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FLORIDA INTERNATIONAL UNIVERSITY
Miami's public research university

THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

MINUTES

MONDAY, 19 MAY 2003

BOARD MEETING

FLORIDA INTERNATIONAL UNIVERSITY

UNIVERSITY PARK CAMPUS

GRAHAM CENTER BALLROOMS

MIAMI, FLORIDA

I. CALL TO ORDER

Vice-Chairman Parker convened the meeting of The Florida International University Board of Trustees at 9:00 a.m., on 19 May 2003, at Florida International University, University Park Campus, Miami, Florida.

The following attendance was recorded:

PRESENT:

Betsy S. Atkins
Rafael A. Calderón
Albert E. Dotson, Sr.
Patricia Frost
Miriam López
David R. Parker

Sergio Pino
Claudia Puig
Howard Rock
Clayton Solomon
Herbert A. Wertheim
Modesto A. Maidique

EXCUSED:

Adolfo Henriques
Rosa Sugrañes
Donald E. Lefton, FIU Foundation Board of Directors Chairperson

A silent roll was taken by Tina Vidal.



II. CHAIRMAN'S REMARKS

Vice-Chairman Parker noted that Chairman Henriques requested to briefly address the meeting via telephone. Chairman Henriques apologized for his absence indicating that his flight into Miami was delayed. Vice-Chairman Parker noted that it was an honor to Chair the meeting in Chairman Henriques' absence. He also reported that Trustee Sugrañes was not able to attend the meeting because she was in Washington D.C. on FIU's behalf.

Vice-Chairman Parker reported that on 17 May 2003 Trustee Patricia Frost was named Chairperson of the Smithsonian Institution's National Board in Washington, D.C. The Trustees congratulated Trustee Frost on her appointment.

Trustee Parker also noted that the Honorable Miguel De Grandy would join the meeting for a dialogue with the Trustees at 11:00 am. He recognized FIU Foundation members present and acknowledged Marcel Escoffier, the Chair-elect of the FIU Faculty Senate, indicating that his term would begin in Fall 2003.

Vice-Chairman Parker welcomed Clayton Solomon, the newly elected SGA President, to the Board, indicating that Trustee Solomon was a political science major with a minor in business administration. He reported that Trustee Solomon was very involved in community activities as well as numerous student government committees at the University.

Trustee Parker recognized Jessica Morffi (in the audience), former Trustee and SGA President, noting that she served on the Transition and Governmental Relations Committees of the BOT. He also reported that Ms. Morffi was an advocate of university issues in Tallahassee and Washington, D.C. and that she graduated this Spring with a Bachelor's in Political Science. President Maidique and Vice-Chairman Parker presented Jessica Morffi with a plaque in recognition of her dedicated service on the Board and for the University.

Vice-Chairman Parker reported that FIU awarded more than 6000 degrees for the 2002-03 academic year, indicating that even with four commencement ceremonies FIU is now at capacity in the Golden Panther arena.

Trustee Parker discussed the budget and its impact on the University and public education. He noted that summer course offerings for 2003 were significantly scaled back, indicating that the situation was critical. He encouraged everyone to let their legislators know how they feel about education cutbacks in the community. Vice-Chairman Parker recognized Miriam Lopez, Claudia Puig, and Sergio Pino for their extensive advocacy and assistance to the University. He noted that this was a critical week in Tallahassee, indicating that FIU must continue to increase its position in reference to its benchmarks, enhance quality on all fronts and achieve equity funding for FIU.



III. REQUESTS TO ADDRESS THE BOARD

Marcel Escoffier, Chair-Elect, FIU Faculty Senate addressed the Board.

IV. FOUNDATION REPORT

Vice-Chairman Parker reported that Mr. Lefton was unable to attend the meeting. He noted that President Maidique would be giving a short update on the Foundation.

President Maidique reported that Foundation revenues and expenses, with the exception of investment earnings, continue to track closely to the approved budget. He noted that there were two new Foundation members: Thomas Prescott, President, Biltmore Hotel; and Keith St. Clair, Chairman and CEO, TraveLeaders. President Maidique reported that in the area of faculty grants 32 proposals were submitted and reviewed by the Academic Committee of the Board of Directors, indicating that the Board approved 15 grants of approximately \$5,000 each to junior untenured/tenure track faculty.

V. UNIVERSITY REPORT

President Maidique reported that FIU was entering into a difficult year with the budget situation, noting that less funding amounted to less time for faculty to interact with students, and less time for research, therefore fewer grants. He noted that there was not funding for increasing faculty salaries and FIU is already 10-15% below the standard for faculty salaries. The President discussed in detail the budget's impact on University resources.

President Maidique reported that the School of Hospitality Management received a \$.5 million grant from the Marriot Foundation to build a state of the art distance learning facility and establish a scholarship endowment. He also noted that the College of Health and Urban Affairs received a \$2.5 million grant from the Stempel Foundation and Starr Foundation for the funding of the Robert R. Stempel School of Public Health. He indicated that this is only the second school of public health in the state, bringing together the programs in Dietetics and Nutrition, Health Information Management, Health Services Administration and Public Health.

The President indicated that there were several faculty making significant contributions on the community. He introduced Provost Rosenberg to feature several faculty members. Provost Rosenberg featured faculty members including: Erik Wagner, School of Social Work; Mario de la Rosa, School of Social Work; Nancy Wellman, National Policy and Resource Center on Nutrition and Aging; Richard Schoephoerster, Cardiovascular Engineering Center; Mayanna Baum, Epidemiology and Public Health; Richard Bone, Physics; Rene Herrer, Biology; and Kathleen Rein, Chemistry. The Provost also reported that Bill Adams, Public Relations, passed away on March 13. He noted that Professor Adams was instrumental to the Public Relation Department and his leadership in the Public Relations Student Society of America was influential.



President Maidique concluded his report by discussing several other FIU accomplishments including: FIU's Elementary Education Reading Program, outstanding alumni, student accomplishments, and recent University events.

He indicated that the Trustees would be receiving *Congress and the Politics of Foreign Policy* by FIU authors Nicol Rae, Colton Campell, and John Stack.

President Maidique concluded his report.

VI. APPROVAL OF MINUTES

Vice-Chairman Parker requested that the minutes of the 12 March 2003 Board meeting be approved as submitted.

A motion was made to approve the 12 March 2003 minutes of the Board of Trustees as submitted. The motion was MSC.

VII. COMMITTEE REPORTS

TRANSITION/ ACADEMIC POLICY AND STUDENT AFFAIRS COMMITTEE

1. Transition Committee Report

Trustee Parker began by discussing the PeopleSoft Implementation update. He noted that the Student Admissions module was due to go live in 56 days and is on schedule with testing of applicants processes and web application underway. He reported that the Financials module is due to go live in July 2004 and budget issues were proceeding as planned.

Trustee Parker reported that the Committee heard a report on the implementation of the Millennium Strategic Plan approved by the Board in February 2002, noting that was proceeding as scheduled.

He reported that the Cross-Functional Action Planning Teams recommended implementation procedures to achieve the goals outlined and the process would now identify a maximum of ten priorities to be considered for implementation within the next year. The decision making process would include components from the academic leadership, the University community, and the Executive leadership of the institution.

Trustee Parker gave an update on the status of program reviews indicating that 7 reviews were completed in Biological Sciences, Chemistry, Forensic Science, Environmental Studies, Earth Sciences, Physics, Social Work, and Nursing.

Trustee Parker gave an update on the status of collective bargaining. He noted that the UFF was still awaiting a hearing by PERC indicating that the hearing was scheduled for 22 May 2003 at the University Park Campus. He noted that the America Federation of State, County and Municipal Employees had a hearing scheduled for 4 June 2003 to



rule on the appropriate bargaining unit. FIU and the Police Benevolent Association have signed a consent election agreement because both parties agree on the appropriateness of the unit.

Trustee Parker reported that an endowment was provided in memory of faculty member, Dr. Robert Stempel, to establish the Robert R. Stempel School of Public Health.

A motion was made for unanimous ratification for the establishment and naming of the Dr. Robert R. Stempel School of Public Health in the College of Health and Urban Affairs. The motion was MSC.

2. Ph.D. in Biomedical Engineering

Trustee Parker reported that the University was requesting authorization from the Trustees to request approval from the Florida Department of Education to implement a Ph.D. in Biomedical Engineering. He noted that the program was deemed critical to the overall University strategy to enhance research and maintain R-1 status and the program completes the full-tracking structure from Bachelors, Masters, and Ph.D. offerings.

A motion was made to approve the Ph.D. in Biomedical Engineering. The motion was MSC.

Dean Prasad reported that on 30 April 2003, the Florida Board of Governors gave final approval for implementation of the Ph.D. in Industrial and Systems Engineering that the BOT reviewed and approved at a previous meeting.

3. Tenure Recommendations

Trustee Parker reported that granting tenure was a new responsibility given to the Board. Fifteen faculty members were recommended by the President for tenure and promotion in the 2002-2003 academic year.

Trustee Parker made a motion to approve tenure and promotion recommendations for Marilys Nepomechie, Tori Arpad, Yong Cai, Erik Camayd-Freixas, Colton Campbell, Laurel Collins, Robert Dundas, Maria Gomez, Krishnaswamy Jayachandran, Patricia Price, Terry Rey, Theodore Tachim Medjo, Irma Fernandez, Lynn Illion, and Andrew Batavia (posthumous) as submitted. The motion was MSC.

4. Tenure as a Condition of Hire

Trustee Parker reported that seven candidates were being recommended for tenure as a condition of employment.

A motion was made to approve Kannan Raghunandan, Dasaratha Rama, Charles Pouncy, Jerry W. Markham, Kyle Perkins, Sumit Kundu, Michael Prietula, and Bruce Dunlay for tenure as a condition of employment as submitted. The motion was MSC.



5. Student Code and Conduct Policies

Trustee Parker reported that the student code presented for Board approval was drafted with the aid of a student-staff committee and carefully reviewed by administrators and student representatives. He noted that there were three foundational principals for the policies: academic honesty, respect of law, and respect for others.

A motion was made to approve the Student Policies and Regulations as outlined in Section 3 of the Student Handbook as submitted. The motion was MSC.

6. Alcoholic Beverages Rule

Trustee Parker noted that the Alcoholic Beverages Rule was subsumed in the Code previously approved, however, the publishing of the Rule required separate approval from the Board. (*See #5 Above*).

A motion was made to approve proposed amendments to Rule 6C8-11.005, Florida Administrative Code, ("Rule") regarding Alcoholic Beverages and upon approval of the rule the Board delegate authority to the University President to approve any subsequent amendments that are based on comments to the Rule received by the University in writing or at a public hearing on the Rule to be held after the Board's action, and to file the rule for adoption. The motion was MSC.

7. Disruptive Conduct Rule

Trustee Parker reported that the Disruptive Conduct Rule was subsumed in the same Code previously approved, however, the publishing of the Rule required separate approval from the Board. (*See #5 Above*).

A motion was made to approve proposed Rule 6C8-11.007, Florida Administrative Code, ("Rule") regarding Disruptive Conduct and that upon approval the Board delegate authority to the University President to approve any subsequent amendments that are based on comments to the Rule received by the University in writing or at a public hearing on the Rule to be held after the Board's action, and to file the rule for adoption. The motion was MSC.

8. Foundation Articles and By-Laws Changes

Trustee Parker reported that Florida Statute provides that the Board of Trustees must approve any amendments to the Articles of Incorporation or By-laws of a Direct Support Organization before they become effective. He noted that the Articles and By-laws of the Foundation were amended to incorporate the changes resulting from the revised Public Secondary Code and Amendment XI, indicating that the revised Articles and By-laws were adopted by the Foundation By-laws Committee and approved by the Foundation Board.



A motion was made to approve the FIU Foundation Board of Directors articles and by-laws changes as submitted. The motion was MSC.

Trustee Parker concluded his report.

FINANCE AND AUDIT COMMITTEE

9. Finance Committee Report

Trustee Lopez reported that she would be giving the Committee report in Committee Chair Sagrañes' absence and that EVP Gallagher would be presenting a summary of the proposed 2003-04 budget for board consideration.

Trustee Lopez reported that the PeopleSoft implementation budget was on target in both products and dollars.

Trustee Lopez reported that the Committee reviewed two audits. The first is the Operational Audit for Unexpended PECO Appropriations. She noted that each year the State conducts the audit and each University must respond as to the status of accounts. She reported that every dollar was accounted for and was being spent on worthwhile projects. The second audit was the Intercollegiate Athletics Financial Audit. Trustee Lopez reported the audit was required by NCAA Rules. The audit showed that both the University and the Athletics Department were found to be in complete compliance.

10. 2003-04 Housing Rental Rate Fee Increase

Trustee Lopez reported that the Division of Student Affairs was requesting a 3% increase in housing rates to cover bond obligations, salaries, and general expenses. She noted that the increase in fees would provide the additional revenue necessary for the auxiliary to meet operating requirements, execute residential life programs and services, and fund capital reserves, and pay debt service for fiscal year 2003-04.

A motion was made to approve a 3% increase in housing fess as submitted. The motion was MSC.

11. University Parking and Traffic Rule

Trustee Lopez reported that the University was requesting a change in transportation fees for student, staff, and faculty parking. She noted that the increase is required to meet bond obligations for parking garages, two of which were completed in the last five years and two of which will break ground shortly.

A motion was made to approve proposed amendments to the University Traffic and Parking Rule ("Rule"), Rule 6C8-5.006 of the Florida Administrative Code and upon approval of the Rule by the Board, the Board delegate authority to the University President to approve any subsequent amendments that are based on comments to the



Rule received by the University in writing or at a public hearing on the Rule to be held after the Board's action and to file the rule for adoption. The motion was MSC.

12. 2002-03 Amended Budget

Trustee Lopez reported that the University is required to report to the Board on any 2002-03 budget items that changed over the course of the year. She noted that the table included in the agenda packets compared the approved budget with the final amendments. She indicated that no action was necessary because when the Board approved the budget they authorized the President to make amendments as necessary and to advise the Board of any significant changes.

13. 2003-04 Proposed University Operating Budget

Trustee Lopez reported that the University is still awaiting final appropriations from the Legislature, however, the Committee felt it appropriate to pass a budget that may be amended if necessary. She noted that the six major budget entities included Educational and General, Auxiliaries, Sponsored Research, Local Agency Funds, Foundation, and Public Education Capital Outlay. She requested EVP Gallagher give an overview of the budget.

EVP Gallagher gave a presentation over viewing the budget. He reviewed the total amounts for each of the six major budget entities. Discussion ensued.

Trustee Rock discussed the effect of tuition increases noting that even if FIU raises tuition the University will still be below the standard. Trustee Wertheim noted that anything we can do to expand, even if it is raising tuition, should be done. He indicated that FIU needs to grow academically, as well as nationally.

A motion was made to approve the proposed 2003-04 University Operating Budget as presented and delegate to the President the authority to amend the budget to adjust to changing circumstances, including the authority to reasonably increase expenditures based on the receipt of additional funding during the operating year, noting that the President will keep the BOT informed of any significant changes made to the budget during the operating year. (*See Appendix A for approved budget entities and allocations.*) The motion was MSC.

Trustee Lopez concluded her report.

ADMINISTRATION AND COMPENSATION COMMITTEE

14. Compensation Committee Report

Trustee Dotson reported that the Committee met on 08 April 2003 and discussed upcoming Committee work. He noted the Committee discussed the importance of keeping informed on the State budget situation and its impact on the University and labor issues. He also reported that it was anticipated that the duties of the Committee would expand to include Human Resource issues for the University.



Trustee Dotson reported that the Committee began to work on the initial processes for the statute mandated annual evaluation of the University President. He noted that currently the State of Florida was conducting a study regarding public, state university president's compensation and the Committee would review the study once it was available. Further, the Committee discussed pending state legislation that may impose guidelines for future compensation packages for all state university presidents.

Trustee Dotson reported the Committee set goals and objectives according to recommendations from the Association of Governing Boards and is researching other options for evaluating the President. He noted that the Committee would request the President submit a review statement as part of the evaluation process and identify several areas on which to update the Board regarding issues related to the University's overall vision including: graduation rates, retention rates, Association of Research Libraries, and doctoral production.

Trustee Dotson concluded his report.

GOVERNMENTAL RELATIONS COMMITTEE

15. Governmental Relations Committee Report

Trustee Lopez reported that members of the Committee met to initiate a public awareness campaign on behalf of the University. She reported that Sergio Pino purchased a full page ad in the Miami Herald asking for community support of public higher education during the budget situation and Claudia Puig was going to run a radio campaign under Hispanic Broadcasting Corporation. She noted that the administration and faculty were working hard to convince legislators to support FIU and public higher education by not cutting funding. She thanked Trustees Pino and Puig and President Maidique for spending two weeks in Tallahassee and Washington D.C. lobbying on behalf of FIU.

She noted that the State House and Senate ended their session without finalizing a budget, however, it looked as though the cuts would be smaller than expected. Discussion ensued.

Trustee Lopez concluded her report.



VIII. OTHER BUSINESS

Vice-Chair Parker introduced the Honorable Miguel De Grandy a member of the Florida Board of Governors. He indicated that Mr. De Grandy is a former member of the Florida House of Representatives, and is an attorney in private practice in Miami and has been president of Miguel De Grandy, P.A. since 2001. He noted that prior to that he was a partner with Greenberg, Traurig, P.A., law firm.

The Trustees and Governor De Grandy discussed several issues including; the Board of Governors' goals and responsibilities, the role and responsibility of the Boards of Trustees, the future of health care education at FIU, the role of the Chancellor, and the role of the Sunshine Law.

Trustee Rock gave his farewell remarks to the Board. (*See Appendix B*).

Trustee Parker thanked Trustee Rock for his service to the Board since his appointment on 7 January 2003.

Vice-Chair Parker and President Maidique presented Trustee Rock with a plaque in recognition of his service on the Board and to the University.

IX. ADJOURNMENT

With no other business, the Vice-Chairman requested a motion to adjourn the meeting.

A motion was made to adjourn the meeting of the FIU Board of Trustees on 19 May 2003 at 12:09 pm. The motion was MSC.

There were no trustee requests.

06/11/03 TMV



Appendix A
FIU Approved 2003-04 Budget

FLORIDA INTERNATIONAL UNIVERSITY 2003-2004 BUDGET
ALL BUDGET ENTITIES

May 8, 2003

	2002-03 OPERATING BUDGET	ANTICIPATED REVENUES	2003-04 PROPOSED BUDGET
Education and General	\$244,277,417	\$255,369,774	\$255,369,774
Auxiliary Enterprises	\$59,024,437	\$71,009,979	\$65,471,066
Sponsored Research	\$73,438,320	\$77,197,138	\$75,336,464
Student Scholarships	\$53,000,000	\$55,000,000	\$54,500,000
Student Loans	\$54,000,000	\$67,300,000	\$67,000,000
Concessions	\$547,000	\$485,000	\$534,000
Intercollegiate Athletics	\$4,318,534	\$10,207,984	\$4,216,484
Student Activities	\$2,740,934	\$8,475,000	\$2,795,000
FIU Foundation Inc.	\$6,652,000	\$14,173,000	\$8,113,000
OPERATING GRAND TOTAL	\$504,474,666	\$559,217,875	\$533,335,788
Public Education Capital Outlay	\$35,315,000	\$27,527,116	\$27,527,116

* The budget for Intercollegiate Athletics and Student Activities is for the local fund expenditures only. Revenues are transferred to Sponsored Research for payroll which requires the budget authority to be approved in that fund. Similarly, revenue for scholarships is transferred to the Scholarship Fund where the budget authority is needed. Taking this into consideration, the budget for Intercollegiate Athletics is \$10,512,984 and similarly, the budget for Student Activities is \$7,995,000.



Appendix B

Howard Rock
Farewell remarks to the BOT
Board of Trustees Meeting
19 May 2003

“Before I begin my brief remarks I want to reiterate Marcel’s invitation to you to stay after your September meeting and joining us for an hour at our meeting and enter into a dialogue with the leaders of the faculty. It will be a wonderful opportunity to engage in a frank and in-depth dialogue about the successes, disappointments and goals of the university from the faculty’s viewpoint. I am certain that you will come away with a better understanding of our university.

Today marks my last regular meeting as a member of this distinguished Board. As the first faculty member I was deeply aware of the responsibility that came with my taking this seat, and I can only hope that I have served well both the faculty that I represent and the university as a whole. Certainly I have done my best. I want to say that I have only the greatest respect and admiration and even affection for the members of this Board many of whom I know before I was a member, and others that I have gotten to know since. I truly treasure your dedication to our university. Please know that your efforts on our behalf are deeply appreciated not only by myself, but by the more that one thousand faculty that I speak for. I hope you will not waver in your efforts to make this a great national and international center of learning, from the newly entering freshman to the advanced doctoral student, and a center of cutting edge research in the sciences, the social sciences and the humanities.

The final thought that I wish to leave with you regards the importance of faculty governance. By governance I mean not only the Faculty Senate, but also the college and school and departmental governance. Faculty governance, like the Senate, is a tradition as old as the university itself. It gives faculty a sense of empowerment and ownership that prevents a decline in morale in difficult times and creates enormous energy in their work for their students, for their university, for their community. There is no great university that lacks an element of strong faculty governance. I urge this Board to support our institutions in every way that it can. We in turn will continue to do the research, teaching and service that it will take to make this one of the country’s pre-eminent institutions.

So once again, serving with you as the first faculty member of the FIU Board of Trustees has been the opportunity of a lifetime. I will never forget it. “Thanks and good-bye.”