as the dean
of the law school. So he and I became very close friends, you know, as a result of that and then, you know, just doing all this work out here and everything and then, of course, he moved up, but then the law school went over there and then, of course, then they moved back over here.

JP: Well, don’t keep me in suspense, what happened with the cheating scandal?

TP: Oh, we, you know, we fired the person. We had this enormous, I took all of the students and I said we need to have all, I think it was the second year students, whatever, it was the whole class of them okay, and we took them all over to the, in the auditorium over at the Ninth Street building and I said, “Okay, I want affidavits from everybody that you didn’t have, that you didn’t get the test, that you didn’t have the test.” Which I thought was a very reasonable thing. Well, you would have thought, I mean there was a revolt. I mean there was this revolution and then they called the ABA in and so we had the ABA in all over us and, you know, over this whole, over this thing. And, it all got worked out eventually, you know, they all took the tests again, but you know.

JP: They retested?

TP: Yeah, most of them I think is what happened with them, but it was just such an unusual set of circumstances
at the time and I always look back on all my Nova experiences and so many of them are what I would say in a very -- you would never normally get that practicing law those kinds of things and this was a very unusual situation.

JP: One of the early issues, obviously, was tenure because nowhere else on campus was there tenure and Fischler was, as you have indicated, adamantly opposed to it, but the ABA was still in the traditional mode, they were not going to accept a law school I guess unless they had tenure.

TP: Well, there was no question about it. It wasn’t even, it wasn’t a debatable issue. It was no issue at all. It was either, you did tenure, and that was the only school on the campus that was tenured at that time, the only faculty that was tenured.

JP: Were you involved in the accreditation process?

TP: Yeah, at times, yeah. With the law school?

JP: Yeah.

TP: Yeah. Yeah, over different issues and when they would come down here and do their reviews and things like that I was involved, yeah.
JP: Well, it took till 1982 before it was fully accredited, so does this have to do with libraries and facilities?

TP: It had to do primarily with facilities. It really was never the faculty, as much as it was the facility and the additional requirements that the ABA would always pile on. The ABA is a union and the ABA has got their members and they take very good care of them and that’s the bottom line. I mean, that’s what happened and, you know, that’s really what it was. It really had nothing to do with the quality of the school, the results of the students or any of those things.

JP: Did it have something to do with the national perception of Nova?

TP: I don’t know if it had that as much as it did the facilities and the other things. I don’t know that, you know, that’s one of those things you can never prove. I mean, maybe it was in the back of some people’s minds and, if it manifested itself at all, it would have manifested itself in making Nova, like I always used to say, “You know, we’ve got to go two miles for every mile that everybody else goes,” and that’s really what it was. And, you know, not only do we got to show them that we can do
it, we’ve got to like doubley show them we can do whatever it is, and that just was their perception.

JP: It’s still pretty difficult to start a new law school anyway. I mean, they’re going to make you jump through hoops.

TP: It’s very, very difficult, as you’ve seen with Florida Coastal and some of the other ones that have had difficulty with accreditation. There is nothing unusual about it. What becomes unusual about it is when they sit there and, you know, they start having preconceived notions about things and they make you prove things to a normal level and then with certain institutions they’re going to make you prove them to a certainty and, you know, that may have been some of that, but I don’t know.

JP: Now, you did get a Masters degree in criminal justice from Nova?

TP: Correct.

JP: What was that course structure like and who was teaching that at the time?

TP: We had all, it was, we had all professors that were all criminal justice professors, we’ll say from John Jay, from some of the big institutions around the country, Chicago that would come in, it was exactly the same structure as the education programs. When we had the
education programs, the ED leaders program, the community college program where the faculty members would come in, that would be the level, they were all terminal degrees, they were all professors someplace else, and I used to get them to come in because, primarily, one, they would like coming to South Florida in the wintertime, that was number one, but even more than that, a lot of them liked going down to Panama, you know, we’d have places for them to go. We had a program up in Canada. So, we had places that, you know, they would like. But the faculty members that we got were all the top level, they were the same exact kind of faculty that you would get in the education program, they were the ones that wrote the book like in education, Mario Fantini, and whatever.

JP: So, you would say that the education you got at Nova was comparable to what you got at Stetson?

JP: No, it was different. I mean, at Stetson it was a law degree, so that’s completely different. The education I got at Nova would be comparable to what I got at FAU for my doctorate.

TP: Okay.

JP: What was the difference. I mean, those were the same. I mean, there was no difference in that.
JP: Were you involved at all in the relationship between Broward County and Nova in the building of the new library?

TP: Yes, I was.

JP: Well, talk a little bit about, I talked to George Hanbury a little bit about that yesterday as well.

TP: Right. Yes.

JP: It’s a very unique situation. I don’t know that there’s another private institution in the country that has this relationship with a public library, so explain sort of how that got started and what part you played?

TP: Okay. I played the part of negotiating along with Dr. Hanbury. It was George’s vision. He saw the fact that we needed a library, the county really needed a library. George, Dr. Hanbury, was the City of Manager in Fort Lauderdale. He was very, very attuned with the, working with Broward County and they had their central library. Broward County did not have a research library other than, you know, other than the Nova Library now, so there was this direct need for it. Nova had a need to do a bigger library and consolidate its existing libraries.

JP: Because they had two or three --

TP: You had one in Parker.

JP: Yeah.
TP: You had a small one that was here. You had some part of it over in Rosenthal in those days and it was all like kind of, just none of it was together and then, of course, you had the law school, but the law school would always be a discreet library regardless, but nevertheless you still had, and it was always one of the issues that was raised by Sacks, so Nova had to do something about creating a library, so these two forces came together. We went down there, we saw the county commissioners, we went and saw every single county commissioner, explained to them the concept of what was attempted to be done, that the county could get this major research library that was going to be open 100 hours a week, which is unheard of in the public sector, and all of the citizens would have a library card and the citizens would have full access to all, not only the stacks, but the databases and everything else, and even when this library started, technology was pretty far along, but it was nowhere near what it is now, even in the short tenure of the library and the changes. So, when all that occurred, there was the, once again I use the word “synergy,” there was a need and the only reason this thing occurred was because there was a need on both parties’ parts. This was not a need that just Nova had and we went to the sugar daddy Broward County to go fund it, and it
wasn’t a need that the county had and they went to some educational institution to go do it. They both had a very distinct unique need and when they both had that need this is what allowed this thing to come together in the fashion that it did and I was involved in the negotiations with George, both with the County Commission and with the administration over there, and to develop the long-term contract, this 50 years or whatever it is, to go ahead and be able to deliver these services, but the main driving force of this whole thing was that both parties needed this. There was no research library. The main library for Broward County is a nice library, but it’s certainly not of the level of this and no one in Broward County really had that access to a purely research institution. If you wanted to go to FAU you had to be, I mean if you wanted to use their research library you had to be a student over there or something, you wouldn’t just be allowed to go in there. Here, everybody’s given a library card. They have full access. They can go in there. It’s open 100 hours a week. It has an enormous amount of public usage.

JP: Well, actually something like 60% of the public usage.

TP: Right. Right. It’s more public usage than Nova uses it.
TP: And now with the, the way technology is, probably, to be honest, probably Nova students will use it less. I mean, in essence, and the public will probably use it more. So, that’s the way that worked, but I was very much involved in that.

JP: One of the problems has been is that, over the period of the last three years, the county has cut the money.

TP: Right.

JP: And George told me yesterday there had been at least four amendments to the original agreement and that the county had been released from its responsibility for paying off service debt for the garage.

TP: That’s correct. That was last year.

JP: So, what’s the future of this relationship?

TP: Well, the future of this relationship is, we actually worked on this Saturday and Sunday of this week, that’s how current this is dealing with the future of this and the county once again has a budget crunch and when they have a budget crunch one of the items they go to look at is the libraries, you know, parks and recreation, those kinds of things before they start looking at the police, even though they looked at the Sheriff’s Department, but this
year they’re talking right now about a big cut again and this will be probably the fifth year in a row and they’re pretty much down to the bone about cutting things, because there is a certain infrastructure that they were responsible for paying, etc. Last year, we alleviated a portion of it by virtue of the parking garage, but we still have - they still have an obligation as it relates to the actual library itself and the operation of the library, etc., and that’s where they’re trying to cut it this year. So what we’ll do is we’ll make our normal pilgrimage down there, we’ll have a bunch of people that will be arguing against us for whatever reason. This year it may not be as bad, but in past years we had different groups that had a bone to pick with Nova for whatever reason and they would go down there and this was a real fertile ground-- they could care less about libraries, but it was a good way to go beat up me or George and we’d be down there making the presentation and they’d be yelling at us about whatever it would be and so this year we don’t seem to have too many of those ancillary issues, you know, that are available to people that have self-serving interests. So, we’ll see where it goes, but we’ll go to see the county commissioners.
JP: Because the library here has kept its part of the bargain. They’ve stayed open. They’ve not cut any positions.

TP: No, we haven’t cut positions. We’ve stayed open 100 hours a week. The usage by the citizens has increased. The quality, the satisfaction rate by the citizens is as high as it could be. So, it’s not as though you say, “Oh, there’s a citizen coming in here so we’re going to give them the bum’s rush.” I mean it doesn’t work like that.

So, but it goes down to you’ve got to convince the county commission that there’s a, not only there’s a need, which I think they understand there’s a need for it, but that when, you know, when they have to start cutting things they act like these things are not necessary services or something and they’re going to cut those as opposed to something else. So, that’s where it’s at.

JP: In the long term, it’s been good for both parties again.

TP: If it wasn’t good for both parties, in my view it would have never happened in the short-term because it had to be that synergy. The county needed something and this is what they needed and they knew they needed that so they were hard bargainers. I mean, when we started this I remember, you know, the very first meetings with the county
commissioners trying to explain this to them and all that and it was hard to believe, we got from the first meetings to where we actually have a building here, you know, so that’s what happened.

JP: Now, have you taught courses at Nova Law School?

TP: At the law school, yeah. At the law school I taught the governmental affairs, like legislative.

JP: Has that been recent?

TP: No, that was years ago.

JP: Do you have any sense of the quality of the students when you were teaching and the quality of the students today?

TP: Yeah. The quality of the students when I was teaching I think was very good. My law partner over there graduated in I guess 1978 or something was a student then and I don’t see much difference in the really the quality of the students then than they are now and if you look at the quality of the students from back in the earlier days there are judges, there are public officials, there are people who are heads of law firms that have demonstrated their competence and ability, so I don’t see really any measurable difference then and now.

JP: Shouldn’t they be better?
TP: Why would they necessarily be better? I mean, I don’t know that that’s a, you know, an indicator. I mean, the people that went into the law school.

JP: I mean in terms of entrance requirements. You know, *U.S. News & World Report* tends to rank law schools based on LSATs and all that sort thing and Nova is still a third or fourth tier law school.

TP: Sure. The issue though is, you know, I’ve had a law firm for almost 40 years, you know, and I’ve seen lots of lawyers come and go. And, when they rank the, when *U.S. News & World Report* whenever they rank the law schools they’re ranking them on the LSAT scores that come in. So, I mean obviously, if you have Harvard and everybody’s got, you know, maxed out the score, I mean if those are the people, those people don’t have to go to class. That has nothing to do with Harvard. Harvard could be over in, you know, South Carolina someplace, it doesn’t matter. It doesn’t matter. If you’ve got somebody who comes in at that level and, you know, when I had the LSAT, I think it was 800, whatever the score was, there was the maximum score, I can’t remember what it is, but whatever it is, but if you’re up at that level, does it really matter that you go there and sit and listen to some professor who doesn’t even talk about the subject and who is talking about
whatever, you know, whatever they’re talking about? Now, to go to law school it’s important to understand, you know, how to think and to train you in a particular way, but it’s a very unfair comparison I think. We’re talking about the quality of students that were at Nova and the quality of students that were at Nova 20 years ago I don’t think were any deficient level of students 20 years ago than they are now, then they are the ones that go to FSU or go anyplace else. I mean I, and that’s from I guess my bias from dealing with so many lawyers that I’ve dealt with over the years as they come through the firm.

JP: In passing the bar, Nova has been second in the state twice.

TP: Right.

JP: Ahead of FSU once and ahead of UF once.

TP: Okay. When I was at Stetson, and I graduated from Stetson in 1971, and they never had a person fail the bar. And, if you want to, you could have 100% passage of the bar or very close to it if you wanted to. It depends on the philosophy of the school. I have argued with the law school over the years.

JP: In other words, teach to the bar exam.

TP: Sure. I mean, as far as I’m concerned, the state institutions, the state law schools, these are places, not
the state law, all the schools in this state whether they’re private or public, I’m not talking about that – they all are teaching lawyers to be practicing lawyers. Okay. If you want to go be a law professor and you want to go be a law researcher someplace, or you want to be on the Supreme Court, or you want to go do one of those kinds of things, there are schools in the country in the northeast and such that are perfect for that. But in Florida all of these schools that are law schools are teaching practicing lawyers and I have used, you know, examples over there over the years with the faculty, which doesn’t go any place because they all get, they don’t like what I have to say about it, but to me this is what you’re, you’re teaching a trade. It may be a profession, but it’s still how do you really become a good lawyer? How do you really do this stuff? I mean or is this some theoretical thing where you sit around and you contemplate. You have a client who comes in there who has a problem, he doesn’t mind your contemplation long enough just to figure his problem out, but not sit there and, you know, be all this theoretical stuff.

So, what I look at is the law school— do they produce people who can really practice law? So, when you look at the bar results, those are deceiving in effect, in some
instances. In some instances, you can teach and you can teach a glorified bar review course and, you know, they’re all going to pass. Now, the professors over here will say, “Well, we need to” -- One of my big complaints was, “Why don’t you teach them Florida Rules of Civil Procedure? Ninety percent of the people who graduate from the law school over here are going to practice in Florida. It would seem to me this ought to be a good course to teach, Florida Rules of Civil Procedure.” “No, we have to teach the federal one because we have to make this so general that they’re going to learn all this stuff and all the rest of it.” Okay. Maybe there’s some merit to that to some degree, but that’s not what most people are going to wind up doing. The Florida Rules of Civil Procedure are modeled after this and so you’re kind of killing two birds with one stone. And, I’m looking at it from the perspective of practicing lawyers. What are they really turning out? So, when you ask me, “Are they going to be better?” No. “What are they turning out?” Over at Nova they turn out pretty good lawyers. I’ve got a bunch of them and I’ve had a bunch of them over the years. I’ve had lots and I think they’re good, very good lawyers. They’re as comparable to any other law schools that I see and that we have, and we have lawyers from all over the place, all
over the country, the University of Florida, Florida State, right now as I speak, the University of Miami, schools out west. We’ve had them from Yale. I mean, it’s all great. And so, but the issue that comes down is, what are they really, you know, teaching them to be a lawyer?

So, if you’re going to compare everybody to if the top score on the LSAT is 500 and you have every candidate that comes in there with a 500, well that’s all good and I don’t know how much difference the law school is going to make. I think a school like Nova is going to take people that are part of the normal population out here and make them into good lawyers.

JP: Ron Brown told me that they now have a program which allows people to come in in the summer, take two courses to see how they do and whether they think they can qualify for law school or whether they’re interested. Do you think that’s a good idea?

TP: Yeah, it’s a summary conditional program because there’s a lot of students that just don’t have the LSAT score, they don’t have the grades, they’ve had some other issue happen, so they go in there, they take two courses and they have to pass those two courses. About 30% of them make it in and I think it’s a very good program.
JP: Were you involved in 2007 when there was this picketing and rally with the janitorial services?

TP: Yeah, that’s what I was talking about at the library a few minutes ago in a subtle way.

JP: Okay. Talk to me a little bit about that because in essence what had happened the University had hired a janitorial service so the people weren’t really working for Nova, they were working for the janitorial service, is that right?

TP: Yeah. Basically, Nova has had for years outsourced the janitorial services and those services, you know, in the administration’s view could have been done a lot better than what they were actually being done. So the contract came up and it was, I can’t remember the name of it, I can’t believe I can’t remember it, but whatever it was, it’s a big national company, Newmar, or whatever.

JP: SEICO or something, what was it?

TP: Yeah. I can’t remember the name of it now. I’ll think of it in second. But anyway they, their contract was coming up. So we had to, the university had to go ahead and redo a contract so what they did is, they put it out for bid.


TP: No, that’s the union. That’s SEIU.
JP: Yeah.

TP: Unico was the name.

JP: Unico.

TP: Unico was the employer. I mean the employer of the people. So basically, they go out there, they have the, the university goes and does a, not a search but they do like an RFP and they do a bid process and they get all these bids in there, they do an analysis of it, it’s a six-month process it takes, and they come out and then they award it to somebody other than Unico. At the very end when they did award it to this other company they split up the services. They didn’t have all the services. Unico had all the services, the air conditioning, the environmental, you know, the plumbing or whatever it was. So, a lot of these things were in-house. They took them. They changed a bunch of the stuff. The people that worked at like the athletic fields they were different and stuff like that. So, when all that happened, the union wanted to come in and they had been attempting to unionize Unico and then the contract was up with Unico and that was the end of it and so the union got all worked up and they filed unfair labor practices against Nova and they filed all kinds of things seeking to have recognition of their bargaining unit, their recognition that they said they had the
majority of the people that were in this bargaining unit. The only problem they had was that the bargaining unit was no longer. I mean this company wasn’t even here.

So, they filed all these unfair labor practices. They weren’t getting any place with that. They picketed all over the place. When we went to the library last year and probably the year before, went to the county commission, of course, you know Broward is a very a unionized county so the county commission knows those people so, you know, it’s America, freedom of speech, you can say what you want and they got up there and they would say their piece about how Nova was trying to bust out the union and trying to do this and it had nothing to do with busting out the union. If you look at the work tickets, no one ever wanted to do this, but if you really looked at the work tickets, the productivity, all the measures that one would use to determine if this new approach, new company was much more productive than the old one, you would see that it was and that’s what happened. So then they decided that they had to pick somebody to be the face of this from the union side so they picked Ray Ferrero and, you know, they were calling him “Ray the Rat” and they had a big blowup of a rat on the corner of Davie Boulevard over there, and they would go
after him in all the different rallies and they would put out all the different information.

Nova had a Job Fair and everybody but I would say out of 300 workers everybody but 30 workers had jobs. Either they were working here for this company or they were helped placed getting a job or whatever. And the ones that really didn’t have a job were the ones that were involved with the unions who didn’t want the job, you know, who wanted to go ahead and advance the union cause and not accept one of these jobs and so that’s really what it was and then it just kind of ended. They got a, the union won a couple of elections and I think they had maybe the bus drivers on campus and a couple other small units.

JP: They never prevailed in unfair labor practices.

TP: There’s one unfair labor practice that we were, that we have up on appeal, it’s still up on appeal and that’s still sitting there and I don’t know what the results are. We have labor counsel who is doing it, Charlie Caulkins.

JP: Any issues, at one point I know that the faculty here was told about joining the United Faculty of Florida.

TP: That was a long time ago.

JP: Yeah. Were you involved in that at all?

TP: No. No, that was maybe ten years ago.
JP: Yeah.

TP: And that was with the school of I think psychology and one other school and they actually had an election and we won the election really like three or four to one.

JP: When you say, “We won the election.”

TP: The University did.

JP: Yeah. So, they did not vote to join?

TP: They did not vote to form a union, yes.

JP: Okay. Another area that Frank mentioned to me last time I talked to him is that, when you were in I guess Tallahassee several years ago, I forget the date, that you discovered that there was some funding available for liberal arts programs.

TP: Right.

JP: And you were able to get that money. Could you describe those conditions?

TP: Yeah. It was funding, back in those days it was a lot easier to get what they call “earmarks” now, and so I got the funding myself for the, there’s a science building they have over here that’s next to the Parker Building and it’s, and so what happened is we had to get creative and what it was is there was no money for a brand new, you couldn’t build a, you couldn’t go to the state and get
state funds to build a building, but you could do, you could get state funds for the renovation. So they defined renovation, I read the stuff, and they defined renovation as, “if it’s connected to the other building,” so we put in this covered walkway and we built the building and that was all built out of state funds and that was for the -- that was their only science labs in the university back then and it’s right next to the Parker Building.

JP: But you also got, I think he said $970,000 for liberal arts projects.

TP: Yeah, we got it for, we got that, that was reoccurring money that we had gotten each year for, we had gotten it for liberal arts and we had gotten it for one other program, and we had it put into the budget and the state did it as a subsidy to the institution, you know, to the university. And we did that for several years. I mean back in those days we could get those kinds of earmarks. It’s similar to what we get for the medical school now and the HPD now. HPD we get about five and a half, $6 million a year from the state that goes towards the tuition and the funding of the students.

JP: Can you get Bright Futures now for the school?

TP: I don’t think -- I don’t know if we get Bright Futures or not. I don’t know if we get that to be honest
with you. I know we get FRAG money, that’s the $3,000, and I don’t know if we can get Bright Futures also, I’m not sure.

JP: Well, Frank was saying that they had had this retreat and all the faculty came and Abe was so adamant that we don’t want to be a traditional school anymore and they were all fired up and then found out that we could get $970,000 and Abe looked at it and said, “Well.”

TP: We did and we got it for several years, but the way he’s talking about the $970,000, that went on for several years. I mean it was --

JP: Yeah, but in the beginning he was sort of caught between the money and what they had just talked about, you know, “We don’t want to be a traditional school.”

TP: No, Abe didn’t want to take the money. No, he never did. He says, “When you take the money then you’re indebted to them and you’re this and you’re that.” I said, “Well, it’s okay.” But, this is what we did.

JP: Well, at that point, you know, survival of the school took precedence and I asked him specifically about it. He said, “Philosophically, I didn’t want it. Pragmatically, I had to take it.”

TP: And he did, and we did it in a way that we would get the least amount of restrictions possible, but we were
reviewed and we were reviewed each year. We set up the protocol.

   JP: And this was the Farquhar Arts and Sciences?
   TP: Yeah. We did that for that was several years we did that.

   JP: Right. Discuss the details of the departure of President Feldman.
   TP: He was here for I would say two years, three years, something like that.

   JP: That’s about right, two and a half.
   TP: And he wanted to, as far as I know, he wanted to leave and go do other things. I’m not so sure that this was something that -- He came from more of a traditional institution, a northeast kind of background, kind of your more traditional institution.

   JP: A more traditional state.

   TP: And this place, you have to have a certain personality for this place and I thought he was a very intelligent, very nice guy and everything, a business person, but this place is more of a, you know, the old west. I mean, this is like, you know, it’s not every man for himself, but you know, it’s every tub sits on its own bottom. This is what you’ve got to do. It’s very entrepreneurial in that sense and it’s much different than
a traditional institution. Some people fit that mold really well. Others don’t particularly care for that particular mold and that was probably the best thing I could say I mean with him, I mean, I didn’t have a lot of interaction with him.

JP: Did you negotiate the departure?

TP: I don’t recall if I did or didn’t.

JP: There was also a scandal involved, as I understand. Were you aware of the details?

TP: I couldn’t comment on any of that. I don’t know.

JP: Were you involved with the recent attempt at the Academical Village to build a hospital.

TP: I think so. Yeah, it was me. Yeah, I was the one doing the Certificate of Need, which is the license to get the hospital, yes.

JP: And obviously, there’s going to be some disagreement with the local hospitals about that.

TP: There is and there was then and the difference was then is that we’ve had a long-term affiliation agreement. I did the first affiliation agreement I guess with the North Broward Hospital District 20 years ago and we had this agreement and we have this agreement with them where we have a master affiliation agreement and the master affiliation agreement gives both institutions kind of the
first right of refusal on any new programs or things that need to get started. So this, there was a person that was the president of the North Broward Hospital District, the CEO, Wil Trower, and they wanted to do a hospital, Nova wanted to do a hospital so we said, “Boy, this is a good match, both places want to do a hospital.” So, when you get a Certificate of Need, that’s the license to get a hospital. You can’t just get a hospital. You have to demonstrate that there’s an existing need, etc., and there wasn’t a need in Broward County because there was a sufficient number of hospitals in their census, the number of people in there on a daily basis were low enough where they didn’t need another hospital.

JP: Who makes that decision?

TP: The Agency for Health Care Administration, which is the “AHCA” it’s called. It’s the health care agency for the state.

JP: It’s a state agency?

TP: Um hum. They make the decision and then the decision, it really doesn’t matter what they say because then it goes to an administrative law judge and it goes over to a full blown trial and the other hospitals that are against you they intervene to stop you, and this goes into this monumental, big, enormous case and it’s like a, it’s
just like the worst litigation you were ever in. It’s that’s kind of a case and they’re always like that.

So, we had established we were going to set up this hospital. It was going to be very innovative and we had the students right there and we were going to have the science building next to it and all this whole big thing and it was all part of it. It was kind of like the cornerstone or the main figure of the Academical Village. So, it was a nine-story building, etc. So, the hospital wanted it, wanted it, wanted it. The other hospitals, Columbia, HCA, South Broward Hospital District, which is also a publicly-funded hospital, wanted to stop it because they have a hospital that’s about, I don’t know, two to three miles down the road, you know, down University Drive there, that, you know, is okay, but you know, every one of the hospital organizations themselves are there to protect themselves and so they’re not going to, you know, they’re not going to welcome another competitor in there unless they have to, so they fight you with this Certificate of Need.

So, we were being fought by all these different hospitals. So eventually then, North Broward Hospital District changed its board and changed the CEO. Wil Trower was let go and they changed the philosophy and then they
didn’t basically want the hospital, or at least some of the board members didn’t want the hospital. Some of them wanted it. Some of them didn’t want it. So then eventually it just kind of faded out. They didn’t file another -- because these things you have to file them really every six months. You keep doing it until you get the thing. So, that’s what basically transpired with that and it just kind of, it was going to be probably about a $250 million project and the hospital district just kind of thought they had enough on their plate I guess at the time with all their other, they have four other existing hospitals that are large. You know, the university still wants it or still wants some kind of a medical facility.

JP: I’m surprised the head of HCA had time to deal with this issue.

TP: Yes. Well, it wasn’t him. It wasn’t Scott at that time. It was others, but they did have plenty of time for a new competitor to come in when they have a hospital right over here in Plantation that has a census of 30%, you know.

JP: Yeah. Is the future at least positive about a hospital eventually?

TP: I think it is eventually, yeah. I think it really is. I think eventually they’re going to have, I
I don’t know if it’s a full blown hospital or some variation on it because hospitals, you know, are important, important pillars, but what’s happening with a lot of the hospitals and a lot of the procedures, the procedures are becoming shortened and shortened and shortened, so there will be some type, I believe, some type of a medical facility there that will be akin to a hospital. I don’t know if it will be a full blown hospital, but it will probably be something that’s akin to that.

JP: Now, did you work on the transition from Ovid Lewis to Ray Ferrero?

TP: Well, when you say transition, I was here for the whole thing if that, yes.

JP: Was there some sort of official document? I talked to Ovid and Ray both and they were a little reluctant to give some of the details, particularly Ovid.

TP: If they were then I’m not going to give them to you. No, there was a transition. Ray was on the board and he may have been chairman, I don’t know.

JP: He was chairman of the board I think.

TP: I think he was chairman and then he stepped down as chairman and then he took an interim position, which was to be an administrative position with the university for a year so he would get a better feel for the program, you
know, for the university and the needs and the transition and division and all that. Ovid was ready to retire. Ovid was ready to at that point to leave.

JP: Yeah, he told me that.

TP: He didn’t want to be president to start off with, because I think they offered it to him. If I’m not mistaken, I’m sure they offered it to him before Feldman came in and he didn’t want it.

JP: He turned it down.

TP: He and I were very, very close friends.

JP: Well he, as I understand it, at one point he and Ray had offices next to each other, but Ray was really doing the work and Ovid didn’t want to do the kind of work that he would be required to do as president.

TP: Ovid was a brilliant -- Ovid is a brilliant, brilliant, brilliant person. He has an SJD, which is not like, you know, everybody says, “Okay, you’ve got a juris doctorate, that’s nice,” but he’s got like the Ph.D of -- there’s only a couple hundred of them in the whole country. The guy’s brilliant. I mean, extremely brilliant. I mean, the most well-read person you’ve ever met and he’s into, and I used to get along with him well and I never sometimes understood why because he was at this completely different level than me, but he would, you know, and he was so
esoteric so much and he would be in the middle of something and we’re talking about this and he’d be tying it to somebody in the Canterbury Tale that did this and somebody that did, some scientist that did this and I mean, you know, it would be, and obviously we would have a lot of fun with him with all of that stuff and, you know, being sarcastic with him about it and all that kind of thing. That’s what he was interested in. He was interested in this, this, the hardcore academics in the sense of, and I don’t want to say minutia, but the hardcore academics and the arcane. You know, and he really was into all this theoretical stuff.

JP: He was interested in learning.

TP: I mean he really, it was something, you know, and when it came time to go in and do the fund raising components of it and doing all the administrative part of what a president has to do and probably so much of what the president has to do, most places, you know, it’s the provost or it’s the chief academic officer or somebody who, you know, is working with the faculty and the president is doing a whole different skill set series of things to do to move the institution forward. And Ovid was much more comfortable in the other role. He was much more comfortable when he was dean of the law school and could
sit there and be talking about this theoretical case and that thing and the other thing, and the same thing when he was provost. You know, he used to love that. So that was his, it was two different people with two different personalities, with two different things that they liked to do. Ovid was in one camp. Ray liked, you know, being president and doing all of those kinds of things. Maybe he likes the academic part of it too, but Ovid liked the academic part almost to the exclusion of the other part. You know, that was not his thing.

JP: How would you evaluate Ray Ferrero as president?

TP: I think he did an excellent job and I think it was but for probably well three people -- it would be Fischler first, you know, and then Ovid, and Ray. They both came about, Ovid came about when it was important to really start to, Abe left and then, you know, when Ovid came in Ovid was looking at it from this academic standpoint, it was kind of a different, you know, a different era and then Ray came in and Ray moved it from that stage to this whole different dimension and the dimension is all the buildings and all of the educational components that are necessary to really build a first class institution. These are all building blocks from, you know, from Fischler to Ovid to Ray, to build it up to this point,
but Ray was a visionary in his own right and led this place and leads it today and I work with him every single day, okay, so it’s not I have this passing once in a while I meet with him, I mean I do something with him almost every day, and he’s got this vision of here and he’s got this vision of that this institution needs to be of the highest quality. He has this vision that if you don’t have all of the support infrastructure trappings, all the rest of it, it’s nice to say we’re going to be at this level, but if you don’t have that, you know, you’re not going to probably achieve it.

And the other thing is, that he’s very, very big into the student satisfaction. What do the students think about this place when they get out of here? Is this some place they were proud to be? Is this where they wanted to be? Is this where-- You have the rabid fans from Florida or from FSU or from Miami or whatever and it’s not so much because there’s a football team that’s making them rabid, but it’s the fact that they’ve got this intrinsic value that they feel that they got from this institution and that’s what Ray is all about.

JP: I found out that he would go and have lunch with the medical students.

TP: Sure.
JP: You know and talk to them. “What are your problems?” “What do you need?”

TP: Right, just like we’re talking now and he does that with all these different students and he’s got this open door policy. It doesn’t matter who the student is, it could be a Ph.D student to, you know, a freshman in college and he’ll see him. He’ll talk to him. But, he’s also got enough of a business background, a very large business background, that he understands how to move things forward and he understands how to, you know, get things done. And then, he’s got enough of this Marine in him that he still has that I’ve got to listen to that he, you know, he moves it forward with a great amount of dispatch and it’s not like, it’s the “no joke rule” is in effect. Let’s go do what we’ve got to do. And, you know, he doesn’t suffer foolish people very much. And so that’s, I mean I think he has really been the catalyst that’s moved this thing up and I think all three of them have served a different role. It’s amazing.

If you were to go back in history and just say, how would you design this to get it to here? I don’t know that I would have thought of those things, but I think just kind of evolutionary the way it worked that’s what happened.
JP: And it’s interesting that all three of those were internal candidates.

TP: Yeah, and I think that’s the most important part of it all and I think that, unless you know--

JP: Because they had that continuity.

TP: There’s no question. Not only you had the continuity, but if you don’t know the Nova way and you don’t walk in here and, you know, you can go to any institution and look at the institution and the institution has a personality, but this place, unless you’ve lived it for a while, unless you kind of know how it operates and you know what they’re really trying to do and what those board members want, that’s so much of it because they can do a national search, sure they can go out and get somebody.

JP: Well, the one time they did it didn’t work out very well.

TP: They had a national search. So, I’m all for the internal candidates because I’ve been around here for 30-something years and I know what this place is like.

JP: What’s the transition going to be like or, have you worked on that? I talked to George yesterday and almost one year from today he’ll take over and obviously he and Ray made a perfect team.
TP: Right. No, I haven’t worked, there’s nothing to work on. I haven’t worked on anything or asked to work on anything, but the, I think the transition will be fine. I think George has lots and lots of experiences, both here, he’s been here now almost ten years and he’s got experience with being a city manager, not only of Fort Lauderdale but of other places. He’s got the Ph.D. He’s got all the credentials. I think the transition will be smooth. They get along very well. I mean, they live in the same building. So, they get along extremely well.

JP: Both of them have different ways of operating personalities so that they fit together pretty well, don’t they.

TP: They do and they do have different ways of operating, but if you look at -- Fischler had a much different way of operating than Ovid and Ovid had a much different one than Ray and Fischler has a much different one than Ray, and they’re all different, but by the same token there’s a time and the university gets to a point and you click it up to, you know, a different level that’s all.

JP: Did you have anything to do with the relationship between the university and the Museum of Art?

TP: No.
JP: What is your sense of the future of Nova? What does the future hold? In talking to several people, the emphasis is clearly now building up the undergraduate population and increasing the quality of undergraduate students so you have more of an undergraduate not just a professional campus.

TP: I think the future of Nova is very, very bright. I mean, I think that they’ve come so far. I think they’ve got the reputation now. I do think they’re going to, I know that there’s the emphasis on developing the undergraduate program to a greater degree. I just, you know, my hope is on that, when they’re developing the undergraduate program to a greater degree, it’s one thing that, there’s always going to be a place for the liberal arts college and, you know, the more traditional college like you would have at, you know, most other institutions, but one of the parts that I hope that they really emphasize, and I haven’t been privy to this or anything this is just me talking, is that I hope that they emphasize the career college point, the working adults, the people who need the degrees who are at the undergraduate level. I think that’s still a tremendous source of opportunity. I think that’s what creates the feeder for the graduate degrees. I think that’s what increases the reputation.
think that’s what increases the whole stature of the university because you’ve got people that are really out there in the field doing something that are gaining from it.

JP: Are you talking now about access?

TP: I’m talking about access and I’m talking to people that would otherwise not normally have the opportunity to really go there and get a full, you know, go get an undergraduate degree and they’re going to be able to get it.

JP: So, would you talk about night classes?

TP: I’d talk about weekends, nights, in the middle of the night, whenever they can do it.

JP: For undergraduates?

TP: Undergraduates, yeah, because I think that there are a certain, there’s a certain level of undergraduates that you’re going to have which is going to be your traditional undergraduate college, which I think they, which is great, they increase the level there of the SAT scores to get in and all the rest of that’s fine, that’s terrific. But it always was part of the mission of Nova was to go and to, you know, to cater, to go deliver education to people who either didn’t have the opportunity
to go do it or the full opportunity to go do it or those ones who really needed it.

JP: What’s your position on athletics? And, there’s this, as you know, hotbed of football in the State of Florida and now Central Florida has a new stadium and FAU went big time, Florida International, everybody seems to want to build a football program. Do you see that in the future of Nova?

TP: No, I really don’t. I don’t think that it’s necessary at all. I think Nova has built a reputation, the vast majority, probably 80%, of the students on this campus are either first professionals or graduate. I’m not so sure that you’re ever going to develop an FSU, Florida, those kinds of fervor that deal with so much larger undergraduate populations of the traditional undergraduate population. I don’t know that it’s necessary for doing anything. I’ve been here so long that there’s been two or three different iterations of having a football team at different times and I’ve never been, I’ve never once been in favor of it. I think it’s a very, very expensive proposition to do.

JP: Oh, it’s huge.

TP: And, I think it takes away from the mission of the institution unless you’re going to be a, and you can
just compare it to a lot of the midwestern traditional small liberal arts colleges. They didn’t grow into FSU as a result of it or something. I mean so, it’s nice if somebody wants to do something like that, but I don’t know that this is really the place to do it. I don’t know that that should be Nova’s niche and I think it drains an enormous amount of dollars for lots and lots of years, probably for 40 years or something before they would ever go up to the level that would start to turn it around.

JP: And of course one of the things George mentioned since the population is primarily female you have to have so many females for -- And so if you put in football, George said, “I don’t think there are enough female sports.”

TP: And that’s true and that’s what you would have to do, but Nova had a niche and Nova’s niche has been like this for a long time.

JP: It shouldn’t change.

TP: I don’t see why it would change. I mean they finally, when I say finally after all these years gotten up to some success level with it where it’s really kind of nationally recognized in a lot of these areas and stuff, why are you going to change? I mean, you know, it seems like it should be.
JP: It would seem like getting them off track.
TP: I see it being a diversion.
JP: Yeah.
TP: I don’t know that it totally gets them off track, but I think it’s a diversion from what they’re doing.
JP: So, you’re satisfied with I guess the Level 2, Division 2?
TP: I think that’s great for the undergraduate students. I think it gives them plenty of athletics. It gives them a sense of camaraderie, a sense of ownership of the place and all that.
JP: Now, are you still doing lobbying for the university in Tallahassee?
TP: Yes.
JP: What is the emphasis? What are the issues that Nova is pursuing at this point?
TP: Well, we pursue funding issues. We pursue any educational licensure issues that would affect us in a negative way. We were strongly against Senate Bill 6, which was the one that would remove the teacher tenure. It wasn’t about teacher tenure, but it was dealing specifically with the issue of the non-necessity under the state statute to have a masters and a doctorate.
JP: Well, that’s undermined the educational school. They’ve lost a lot of money because they’re getting fewer people who are signed up for these courses.

TP: Well, it would undermine it completely. I mean, it would be an astronomical blow and it’s such a preposterous theory I thought that you would just have somebody that got a C average someplace in some teacher college somewhere and then all of a sudden they’re as good as somebody who’s got a masters or a doctorate. I mean, maybe, I don’t know.

JP: Well, you would think it’s sort of counterintuitive not to encourage teachers to learn.

TP: You would think so, but that’s not, I was there and I know what they did up there.

JP: This is the Florida Legislature.

TP: Right. I was there and I’ve been there for 35 years, so I know exactly what it is every session for all these years.

JP: Whatever they do is no surprise to you I’m sure.

TP: No. No, it depends on who’s in.

JP: Well, is the financial situation now in good solid circumstances?

TP: With the university or the state?

JP: No, no, I know the state’s bad.
TP: No, the university I think is fine.

JP: Yeah.

TP: Yeah. No, I think it’s on very solid footing.

JP: Unlike some of the other state universities who are taking pretty heavy cuts.

TP: No, we take some cuts, but the point of it is, we’ve always had to generate our own money, so it’s not as though we get a cut where we got the pie and now we only got a third of the pie. I mean, if the university didn’t make the pie then they wouldn’t have anything, but they do so that’s what happens. No, I think they’re in very good shape.

JP: And, in terms of let’s just say 20 years down the road, what would you like for Nova to look like?

TP: I would like it to look similar to what it looks like now with the recognition for the graduate programs. You know, like people would say, “Boy, you go to Nova for this.” You know, just like people say, “You go to Emory, or you go to Harvard, or you go to wherever it may be.”

JP: So, you don’t necessarily see Nova doubling in size or anything like that?

TP: No, I don’t necessarily see it doubling in size. I think it’s up to about 30,000 students now. I mean it may be get larger because of the distance learning internet
kind of things and stuff, but I can’t, I don’t see why it needs to be bigger.

JP: One thing I forgot to ask you about, were you involved at all in the purchase of Grand Oaks?

TP: No.

JP: What’s the long term, I guess that’s purchased for land? That’s really--

TP: They purchased a golf course, but there’s not that many acres anywhere around here so I mean, obviously, if the university was bigger or they really did something with the undergraduate or they needed to expand the campus, I mean they have a place to do that if that was their desire in the future some time.

JP: Well, obviously, they didn’t buy it to run a golf course.

TP: Right, no. So, at some point, I mean there is no more land. So that’s what it is.

JP: So that’s a long-term land investment?

TP: I think so and it may make the university larger. I don’t know. It could be, but I don’t see that the university needs to be, you know, I just, I think that it comes with time.
JP: So, the emphasis in your mind should not necessarily be in growth, but in expanding successful programs and increasing the quality, is that correct?

TP: Absolutely. It should be the quality, the quality, the quality and increasing the quality, help people’s perception of the quality, have people talking about the quality and all the rest of it and the size of the programs will deal with the size of the programs, but just because you have twice as many doesn’t mean anything.

JP: And something you had mentioned earlier, the continued access.

TP: That’s one of the things that’s really important and that’s what I think was the key to Fischler -- giving people access that never had access. Look at how many people became school administrators that would never in a thousand years have that opportunity if it wasn’t for him.

JP: Tom, I have covered I think most of the questions I want, but there may be an issue or two that you would like to bring up and discuss that I didn’t ask you about.

TP: No, I think we’ve covered virtually everything that we needed to.

JP: There may be some deals you made that I don’t know about.
TP: There probably is a lot of them. There’s a lot of the things there that you asked that, you know, I’m under a much more limited constraint than other people.

JP: I understand.

TP: As the lawyer out here, I mean there’s lots of stuff that, you know, I just can’t comment on, let’s put it like that.

JP: I understand, but if there is anything that you can comment on, please do so.

TP: Okay. I will. Well, I don’t have anything else to really add, but I think that we covered it. I think it was a very good interview.

JP: Okay.

TP: Thank you.

JP: On that note, I appreciate your time.

TP: Okay. Thank you very much.

[End]