

Approved 26 July 2004

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**



FLORIDA INTERNATIONAL UNIVERSITY
Miami's public research university

**MINUTES
MONDAY, 14 JUNE 2004
BOARD MEETING
FLORIDA INTERNATIONAL UNIVERSITY
UNIVERSITY PARK CAMPUS
EVERGLADES RESIDENCE HALL
MIAMI, FLORIDA**

I. CALL TO ORDER

Chairman Henriques convened the meeting of The Florida International University Board of Trustees at 9:05 a.m., on Thursday, 14 June 2004, at Florida International University, University Park Campus, Everglades Residence Hall, Miami, Florida.

The following attendance was recorded:

PRESENT:

Albert E. Dotson, Sr.
Adolfo Henriques
Sergio Pino
Claudia Puig
Rosa Sugrañes
Jorge Rosario
Marcel Escoffier
Modesto A. Maidique

EXCUSED:

Betsy S. Atkins
Rafael A. Calderón
Patricia Frost
Miriam Lopez
David R. Parker
Herbert A. Wertheim

SPECIAL GUEST OF THE BOARD:

Carlos Migoya, FIU Foundation Chairman

Mayra Beers took a silent roll.

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II. CHAIRMAN'S REMARKS

Chairman Henriques welcomed everyone to the meeting including several members of the Foundation Board of Directors. He congratulated Trustee Rosa Sagrañes for her recent State of the Arts address. The Chairman extended a warm welcome to Carlos Migoya, new FIU Foundation Board of Directors Chairman, and to Jorge Rosario, new University Park Campus SGA President and the new Student Trustee of the FIU Board. The Chairman also introduced Ruth Webster, SGA Biscayne Bay Campus President and *ex officio* member of the Foundation Board of Directors.

On behalf of the Board, Chairman Henriques and President Maidique presented former student Trustee Clayton Solomon with a plaque of appreciation for his work on the FIU Board of Trustees during his tenure as University Park Student Government President.

Chairman Henriques reported on recent FIU honors including an update on ABA accreditation of the FIU School of Law and a fourth consecutive win by Honors College students at the Model UN competition in New York City. He congratulated current student Kelsey Vaughn who recently received both the prestigious Harry S. Truman Scholarship and the Charles Rangle International Affairs Fellowship.

Chairman Henriques also noted several important grants and gifts to the University including a recent gift by Mr. Kirk Landen of \$5 million for the School of Business – the single largest cash gift ever made to FIU. The gift will be matched by a State grant which will mean \$10 million for undergraduate programs in the School of Business. In addition, President Maidique provided an update on the groundbreaking on the joint-venture FIU School of Hospitality Management in Tianjin, China.

III. REQUESTS TO ADDRESS THE BOARD

Chairman Henriques recognized Marcel Escoffier, President of the Faculty Senate and FIU Trustee who read a report from Dr. Howard Rock, faculty representative to the Board of Governors.

Chairman Henriques recognized Carlos Migoya who gave a report on the FIU Foundation's activities.

IV. ITEMS FOR APPROVAL

Consent Agenda- Chairman Henriques noted two amendments to items in the consent agenda as follow:

- Amendment to Item 2, Tuition Fees Rule:** As per Chancellor Debra Austin's office, the following corrections to the fee schedule should be made
 - o Undergraduate Non-Res. Matriculation increased from \$68.16 to \$71.33.

- Undergraduate Non-Res. Stud. Fin. Aid fee increased from \$3.40 to \$3.56.
- Graduate Non-Resident Fee increased 1 cent, from \$609.94 to \$609.95.
- Graduate Non-Res. Fin. Aid increased 1 cent, from \$30.49 to \$30.50.
- Law Non-Res. Fin. Aid increased 1 cent, from \$31.76 to \$31.77.

Amendment to Item 10, Florida Educational Equity Act: Addition of language as follows:

FURTHER RESOLVED that the Board shall delegate authority to the University President to make any subsequent amendments that are based on comments to the Plan received by the University in writing from the Board of Access and Equity and to file the final report.

With no further discussion, the Board adopted the following Amended Consent Agenda:

RESOLVED, that the Florida International University Board of Trustees adopts the following matters included in the Consent Agenda:

1. Minutes 03-04-04 (Exhibit “A”),
2. Tuition Fees Rules (Amended Exhibit “B”),
3. Purchasing Rule (Exhibit “C”),
4. Amended 2003-2004 Fee Waiver Authority (Exhibit “D”),
5. Housing Rental Rate Proposal (Exhibit “E”),
6. Substantial Interest Hearings (Exhibit “F”)
7. Alcoholic Beverages Rules (Exhibit “G”),
8. Tenure as a Condition of Employment (Exhibit “H”),
9. Tenure and Tenure and Promotion Nominations (Exhibits “I” and “J”),
10. Florida Educational Equity Act (Amended Exhibit “K”),
11. Non-applicability of Board of Governors’ Personnel Rules, (Exhibit “L”)
12. Termination of Employment (Exhibit “M”),
13. President’s Performance Evaluation Process Timetable (Exhibit “N”), and

FURTHER RESOLVED that Exhibits “A,” “B,” “C,” “D,” “E,” “F,” “G,” “H,” “I,” “J,” “K,” “L,” “M,” & “N” are attached to this Resolution and made part of the minutes for this meeting.

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Other Action Items

Item 14 – Service Employees International Union (SEIU) – Healthcare Professional Unit Recognition.

Chairman Henriques requested that the Board voluntarily recognize Service Employees International Union (SEIU).

Without further discussion, the Board adopted the following Resolution:

RESOLVED, that the Board of Trustees voluntarily recognizes Service Employees International Union, Local 1991, AFL-CIO, CLC (“SEIU”) as the exclusive collective bargaining representative for the bargaining unit described in attached Exhibit “O”, and

FURTHER RESOLVED, that the University administration take all actions necessary to give effect to this Resolution.

Item 15 – Florida Lambda Rail Financing

Chairman Henriques reported that he Board had approved the University’s participation in the state’s Lambda Rail (FLR) Initiative. He reported that Northern Trust has been identified as the financing agent for the project and that it requested a Resolution confirming the action taken.

After discussion, the Board adopted the following Resolution:

RESOLVED, that the statements set forth in the President’s letter attached as Exhibit “P” hereto are hereby ratified and confirmed; and

FURTHER RESOLVED, that Florida Lambda Rail and Northern TrustBank of Florida N.A. may rely upon this Resolution as evidence of said ratification and confirmation.

Item 16 – Consultant to the Administration and Compensation Committee

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Administration and Compensation Committee Chair Albert Dotson reported that the Committee was requesting Board approval for hiring a consultant to assist the Committee in the 2004 performance evaluation for President Maidique. Chairman Dotson noted the Committee had considered four consultants before making its recommendation.

With no further discussion, the Board adopted the following Resolution:

RESOLVED that the Florida International University Board of Trustees approve the hiring of a consultant only for the 2003-2004 fiscal year to assist the Administration and Compensation Committee in preparing the 2003-2004 performance evaluation report of the University president,

FURTHER RESOLVED that at a cost of no more than \$5,000, A.T. Kearney be engaged to conduct interviews with each Board member on the President's performance for the 2003-2004 fiscal year using the agreed upon eight item survey approved by the Board and attached to this resolution as Exhibit "Q", and

FURTHER RESOLVED that A.T. Kearney prepare a report of the aggregate findings and present it to the Administration and Compensation Committee Chair.

Item 17 – Ph.D. in Public Health

Academic Policy and Student Affairs Committee member Marcel Escoffier presented a request for approval of a Ph.D. in Public Health.

After discussion, the Board adopted the following Resolution:

RESOLVED that the Florida International Board of Trustees approve the Doctor of Philosophy in Public Health proposal as a new academic program under the College of Health and Urban Affairs as set forth in Resolution as Exhibit "R", and

FURTHER RESOLVED, that the University file the proposal with the Division of Colleges and Universities and submit the proposal to the Florida Board of Governors for approval.

Item 18 – Athletic Fee

Finance and Audit Committee Chair Rosa Sugañes reported that FIU was moving to Division I-A Football in Fall 2004 and needed additional sums to satisfy the requirements of moving to that Division. She noted the State Legislature had made provision for the increase in SB 2810.

Chairman Henriques requested input from Jorge Rosario who noted that there would be a full hearing for student input and that the fee had strong student support.

With no further discussion, the Board adopted the following Resolution:

RESOLVED that pending the result of hearings held by the University Fee Committee, the Florida International University Board of Trustees approves the \$2.00 per student credit hour fee for implementation of Division I-A football beginning in Fall 2004 as provided under Senate Bill 2810, attached to this Resolution as Exhibit "S".

Item 19 - Proposed 2004-05 University Operating Budget

Finance and Audit Committee Chair Rosa Sugrañes reported that the Committee had carefully reviewed the proposed University Operating Budget for 2004-2005 and was ready to present it for Board review and approval. She requested that EVP for Business and Finance, Dr. Paul Gallagher, report on the final expenditures for the 2003-2004 budget and then present the proposed 2004-2005 university operating budget detail.

EVP Gallagher presented his report with a series of charts and tables outlining the different sections of the proposed budget for 2004-2005.

After discussion by the Board, the following Resolution was adopted:

RESOLVED that the Florida International University Board of Trustees approves the proposed 2004-2005 University Operating Budget attached to this Resolution as Exhibit "T", and

FURTHER RESOLVED that the Board delegate to the University President the authority to amend the budget to effectuate all programs and actions approved by the Board in its approval of the 2004-2005 University Operating Budget, and

FURTHER RESOLVED that the University President shall keep the BOT informed of any changes in excess of 2% made to the total approved 2004-2005 Operating Budget during the operating year.

V. COMMITTEE STATUS REPORTS

Chairman Henriques requested that each Committee present a report to the Board of other items discussed at the Committee level but which required no Board action at this time.

Finance and Audit Committee Report

Finance and Audit Committee Chair Rosa Sugrañes reported that at its 24 May 2004 meeting, the Committee adopted a working draft of a new charter for the Committee. She added that the Committee expected to hold a special meeting during the summer to finalize the charter's language and provisions and would present a final recommendation to the Board for approval.

She added that the Committee had also agreed to form a task force in conjunction with the FIU Foundation to develop the best strategies for financing the Capital Campaign.

Academic Policy and Student Affairs Committee Report

Academic Policy and Student Affairs Committee member Marcel Escoffier reported that at its 24 May 2004 meeting, the Committee heard a student affairs report and the latest information regarding the Board of Governors proposal for the development of an Academic Learning Compact to assess student outcomes.

Trustee Escoffier noted that the Committee also discussed the impact of the Hospitality Management expansion into China and then asked Cristina Mendoza to provide the Board with a progress report on the HCET audit. She reported that meetings with the federal auditors were progressing well and that the University expected a final report in late summer.

Administration and Compensation Committee Report

Administration and Compensation Committee Chairman Albert Dotson reported that the Committee met twice since the last Board meeting (21 April 2004 and 5 May 2004) and began the President's performance evaluation process for 2004. He then requested Cristina Mendoza provide a collective bargaining update for the Board. She noted that bargaining was progressing and that several meetings had already been scheduled for the upcoming weeks.

Governmental Relations Committee Report

Chairman Henriques requested that Governmental Relations Committee staff liaison Steve Sauls provide an update of legislative affairs for the Board. Vice-Provost Steve Sauls asked Trustees to mark their calendars for 9 March 2005 for FIU Day at the State Capitol. He also reported that for fiscal 2005 there was an ambitious federal agenda.

VI. Discussion Topics

Chairman Henriques requested that Provost Rosenberg provide the Board with an update on the Health and Medical Education Initiative. The Provost reported on some of the activities of the task force over the last few months and noted that the proposal would be presented to the Board of Governors in the next few weeks.

VII. Other Business

On behalf of the Board, Chairman Henriques and President Maidique presented faculty Trustee Marcel Escoffier with a plaque of appreciation for his work on the FIU Board of Trustees during the 2003-2004 academic year. The Chairman added that although this would be the last meeting for Marcel as a Trustee, he looked forward to working with Professor Escoffier through his service on the Board's Finance and Audit Committee.

Chairman Henriques also recognized Bruce Hauptli, Chairman-elect of the FIU Faculty Senate, who would be the incoming Faculty Trustee beginning in August 2004.

VIII. ADJOURNMENT

With no other business raised, the meeting of the FIU Board of Trustees was adjourned on Monday, 14 June 2004, at 10:52 a.m.

meb
06.15.04

Adolfo Henriques
Chairman
FIU Board of Trustees

Modesto A. Maidique
Corporate Secretary
FIU Board of Trustees

Attachments:

Exhibits "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q",
"R", "S", & "T".