

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING**

THURSDAY, 26 APRIL 2007

9:00 A.M.

VIA CONFERENCE CALL

AGENDA

- | | |
|---|------------------------------|
| I. CALL TO ORDER | CHAIRMAN DAVID PARKER |
| II. CHAIRMAN'S REMARKS | DAVID PARKER |
| III. FOUNDATION REPORT | LARRY KAHN |
| IV. REQUESTS TO ADDRESS THE BOARD | DAVID PARKER |
| V. UNIVERSITY REPORT | MODESTO MAIDIQUE |
| VI. ITEMS FOR BOARD REVIEW | |
| A. ACTION ITEMS | |
| 1. CONSENT AGENDA | DAVID PARKER |
| A. MINUTES, 16 FEBRUARY 2007 (<i>EXHIBIT "A"</i>) | |
| B. BACHELOR OF ARTS IN ART DEGREE (<i>EXHIBIT "B"</i>) | |
| C. DEFERRED BONUS PLAN POLICY (<i>EXHIBIT "C"</i>) | |
| A. ACTION ITEMS (<i>CONT.</i>) | |
| 2. RE-ADOPTION OF UNIVERSITY TRAFFIC AND PARKING REGULATIONS | KIRK LANDON |
| 3. ATHLETIC FEE | KIRK LANDON |
| B. REPORTS | |
| 4. COMMITTEE REPORTS | |
| ▪ ACADEMIC POLICY AND STUDENT AFFAIRS | PATRICIA FROST |
| ▪ FINANCE AND AUDIT | KIRK LANDON |
| ▪ ADMINISTRATION AND ATHLETICS | ALBERT DOTSON |
| ▪ GOVERNMENTAL RELATIONS | MIRIAM LOPEZ |

VII. OTHER BUSINESS

DAVID PARKER

VIII. ADJOURNMENT

DAVID PARKER

Conference Call information:

- Please call (800) 731-1045, promptly at 9:00 am on Thursday, 26 April 2007.
- If you are disconnected, please redial the conference call number.
- If you have any problems with the above, contact the BOT office at 305.348.6495

**NEXT FULL BOARD MEETING
IS SCHEDULED FOR 20 JUNE 2007**

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

26 APRIL 2007

SUBJECT: CONSENT AGENDA

PROPOSED BOARD ACTION:

ADOPT THE FOLLOWING RESOLUTION:

RESOLVED, that the following matters included in the Consent Agenda are hereby approved:

- **MINUTES, 16 FEBRUARY 2007** (*EXHIBIT "A"*)
- **BACHELOR OF ARTS IN ART** (*EXHIBIT "B"*)
- **DEFERRED BONUS PLAN POLICY** (*EXHIBIT "C"*)

FURTHER RESOLVED that Exhibits "A" – "C" are attached to this Resolution and made part of the minutes for this meeting.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "A": BOARD OF TRUSTEES
MINUTES, 16 FEBRUARY 2007
- EXHIBIT "B": BACHELOR OF ARTS IN ART
- EXHIBIT "C": DEFERRED BONUS PLAN
POLICY

FACILITATOR/PRESENTER:

- NONE

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

26 APRIL 2007

SUBJECT: FULL BOARD MEETING MINUTES, 16 FEBRUARY 2007

PROPOSED BOARD ACTION:

Adopt the following Resolution:

RESOLVED that the minutes of the meeting of the Florida International University Board of Trustees' Meeting held on 16 February 2007, attached to this Resolution as Exhibit "A," are hereby approved.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "A": 16 FEBRUARY 2007
FULL BOARD MEETING MINUTES.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**



**BOARD MEETING
MINUTES
16 FEBRUARY 2007**

I. Call to Order

Chairman David Parker convened the meeting of The Florida International University Board of Trustees at 9:08 a.m., on Friday, 16 February 2007, at University Park Campus, Graham Center Ballrooms, Miami, Florida.

The following attendance was recorded:

Present:

David Parker
Betsy Atkins
Albert Dotson
Patricia Frost
Armando Guerra
Bruce Hauptli

Kirk Landon
Alfonso Leon
Rosa Sugrañes
Modesto Maidique
Larry Kahn,
*Chairman FIU Foundation
Board of Directors*

Excused:

Miriam Lopez
Sergio Pino
Claudia Puig

II. Chairman's Remarks:

Chairman Parker welcomed all Trustees, University faculty and staff. He also recognized FIU Foundation Directors Joan Peven Smith, Noel Guillama-Alvarez and T. Gene Prescott

Chairman Parker congratulated newly-appointed Executive Vice President and Provost Ronald Berkman, noting his strong record of leadership and achievement while serving in an acting capacity. He also congratulated the University's School of Journalism and Mass Communication for their continuing to garner industry praise. Chairman Parker also recognized University Professor Stephen Haggerty, noting that, in conjunction with a team of researchers, recently determined that diamonds known as carbonados came from outer space. Chairman Parker also congratulated the University's Advancement team for their efforts in the "World-Class Organization" Branding Campaign, noting that the campaign was recognized with a top award from the Council for Advancement and Support of Education (CASE).

The Florida International University
Board of Trustees
Minutes
16 February 2007
Page 2

Chairman Parker noted that in January he attended the Florida Board of Governors meeting for a discussion of the Pappas Consulting Group Report on the structure and organization of the Florida's State University System. He provided a brief summary of the report, noting the report's key recommendations.

III. FIU Foundation Report

Foundation Chairman Larry Kahn reported on the Financial Statements Recap for the 6-month Period Ending December 31, 2006 and provided an update on Foundation investments as of January 31, 2007. He also reported on fundraising and Alumni membership. Sr. Vice President for External Relations Marcos Perez provided a Development Update.

IV. Requests to Address the Board:

There were no requests to address the Board

V. University Report

President Maidique asked for a minute of silence in memory of Mercedes Murciano, University Bursar and Assistant Controller of Student financials, who passed away on 8 January 2007. He noted that the previous month she was recognized by the Finance and Audit Committee of the Board for her achievements, excellence, and exceptional service to the University's students and community.

President Maidique introduced and welcomed the new University Vice President and Chief Information Officer Min Yao.

The President reported that in February the University proudly celebrated the opening of the Rafael Diaz Balart Hall, home of the FIU College of Law, with a series of inaugural events. He also reported that with the Executive Dean for the College of Medicine now in place, the University had embarked on the arduous journey to accreditation. President Maidique congratulated the University's Stempel School of Public Health professor Robert Malow, who has been awarded a five-year, \$3 million grant by the National Institutes of Health (NIH). He also congratulated FIU Football player, Keyvonis "Kiki" Bouie for his placement among the top 20 defensive linebackers in the country, noting that his numerous athletic achievements were aligned with his successful academic record.

President Maidique announced upcoming University events, inviting all to participate.

VI. Item for Board Consideration:

A. Action Item

1. Consent Agenda:

Chairman Parker asked for comments on the item included in the Consent Agenda. Hearing none, the Board adopted the following Resolution:

The Florida International University
Board of Trustees
Minutes
16 February 2007
Page 3

RESOLVED, that the following matter included in the Consent Agenda is hereby approved:

- **MINUTES, 5 DECEMBER 2006** (*EXHIBIT "A"*)

2. Committee Status Reports

Finance and Audit Committee Chair Kirk Landon and Academic Policy and Student Affairs Committee Chair Patricia Frost reported on items heard by their respective Committees. Sr. Vice President for External Relations Marcos Perez provided a Governmental Relations update. Chairman Parker thanked the Committees for their work noting that their careful review of university issues was of invaluable service to the entire Board.

3. FIU at FIFTY

President Maidique provided a presentation and led a discussion on his vision for FIU at fifty.

VII. Other Business:

There was no other business brought forward.

VIII. Adjournment:

Since there was no other business to come before the Board, the meeting of the Florida International University Board of Trustees was adjourned on Friday, 16 February 2007, at 11:06 a.m.

MEB/mb
2.22.07

David Parker
Chairman
FIU Board of Trustees

Modesto A. Maidique
Corporate Secretary
FIU Board of Trustees

Attachment: Exhibit "A"

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

26 APRIL 2007

SUBJECT: BACHELOR OF ARTS IN ART

PROPOSED BOARD ACTION:

Adopt the following Resolution:

RESOLVED that the BOT hereby approves the additional Bachelor of Arts in Art degree designation under the existing Bachelor of Fine Arts degree, and attached to this Resolution as Exhibit "B", and

FURTHER RESOLVED, that the BOT authorizes the University President to file this action with the Florida Board of Governors and take all actions necessary to implement to the degree.

BACKGROUND INFORMATION:

STATUTORY AUTHORITY:

**Resolution of the Florida Board of Governors, dated January 7, 2003.
Resolution delegating and delineating powers of local boards of trustees,**
states in part:

- (7) Each board of trustees has responsibility for the establishment and discontinuance of degree programs up to and including the master's degree level; the establishment and discontinuance of course offerings; provision of credit and noncredit educational offerings; location of classes; services provided; and dissemination of information concerning such programs and services. Approval of new programs must be pursuant to criteria established by the State Board of Education.

EXPLANATION OF PROPOSED BOARD ACTION:

The University is authorized to offer under CIP Code 50.0702 a Bachelor of Fine Arts (BFA) degree. The proposed action will add a Bachelor of Arts in Art degree. The BFA is designed for students who aspire to be professional artists and/or those who wish eventually to pursue a Master of Fine Arts degree. The Bachelor of Arts in Art is designed for students who do not wish to become professional artists, but who ultimately desire to teach at a primary or secondary level, or those students who wish to enter the art market in another capacity and/or for those who wish to continue on to get their Masters of Art in Art Education, Museum Studies, or Arts administration.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “B” – EXECUTIVE SUMMARY, THE BACHELOR OF ARTS IN ART

BACHELOR OF ARTS IN ART

EXECUTIVE SUMMARY

The Faculty Senate and the Provost's office have approved the addition of the Bachelor of Arts in Art under the existing Bachelor of Fine Arts degree. The rationale for the additional degree is as follows:

The current Bachelor of Fine Arts (BFA) degree, which the University is authorized to offer under CIP Code 50.0702, was designed for students who aspire to be professional artists and/or those who wish eventually to pursue a Master of Fine Arts degree. The BFA curriculum has been tailored to address the needs of students who aspire to become part of the art world in a very specific capacity, but many students are in need of a different course of study in order to advantageously prepare themselves for professions in various art related fields.

The Bachelor of Arts in Art is appropriate for students who do not wish to become professional artists, but who ultimately desire to teach at a primary or secondary level, or those students who wish to enter the art market in another capacity: working at a gallery or museum, in a creative department of a corporation, as two examples. The B.A. in Art is the primary degree for those who wish to continue on to get their Masters of Art in Art Education, Museum Studies, or Arts administration. The Bachelor of Arts in Art will address the specific needs of students who desire an undergraduate degree in the arts, but have previously majored in another discipline because they did not wish to follow a BFA curriculum designed specifically for practicing artists.

The BA curriculum differs from the BFA curriculum in that BA students will take more elective courses outside the department and fewer Art courses than BFA students. In addition, BFA students enroll in Thesis I and Thesis II during their last two semesters. These are the classes most specifically designed to prepare students for life as a professional artist. BA students would substitute alternative classes for Thesis I and Thesis II.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

26 APRIL 2007

SUBJECT: ADOPTION OF DEFERRED BONUS PLAN POLICY

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS, the Board of Trustees (the BOT) is the public employer of all employees of the University and has the power and duty to adopt personnel policies for all University employees;

WHEREAS, the University has determined that it needs to expand the benefits needed to attract and retain senior strategic management personnel;

NOW, THEREFORE BE IT RESOLVED, that the BOT approves the Deferred Bonus Plan Policy attached hereto as Exhibit "C"; and

BE IT FURTHER RESOLVED, that the President or his designee take all appropriate actions necessary to give effect to this Resolution.

LEGAL AUTHORITY:

Resolution of the Florida Board of Governors, dated January 7, 2003. Resolution delegating and delineating powers of local boards of trustees provides in pertinent part:

19. Each board of trustees shall establish the personnel program for all employees of the university, including the president, pursuant to the provisions of chapter 1012 and, in accordance with rules and guidelines of the Board of Governors, including: compensation and other conditions of employment, recruitment and selection, nonreappointment, standards for performance and conduct, evaluation, benefits and hours of work, leave policies, recognition and awards, inventions and works, travel, learning opportunities, exchange programs, academic freedom and responsibility, promotion, assignment, demotion, transfer, tenure and permanent status, ethical obligations and conflicts of interest, restrictive covenants, disciplinary actions, complaints, appeals and grievance procedures, and separation and termination from employment. No rule of the Board of Governors shall be

considered to in any way contravene the responsibility of each of the university board of trustees to act as the sole public employer with regard to all public employees of its universities for the purposes of collective bargaining in accordance with chapter 447, Florida Statutes.

Explanation for Proposed Board Action:

The Human Resources division is proposing the establishment of a new Deferred Bonus Plan Policy in order for the University to have additional tools to attract and retain key strategic personnel.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “C”: DIVISION OF HUMAN RESOURCES –DEFERRED BONUS PLAN POLICY

**Florida International University
Division of Human Resources**

DEFERRED BONUS PLAN

Purpose:

To provide a deferred compensation benefit plan that will permit the University to attract and retain select senior executive management personnel.

Eligible Employees:

Eligible Employees are those individuals who report directly or indirectly to the University President or the Provost whose positions are considered strategic, i.e., critical to the University's operations or to the implementation of key priority projects, and whose retention is in the University's best interest. Only the President shall have the authority to designate the positions considered strategic.

Policy:

The University shall establish a Deferred Bonus Plan (the "Plan"), in compliance with all rules of the Internal Revenue Code governing such plans, for the benefit of Eligible Employees. The bonus for any Eligible Employee will be determined annually based on attainment of pre-established measurable performance objectives approved by the President. The amount of any bonus so determined will be held under the Plan for the benefit of the employee, subject to the employee's continued employment for a period of three years following deposit of the amount, with the exception of termination of employment due to the employee's death, disability or involuntary termination other than for cause, as determined by the President. Termination of employment for any other reason, i.e., voluntarily or based on cause, will result in forfeiture of the bonus amount and any earnings thereon.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

26 APRIL 2007

**SUBJECT: RE-ADOPTION OF REVISED UNIVERSITY TRAFFIC AND PARKING
REGULATIONS**

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS, the BOT is authorized to establish Traffic and Parking fees and regulations within the limits provided by law; and

WHEREAS, the proposed University Traffic and Parking Regulation FIU-1105 is revised primarily to reflect changes in the decal registration fees and is being presented for adoption;

THEREFORE, BE IT RESOLVED THAT, the BOT adopts the following University Regulation, which is attached hereto as Exhibit "D":

- FIU-1105 – University Traffic and Parking Regulations

BE IT FURTHER RESOLVED, that, as the Regulation includes information on fees, the University Administration will submit the University Traffic and Parking Regulations FIU-1105 to the Florida Board of Governors for approval, as is required by the Florida Board of Governors Regulation Development Procedure for State University Boards of Trustees.

BACKGROUND INFORMATION:

A. LEGAL AUTHORITY

1. Board of Governor's Resolution delegating and delineating powers of local boards of trustees adopted January 7, 2003, more specifically:
 - citing to Florida Statutes 1009.24; wherein subsection (19)(p) authorizes the Board to establish traffic and parking fines, charges for parking decals and transportation access fees.
 - citing to Florida Statutes section 1006.66 regarding the regulation of traffic at universities.

2. Board of Governor's Regulation Development Procedure for State University Boards of Trustees adopted July 21, 2005.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "D": NOTICE OF REGULATION MAKING; PROPOSED REGULATION

FACILITATOR/PRESENTER:

- KIRK LANDON

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

**NOTICE OF REGULATION MAKING
PROPOSED REGULATION**

REGULATION NO.: FIU-1105

REGULATION TITLE: University Traffic and Parking Rules

SUMMARY: This Regulation is a revised version to reflect changes in eligibility for the different decals, increases in the amounts charged for original decals, temporary permits and vendors and contractors fees, and availability of paying fines on the website.

TEXT OF REGULATION: The full text of the Proposed Regulation is provided below.

AUTHORITY: Resolution of the Florida Board of Governors dated January 7, 2003, 1001.74(35), 1006.66 FS.

NAME OF PERSON INITIATING PROPOSED REGULATION: Vivian Sanchez, CFO and Sr. Vice President.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED REGULATION: Lourdes Palomares, Administrative Assistant, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199. Email: palomare@fiu.edu. Fax: (305) 348-3272. Phone: 305-348-2103.

DATE OF PUBLICATION: March 19, 2007

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
BOARD OF GOVERNORS**

FIU-1105 University Traffic and Parking Rules.

(1) General. This rule is applicable to all persons who operate or park a motor vehicle on the campuses of Florida International University. All Miami-Dade County traffic and parking ordinances which are not in conflict or inconsistent with University

Exhibit "D"

regulations and all provisions of Chapter 316, Florida Statutes, shall extend and be applicable to the University's campuses. The Department of Parking and Transportation is authorized and empowered to enforce all University parking and traffic regulations. The University Public Safety Department is authorized and empowered to enforce University regulations, all county ordinances and state laws. Copies of the University parking and traffic regulations are available from the Department of Parking and Transportation, the Department of Public Safety, the Visitor Information Center and through the Florida International University web site URL <http://parking.fiu.edu>. The University assumes no liability for vehicles parked or operated on University property. The issuance of a decal or permit does not guarantee a place to park.

(2) Registration of Motor Vehicles. Vehicles used by members of the faculty, staff, students, (full or part-time), concessionaire employees and others who regularly operate a vehicle on campus must be registered with the Department of Parking and Transportation during the first day the vehicle is on campus. Vehicle registrations expire on the expiration date indicated on decal or permit. All visitors must use parking meters unless a parking permit has been provided by a University representative. Any motor vehicle parked on University property must display a valid University parking decal or parking permit. Use of a motor vehicle on University property is a privilege, not a right and is made available only under this rule.

Exhibit "D"

(a) Decals.

1. Faculty/Staff: A Faculty/Staff parking decal must be obtained for each vehicle which is, or may be, parked on the University's campuses. Decals are issued according to the classifications contained in these regulations. A decal will be issued by the Department of Parking and Transportation, upon the following conditions:

- a. The owner or driver registers the vehicle with the Department of Parking and Transportation.
- b. The owner or driver, unless otherwise exempt, pays the appropriate fee and provides proof of the decal classification to which he or she is entitled.
- c. The owner or driver settles all outstanding parking and traffic fines and fees before a current decal or permit will be issued.
- d. When two or more persons who are employed by the University reside in the same household and register more than one vehicle, each is required to purchase a separate original decal; duplicate decals will not be issued for either person except upon proof of replacement of the originally registered vehicle. If two or more persons travel together in one vehicle, only one decal is required but a duplicate decal cannot be purchased except upon proof of replacement of the originally registered vehicle.

2. Students: Students will pay a Transportation Access Fee per semester. A student decal will be issued by the Department of Parking and Transportation to each student under the following conditions, and it is the students' responsibility to properly display the current decal in accordance with this rule.

- a. The student must be currently enrolled at the University.

Exhibit "D"

b. The student must provide a valid vehicle registration for the vehicle on which the decal will be placed.

c. The student must settle all outstanding parking and traffic fines and fees.

3. Decal Classifications: The issuance of decals is restricted to the classifications specified in these rules. The following decal classifications are in effect:

a. Faculty/Staff -- An "F/S" decal is available only to persons currently employed as regular or adjunct faculty; Administrative and Professional staff; University Support Personnel System employees and as Other Personal Services employees. Individuals who are currently employed by vendors or contractors with the University, or who are otherwise required by contract to obtain a decal, are also entitled to obtain a decal in this classification. A semester decal is available to faculty/staff persons who wish to purchase a decal on a semester only basis.

b. Student -- An "S" decal will be issued to those persons who are currently enrolled as students. For purposes of this rule, a person shall be considered a student regardless of the number of hours or courses for which he or she is enrolled at the University. Students residing in the University's housing complexes are required to display a current semester housing sticker in addition to the current student decal or hang-tag. ~~Students employed at the University at least thirty five (35) hours a week may elect to purchase a faculty/staff decal.~~

c. Alumni -- An "ALUM" decal is available to FIU graduates who are not currently enrolled at the University and entitles the holder to park in spaces designated for student parking.

Exhibit "D"

d. Administrative -- An "A" decal is available ~~only to those employees~~ persons who desire a higher level of parking service or have special parking needs based upon work requirements.

e. Executive -- An "E" decal is available ~~only to those employees who are given written authorization by the President~~ persons who desire the highest level of parking service or convenience.

f. Duplicate/Replacement Decal -- A Duplicate/Replacement decal is available to ~~faculty/staff~~ persons who have purchased an original decal for that semester or ~~the current~~ academic year. This category is for additionally owned vehicles used alternately and for situations where the original decal must be replaced due to an accident, the re-painting of the vehicle, stolen vehicles, etc. The address on the vehicle registration for the second vehicle must be the same as that on the registration of the vehicle listed on the original decal application. A vehicle with a duplicate decal is not permitted on campus at the same time as the vehicle with the original decal.

g. Duplicate Hang-tag -- A Duplicate hang-tag is available to students who have been issued an original decal for the current year. This hang-tag must be displayed on the vehicle that the hang-tag is registered for. This category is for additionally owned vehicles used alternately and for situations where the original decal must be replaced due to an accident, the re-painting of the vehicle, stolen vehicles, etc. The address on the vehicle registration for the second vehicle must be the same as that on the registration of the vehicle listed on the original decal application. A vehicle with a duplicate hang-tag is not permitted on campus at the same time as the vehicle with the original decal.

Exhibit "D"

h. Validity of Duplicate Hang-Tags -- Duplicate hang-tags are valid for one academic school year, unless the student purchases a two-year duplicate hang-tag. The fee for the two-year duplicate hang-tag is \$25.00 **exclusive of sales tax.**

4. Decal Registration Fees:

a. Decals must be purchased and affixed each year. Annual executive, administrative, faculty/staff, and corresponding duplicate decals expire October 31st of each year. Faculty/Staff semester decals expire at the end of each semester for which they are issued. Alumni decals and duplicate hang-tags expire August 31st of each year. The following are the annual registration fees, exclusive of sales tax, for each decal classification:

	Original	Duplicate /Replacement
Executive	\$738.00 <u>812.00</u>	\$30.00
Administrative	\$334.00 <u>367.00</u>	\$20.00
Faculty/Staff		
(Annual base pay over \$45,000)	\$191.00 <u>210.00</u>	\$15.00
Faculty/Staff		
(Annual base pay over \$35,000)	\$169.00 <u>186.00</u>	\$15.00
Faculty/Staff		
(Annual base pay over \$25,000)	\$113.00 <u>124.00</u>	\$15.00
Faculty/Staff		
(Annual base pay \$25,000 and under)	\$100.00 <u>110.00</u>	\$15.00
Alumni	\$175.00 <u>193.00</u>	\$15.00

Exhibit "D"

Student	Fall -	N/A	\$15.00
	Spring -	N/A	\$15.00
	Summer A, B, or C -	N/A	\$15.00

(The fee for a student duplicate hang-tag listed above is for a hang-tag that is valid for only one academic school year. The fee for a two-year student hang- tag is \$25.00 **exclusive of sales tax.**)

b. The following are the semester registration fees, **exclusive of sales tax**, for each decal classification:

Executive		N/A	N/A
Administrative		N/A	N/A
Faculty/Staff			
(Annual base pay over \$45,000)		\$101.00 <u>111.00</u>	\$15.00
Faculty/Staff			
(Annual base pay over \$35,000)		\$ 89.00 <u>98.00</u>	\$15.00
Faculty/Staff			
(Annual base pay over \$25,000)		\$ 70.00 <u>77.00</u>	\$15.00
Faculty/Staff			
(Annual base pay \$25,000 and under)		\$ 61.00 <u>67.00</u>	\$15.00
Alumni		N/A	N/A
Student	Fall -	\$ 61.00 <u>67.00</u>	N/A
	Spring -	\$ 61.00 <u>67.00</u>	N/A

Exhibit "D"

Summer A, B, or C - \$ ~~55.00~~ 61.00 N/A

c. Duplicate/Replacement Decals. If a decal or hang-tag has been lost or stolen, the incident shall be reported to the Department of Parking and Transportation, and a replacement decal or hang tag shall be purchased. A Parking and Transportation Lost or Stolen Decal Affidavit, Form PT #11, effective 5/97, which is incorporated by reference into this rule, must be filled out.

d. Change in Status. Any individual requesting a change in decal classification ~~due to a change in status~~ shall pay the difference between the fee appropriate to the classification currently in effect and that being requested. The old decal or identifiable parts, including numbers, must be returned to the Department of Parking and Transportation for auditing purposes.

e. Non-Refundable Fees. All fees paid for decal registration ~~by faculty/staff persons~~ shall be non-refundable except for instances where a person has mistakenly made a double payment and the request for refund is made within the same academic year in which the payment was made. The Transportation Access Fee paid by the students shall be refunded in the same manner as other student fees are refunded.

(b) Permits and Permit Fees.

1. Temporary permits are issued only by the Department of Parking and Transportation to those persons who require temporary parking authorization and who are not otherwise required by these rules or contract to obtain a decal. Permits must be applied for and are issued for durations that are commensurate with their purposes. Permits may or may not include the payment of parking fees as provided below.

Exhibit "D"

2. The circumstances under which a permit rather than a decal shall be issued include but are not limited to use of a temporary vehicle; parking on the University's campuses for occasional business-related purposes; parking on the University's campuses for attendance at conferences and meetings; and visitors who are not otherwise required to obtain a decal. Any person who has a current decal and needs to use temporary transportation must obtain a temporary parking permit. Temporary parking permits are issued, free of charge, for a maximum of thirty (30) consecutive days.

3. Temporary 30, 60, and 90-day permits are available to persons not otherwise required by these rules or contract to obtain a parking decal. The following are the permit fees, **exclusive of sales tax**:

30-day permit ~~\$20.00~~ 22.00

60-day permit ~~\$36.00~~ 40.00

90-day permit ~~\$54.00~~ 60.00

4. Specific visitor, vendor and contractor, and volunteer permits will be issued by the Department of Parking and Transportation upon payment of a fee as follows:

a. Visitor fees. Metered parking is available throughout the University at a cost of 25 cents per 15 minutes except in PC Loading which are 50 cents per 15 minutes. Visitors can also park at the multi-space meters for \$1.00 per hour with a maximum of \$ 6.00 per day. University departments hosting an event can purchase garage visitor permits in advance.

b. Vendors and Contractors fees. All vendors and contractors conducting business on campus are required to purchase a contractor permit. The following are the

Exhibit "D"

permit fees, **exclusive of sales taxes:**

30-day permit ~~\$20.00~~ 22.00

60-day permit ~~\$36.00~~ 40.00

90-day permit ~~\$54.00~~ 60.00

c. Volunteers' fees. Individuals outside the University who volunteer their time at either campus can purchase a volunteer permit for the following fees **exclusive of sales tax:**

30-day permit \$ 5.00

60-day permit \$10.00

90-day permit \$15.00

(c) Vehicle Registration Exemptions. The following persons shall not be required to register their vehicles with the Department of Parking & Transportation:

1. Representatives of news media on official business.

2. Members of the Florida International University Board of Trustees who are on campus to attend meetings and functions of the Board of Trustees. Trustees shall be issued identification which shall be prominently displayed in their vehicles.

3. Members of the FIU Foundation Board of Directors who are on campus to attend meetings and functions of the Foundation. Directors shall be issued identification which shall be prominently displayed in their vehicles.

(3) Decal, Traffic and Parking Regulations, Golf Cart and Garage Parking.

(a) Decal Regulations.

1. Display of Decal. Each driver who regularly parks a vehicle on campus shall display a valid decal, hang-tag, or permit. It is the responsibility of the driver to properly

Exhibit "D"

display a hang-tag, decal or permit so it is easily visible and readable. Failure to display it correctly may result in a violation for not having a valid decal, hang-tag or permit.

2. Decals shall be permanently affixed to the outside of the vehicle on the left side either on the rear bumper, or the outside of the window. Decals must be permanently affixed and not altered. For unusually constructed vehicles, decals shall also be permanently affixed in the manner directed by the Department of Parking and Transportation. Housing stickers shall be permanently affixed adjacent to the current student decal or on the bottom square of the hang-tag.

3. The entire decal, hang-tag, or permit must be displayed unaltered.

4. It is a violation of these rules to transfer a decal, hang-tag or permit from one vehicle to another; alter a decal, hang-tag or permit, falsify documents to obtain a decal, hang-tag or permit or otherwise obtain or display a decal, hang-tag or permit in violation of the University rules and regulations. Any such act shall constitute decal fraud and will cause the decal, hang-tag or permit to be revoked.

(b) Traffic Regulations:

1. Speed Limit. The speed limit on University property is 25 miles per hour on main roads unless otherwise posted. The speed limit inside the garage is 5 mph. Speed limit inside surface lots is as posted.

2. Right-of-Way. Pedestrians and wildlife have the right-of-way over motor vehicles, including golf-carts. Pedestrians must use crosswalks when crossing a roadway.

3. Barriers. Barriers may be placed by the University at any point deemed necessary for specific temporary use. Except as required for the passage of emergency vehicles, removal of any such barrier without permission is prohibited.

Exhibit "D"

4. Enforcement Directives. A directive given by a police officer or parking patroller or designee supersedes the regulations posted by sign or signal.

(c) Golf-Carts:

1. Golf-carts are restricted by the Florida Department of Highway Safety and Motor Vehicles and Florida International University for use on facility premises only. Golf-carts are used primarily for the Transportation of persons or cargo, are designed and regulated to be operated at speeds of less than 25 miles per hour, and are generally recognizable as a passenger or utility type cart, vehicle, club car or conveyance.

2. Any person who operates a golf-cart on University premises is deemed, by so doing, to have the knowledge, training and skill to safely operate this vehicle and shall be fully accountable for their actions and the consequences thereof.

3. Golf-cart Enforcement. Golf-carts shall be operated in accordance with the following specific rules:

a. Golf-carts shall not be parked within 6-8 feet of the entrance or exit of any building, except at loading docks or approved designated golf-cart parking spaces.

b. Operators shall stop golf-carts at all blind intersections and sound their horns before proceeding.

c. Golf-carts shall not be parked or operated in any manner likely to obstruct or interfere with the flow of pedestrian or vehicular traffic in heavily traveled areas.

d. Operators shall not stop for any extended period of time in the middle of roads and walkways. Golf-carts shall not be parked on pedestrian crosswalks.

e. Safety precautions shall be taken while driving golf-carts through parking lots.

Exhibit "D"

f. Golf-carts shall not be driven through buildings except: 1) under circumstances of police or medical emergency, 2) in order to service that specific building wherein equipment and supplies, but not people, are being transported to the work site, or 3) in order to make a delivery of materials which cannot be otherwise transported to a specific location in a building.

g. Where circumstances warrant operation of a golf-cart in or through any University building, as described in "f." above, operators shall take the most unobtrusive route and shall follow all other operating requirements.

(d) Parking Regulations for Surface and Garage Parking.

1. Posted signs, bumper blocks, and other markings designate the various parking areas on campus. Parking areas may be restricted by classification, time or purpose. Parking areas restricted by classification, time or purpose shall be considered no parking zones to those individuals who do not fall within the restriction of the classification. Individuals parking in areas so restricted require a decal, hang tag, or permit. The following parking restrictions are found in areas on the University's campuses:

- | | |
|-------------------------------|-------------------------|
| a. Executive | h. State Vehicles |
| b. Administrative | i. Time Limit Parking |
| c. Faculty/Staff | j. Housing Parking |
| d. Student | k. Loading Zone |
| e. Meters | l. Garage Visitors |
| f. Disabled | m. Head-In Parking Only |
| g. Motorcycle/Motorbike/Moped | n. Golf-Cart |

Exhibit "D"

2. Metered parking is for visitors and is enforced daily, from 7:00 a.m. to 10:00 p.m. including weekends and holidays. If a meter is malfunctioning, parking in that space is prohibited. A current decal, hang-tag or permit does not entitle the driver to park in a metered parking space without paying the appropriate fee.

3. Use of parking areas designated as Faculty/Staff shall be enforced between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday, unless otherwise indicated by signage. Parking in all other areas, including Executive and Administrative, shall be observed and enforced at all times.

4. Changes in designated parking areas shall become effective at such time as signage or other identifying markings are posted.

5. No motor vehicles, other than police, emergency, or golf-carts may be operated or parked at any time on the walkways, grass, service areas, driveways or other prohibited zones, except where specifically permitted by signage. No motor vehicle, motorcycle or other type of vehicle, including a bicycle, shall be parked in such a way as to create a hazard or obstruction to traffic or access. Temporary parking areas may be designated in grass areas by the placement of delineating signs, bumper blocks or other identifying marks. Parking adjacent to any University building shall be prohibited except as identified by authorized signs.

6. No person, other than a current housing resident whose vehicle is left in a housing lot, shall leave a vehicle overnight on University property without notifying the Public Safety Department. Vehicles that are inoperable shall be reported immediately to the Public Safety Department. Vehicles left for more than three (3) consecutive days and nights, without prior approval, or which are apparently abandoned shall be subject to

Exhibit "D"

towing, impoundment, and disposal at the owner's expense. The University does not assume any responsibility for motor vehicles or their contents while they are parked on campus. Vehicles registered to current housing residents may be left in housing lots during session breaks but in no event for more than three weeks, except with permission from University housing.

7. Major repairs to vehicles shall not be performed on either campus.

8. Double-parking is not allowed at any time.

9. The fact that a person may park or observe others parked in violation of the regulations without receiving a citation does not mean that the regulation is no longer in effect. Observing others illegally parked is not a valid excuse.

10. Parking on lawns, landscaped areas, sidewalks, or other areas not specifically designated by signs or curb markings as parking areas is a violation. The absence of a "No Parking" sign does not mean parking is permissible in an area.

11. Residents of housing shall abide by the parking regulations contained in the housing agreement in addition to the requirements of this rule.

12. Parking a vehicle on campus following failure to pay or appeal any citation for a university traffic infraction within the time provided, or parking on campus with a revoked decal shall be considered illegal parking and is subject to towing.

13. Parking areas designated as disabled are enforced at all times and a current state issued disabled placard/hang-tag must be visible and properly displayed.

(e) Garage Parking:

1. A current FIU parking decal is required to park in the garages at no additional cost.

Exhibit "D"

2. Current FIU decal holders cannot park in a visitor space without paying the additional fee.

3. Garage hours: Gold Garage

6:00 a.m. - 2:00 a.m. Mondays–Saturdays

Closed Sundays and holidays except for Special

Events

Blue, Red and Panther Garages

6:00 a.m. - 2:00 a.m. Mondays – Fridays

Closed weekends and holidays except for Special

Events

4. No overnight parking. Vehicles must be removed prior to posted closing hours. Any vehicle left in the garage will be ticketed and is subject to towing at vehicle owner's expense.

5. Head-in parking only.

6. Garage speed limit is 5 mph. Garage speed is radar-enforced.

(4) Enforcement.

(a) Violations. Failure to abide by any of the provisions of these rules shall be considered a university parking infraction. The University may enforce university parking infractions through use of warnings, citations and fines, vehicle immobilization, towing and any other means authorized by statute.

(b) Citations. The Public Safety Department and the Department of Parking and Transportation are authorized to issue written citations to persons who violate university

Exhibit "D"

parking and transportation regulations. The Public Safety Department is also empowered to issue citations for violation of Chapter 316, Florida Statutes, and county ordinances. Only one citation will be issued for each violation.

1. Schedule of Fines. The schedule below establishes fines for the various categories of violations which are considered to be university parking infractions:

No Decal	\$ 20.00
Parking on the Grass	\$ 20.00
Hazardous Parking	\$ 25.00
Overtime Parking (meter)	\$ 20.00
All Moving Violations	\$ 25.00
Restricted/Improper Parking	\$ 25.00
Overtime Parking (garage)	\$ 25.00
Unlawfully Parked in Disabled Space	\$250.00
Decal Fraud	\$100.00
Head-In Parking Only	\$ 15.00
Radar/Speeding Violation	\$ 25.00
Restricted "E" or "A"	\$ 30.00
Golf-Cart	\$ 25.00
Decal/Permit-Improper Display	\$ 20.00

a. Impoundment and vehicle immobilization charges vary according to type of vehicle, type of tow needed and cost of contract with current towing company.

b. Any vehicle which remains in violation of the same regulation for twenty-four (24) hours is subject to additional citations. Violations of Chapter 316, Florida Statutes,

Exhibit "D"

and county ordinances are returnable to the Miami-Dade County Court and may carry higher fines or other penalties.

2. Late Charges. If a university citation is not paid or appealed in the time provided by this rule, a \$5.00 late charge shall be assessed in addition to the fine established for the violation. The assessment of the late charge shall not preclude the University from enforcing these rules through alternative means such as preventing registration, withholding transcripts, receiving your diploma and/or towing, or immobilizing the vehicle.

3. Remedies for Failure to Pay Fines. In addition to the assessment of a late charge fee, and other penalties as provided in this rule, the following remedies are available to the University:

a. Revoke parking and driving privileges on University property. A person whose parking privileges are revoked may not be issued a new parking decal until all prior outstanding citations are satisfied.

b. Prevent the person from registering as a student.

c. Withhold issuance of transcripts or degrees.

d. Use vehicle immobilizer.

e. Tow and impound the person's car.

f. Take other action as necessary to collect the outstanding fines as delinquent accounts owed to the University.

4. Responsibility for Citations. The person who registers a motor vehicle with the Department of Parking and Transportation assumes responsibility for all citations issued to that vehicle. If the motor vehicle has not been registered with the Department

Exhibit "D"

of Parking and Transportation then the person(s) in whose name the motor vehicle is registered with the State Department of Highway Safety and Motor Vehicles shall be held responsible for citations issued to the vehicle. The presumption of responsibility may be overcome by furnishing the Department of Parking and Transportation with a sworn statement identifying the person who had custody of the vehicle at the time the citation was issued. Employees of FIU operating state university vehicles and golf-carts shall be responsible for citations issued to such vehicle(s).

(c) Procedures for Payment of Fines and Appeals. A person to whom a citation has been issued shall have ten (10) business days from the date of issuance to respond to the citation either by paying the fine or by filing an appeal. If payment or request for an appeal is not received within the allotted time, a late fee shall be assessed, and the University may take any authorized action to enforce the penalty.

1. Payment of Fines. Fines may be paid by credit card through the Florida International University web site URL <http://parking.fiu.edu> or in person at the Department of Parking and Transportation by check, money order, cash payment, the FIU Panther debit card, or credit card. Alternatively, payments may be mailed to the Department of Parking and Transportation located on University Park Campus; however, late fees shall be applied in the event payment is not received by the Department of Parking and Transportation within the time provided by these rules. ~~Fines may also be paid at the Cashier's Office during its regular hours of operation.~~ All payments sent by mail should include the payee's ~~social security number~~ Panther ID number and citation number. ~~It is the responsibility of a person who pays cash at the Cashier's Office to~~

Exhibit "D"

~~notify the Department of Parking and Transportation that the citation has been paid in order to assure that his or her account is properly credited.~~

2. Appeals Process and Procedures. Appeals of citations for university parking infractions and towing/vehicle immobilization procedures and charges may be instituted by filing a written appeal through the Florida International University web site URL <http://parking.fiu.edu> or ~~with~~ at the Department of Parking and Transportation on Form PT #4, 'Parking Citation Appeal,' (effective date 6/96) according to the instructions provided on the form. This form is hereby incorporated by reference into this rule. County citations are not open to appeal through the University appeal process. County citations must be processed through the Miami-Dade County Court system. Appeal form PT #4 may be obtained at the Department of Parking and Transportation, the web site and at other locations throughout the University, such as the Visitor Information Center, and Public Safety Department at both campuses. Inability to locate parking spaces or the failure of others to observe these rules shall not be considered to be valid defenses. The appeal shall include a current and accurate mailing address or email address where notices can be sent and received. Complete appeal forms will be forwarded by the Department of Parking and Transportation to an Appeal Hearing Officer for review and decision. Appellants do not have the option to appear in person.

(a) Appeal Hearing Officers. There shall be appointed on each campus a University Appeal Hearing Officer or Officers who shall be responsible to resolve appeals of citations for university parking infractions and/or towed or immobilized vehicles. The Appeal Hearing Officer(s) of each campus shall be appointed, by the appropriate vice president, to serve a two-year term, and may be appointed for additional

Exhibit "D"

terms. It is intended that Appeal Hearing Officers will be members of the University Community.

(b) Appeal Hearing Officer Procedures. Appeal Hearing Officers will receive and evaluate written appeals. They will be guided by the Parking Rules and shall consider any relevant circumstances, as articulated in the written appeal, in making their decision(s). Appeal Hearing Officers may request further information or interview the appellant, witnesses or the citing officer. Appeals will be reviewed and appellants notified by mail.

(c) Appeal Hearing Officer Decisions. Following consideration of the grounds for an appeal, the Appeal Hearing Officer shall decide on the appeal. The Appeal Hearing Officer's decision shall contain findings of fact and be reduced to writing and a copy shall be furnished to the appellant by the Department of Parking and Transportation. The decision of the Appeal Hearing Officer is final without further right of review. Upon denial of an appeal, the fine assessed shall be paid within ten (10) business days of the date of notification to the appellant or a late fee will be assessed.

(d) Immobilization, Towing and Impoundment-Appeals. The University may immobilize, tow and/or impound any vehicle which is found to be parked illegally or in violation of these rules. Parking after failing to pay a parking citation(s) within the allotted time constitutes illegal parking. ~~Cash payment for tows shall be accepted at the Department of Parking and Transportation.~~ A person whose vehicle has been immobilized, towed and/or impounded may appeal the tow or immobilization by filing a written appeal within ten (10) business days from the date of the impoundment. An Appeal Hearing Officer shall review the appeal within seventy-two (72) hours of receipt

Exhibit "D"

of the written appeal. The appellant shall receive notification of the appeal decision through the mail. If the immobilization or tow appeal is granted, the University shall refund the amount charged for the immobilization or tow. In lieu of the appeal, or pending such appeal, or if the appeal is denied, the owner of the vehicle or his/her authorized agent may obtain release of the vehicle by paying the citation(s), the immobilization and/or towing charges and any applicable delinquent fines.

(e) University Departmental Events. All departments hosting an event, which will require additional visitor parking for guests, will require visitor permits for each vehicle per day. Pre-purchased parking spaces are available by contacting the Department of Parking and Transportation no later than three (3) business days, but preferably five (5) business days before the date of the event. Departments are encouraged to post directional signs for each event.

Specific Authority 1001.74(35), 1006.66 FS. Law Implemented 1001.74(35), 1006.66 FS. History--Formerly 6P-5.06, 10-1-75, Repromulgated 12-23-76, Amended 1-15-80, 8-20-81, 4-24-83, 8-12-85, Formerly 6C8-5.06, Amended 7-6-86, 8-31-89, 7-17-90, 7-21-91, 8-25-93, 10-26-93, 8-17-94, 8-20-95, 8-11-96, 6-12-97, 7-08-99, 5-16-00, 5-24-01, 7-25-02, 12-2-02, 8-11-03, 6-1-04, 6-1-05 Formerly 6C8-5.006, Amended 6-2 06, _____.

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

26 APRIL 2007

SUBJECT: ATHLETIC FEE INCREASE

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS, the BOT has the power to establish an Athletic Fee for the University pursuant to Board of Governor's Resolution adopted January 7, 2003, which references **Section 1009.24(8) and (11)**, Florida Statutes;

WHEREAS, the Athletic Fee Committee has approved, in the form attached as Exhibit "E" hereto, an increase in the Athletic Fee in the amount of \$1.39 per credit hour effective Fall 2007;

WHEREAS, the President has approved the fee increase after consultation with the Student Government president;

THEREFORE BE IT RESOLVED that the BOT approve an Athletic Fee increase.

BACKGROUND INFORMATION:

A. LEGAL AUTHORITY

1. Board of Governor's Resolution delegating and delineating powers of local boards of trustees adopted January 7, 2003, more specifically:
 - citing to Florida Statute 1009.24, State University Student Fees; and
2. Board of Governors Regulation Development Procedure for State University Boards of Trustees adopted July 21, 2005.

B. EXPLANATION FOR PROPOSED BOARD ACTION:

The request is for board approval of an athletic fee increase. The proposed increase will raise the athletic fee from \$11.66 to \$13.05 per credit hour. The increase will be used to help fund stadium expenses and high priority needs in the Department of Intercollegiate Athletics. The revenues from the fee increase will be

used primarily in the areas of Marketing, Ticket Sales and Sponsorships associated with football and other sports. This increase will be reflected, along with any other changes, in a revised FIU-1101 Tuition Fees Schedule regulation which will be presented to the Board of Trustees for approval after the Legislature has acted with regard to the authority of the boards of trustees to increase tuition and other fees. The approved regulation will then be forwarded to the Board of Governors for its approval.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “E”:
 - FEE COMMITTEE RESULTS – LETTER TO PRESIDENT MAIDIQUE
 - FEE COMMITTEE MEETING MINUTES, WINTER 2007
 - CALCULATION OF FEE CAP AND ALLOWABLE 5% INCREASE

FACILITATOR/PRESENTER:

- KIRK LONDON

February 21, 2007

MEMORANDUM

TO: Mitch Maidique
FROM: Chuck Tinder
SUBJECT: University Fee Committee Recommendations

The University Fee Committee has completed its work for 2007 and is recommending an increase in the Athletics per-credit hour fee of \$1.39 per student credit hour. The vote of the eight member Committee was 7-1 in favor of the increase. The fee will increase from the current level of \$11.66 to \$13.05 per credit hour, and will become effective in the Fall term of 2007. No increase is proposed for 2007 in the Athletics headcount fee, Activity and Service or Health fees.

The fee increase is needed to help fund the football stadium renovation project and other high priority needs in the Department of Intercollegiate Athletics. Estimated proceeds from the fee increase for Fall 2007 and Spring 2008 will provide additional funding in the amount of \$1.1 million.

A large share of the revenues from the fee increase are needed to retire a portion of the bond debt (\$655,000) issued to secure the cash for the stadium renovation. The remainder of the \$1.1 million will be dedicated to three critical areas in Athletics: Marketing, ticket sales and sponsorships.

I have attached a listing of the 2007 Fee Committee membership, a three page summary of the meetings held including public hearings on each campus, the 2006 Florida Statutes dealing with fees, the calculation of the allowable fee increase according to statute including the projected amount of funding available from the increase, a ten year fee history for FIU, and a summary of local fees in the SUS for 2006. Please let me know if you have any questions regarding fees.

Attachments

cc: Dr. Rosa Jones
Matilda Gramling
Fee Committee Members

**University Fee Committee, 2006-07
Summary of Meetings and Activities
February 21, 2007**

The University Fee Committee was appointed by Vice President Rosa Jones in December of 2006. The four student voting members were Alfie Leon, SGA President UP and Camilo Silva, SGA President BBC, Nancy Cadavid, Comptroller UP and Zach Trautenberg, Comptroller BBC. The four Faculty/staff voting members were Bob Coatie, Greg Olsen, Art Herriott, and Lynda Raheem. Chairperson was Chuck Tinder, who would vote only in the case of a 4-4 tie. Other interested parties attending meetings included Pete Garcia, Julie Berg, Joe Velasco. Matilde Gramling and Danielle Miller.

Two meetings were held by the committee, plus two public hearings:

January 23, 2007 – Committee Meeting

Rather than hold a separate meeting just for the dissemination of information, the Chair sent to the Committee via email attachment all of the documents relevant to the fee process including the roster of Committee members for 2007, Florida Statue 1009.24 (2006) relating to increasing local fees (Athletics fee, A&S fee and Health fee), a 10 year history of State and local fees at FIU, a comparison of FIU local fees to the other State universities, and a worksheet showing the calculation of the fee cap and 5% limit which are prescribed in law. The sum of the local fees at FIU when put on a per credit hour basis (we have both credit hour fees and per student or headcount fees) is \$29.81. Included in that amount is a \$2.00 per credit hour increase passed by the Legislature in 2004 for moving from Div. IIA to Div. IA in football. This special \$2 increase is, by law, excluded from the fee cap calculation and therefore for comparison purposes the amount representing the FIU total local fees on a credit hour basis is \$27.81. The cap, which is 40% of the undergraduate matriculation fee is \$29.48 ($\$73.71 * 40\%$), which provides \$1.67 of leeway to reach the cap. The allowable increase, however, is only \$1.39 per credit hour or \$14.06 per head count student since we are limited to the lesser of 5% of the existing fees or the cap, whichever is lower.

The Athletic Director, Pete Garcia, presented his case for increasing the fee by the maximum allowed, or \$1.39 per credit hour. He was assisted by Associate A.D. Julie Berg and Joe Velasco. Of the approximate \$1.1 million that would come from the proposed fee increase, Mr. Garcia explained that \$655,000 would be dedicated to "paying the mortgage" on part of the stadium renovation project. He explained that football is critical to the ongoing success of the Athletics program at FIU, and the new stadium is critical to the success of the football program. The remaining \$445,000 of new fee revenue from the Fall and Spring terms of 2007-08 would be used for starting up a marketing program in Athletics, enhancing the effort to sell tickets, club seats and sky boxes at the new stadium, and support to go out and get sponsorships. The marketing and ticket initiatives,

**University Fee Committee, 2006-07
Summary of Meetings and Activities
February 21, 2007**

Page 2

while focusing on football and the new stadium initially, would help promote and sell the other men's and women's sports programs currently in Athletics.

The Chair explained that the process going forward would include two public hearings on the proposed fee increase, one at UP and another at BBC, and a final meeting where the vote would be recorded.

February 7, 2007, Public Hearings:

University Park Public Hearing

The first public hearing was held at University Park in GC 140. There were only 6-8 students present during the hearing, which commenced at 1:00 pm and ended around 1:30 pm. The turnout was disappointing, given that the hearing had been publicized in the Beacon, announced on the web and advertised via placards placed at strategic points in the Graham Center.

The chairperson opened the hearing, introduced the committee members present and introduced the request for an increase of \$1.39 per-student credit hour, to be effective in Fall of 2007. He first explained the process and explained how the proposed increase in revenues was to be used and then turned the podium over to Pete Garcia to explain his rationale for the increase and answer any questions that might arise.

Biscayne Bay Public Hearing

At 3:30 pm on the same day, a public hearing was held at Biscayne Bay in WUC 155. The turnout at BBC was better than the one at UP, with about 15-20 students in attendance. The hearing was conducted from 3:30 pm to 4:30 pm. The chairperson opened the hearing, introduced the committee members present and introduced the request for an increase of \$1.39 per-student credit hour, to be effective in Fall of 2007. The chairperson explained the process and explained how the proposed increase in revenues was to be used. He then turned the meeting over to Pete Garcia to present his rationale for the increase. The students asked a number of good questions.

February 13, 2007 – Committee Meeting

During a special meeting called for this purpose, the committee convened to vote on the proposed increase. Prior to the vote, the floor was opened for any remaining questions. It was asked when the marketing program would begin and Pete Garcia replied that it would begin as soon as funding is made available, there is little time to spare. Another questioner asked when Athletics might be back for another increase before the fee committee. Mr. Garcia indicated that it

**University Fee Committee, 2006-07
Summary of Meetings and Activities
February 21, 2007**

Page 3

is his desire that the stadium and the football program become successful, as football is the only sport that has the capability to bring in substantial outside revenues, which can be used in the department to help fund the other sports.

The Chairman called the question, and the vote was recorded with seven (7) in favor with one (1) opposed. The individual who voted to oppose the increase stated that the reason had to do with the fact that the stadium proposal, approved last Fall by the FIU Board of Trustees and later by the Florida Board of Governors, included the \$655,000 of revenue from the fee increase, months before the University Fee Committee had held the first meeting and that he had heard this complaint from a number of students.

The Chairperson thanked the committee for their hard work and indicated that they would receive copies of the committee activities as it is forwarded to the President for approval and recommendation to the Board of Trustees.

Exhibit "E"

**FLORIDA INTERNATIONAL UNIVERSITY
CALCULATION OF FEE CAP AND ALLOWABLE 5% INCREASE**

STEP 1: Put all local fees on a per credit hour basis for Fall and Spring:

December 21, 2006

2006-07

PER STUDENT CR. HR.:	<u>Fees</u>	<u>SCH</u>	<u>Revenues</u>
<u>FALL 06</u>			
Athletics	\$11.66	392,944	\$4,581,727
Activity and Service Fee	\$10.52	392,944	\$4,133,771
<u>SPRING 07</u>			
Athletics	\$11.66	367,498	\$4,285,027
Activity and Service Fee	\$10.52	<u>367,498</u>	<u>\$3,866,079</u>
		760,442	\$16,866,604

PER STUDENT HEADCOUNT

HEADCOUNT

<u>FALL 06</u>			
Athletics	\$10.00	38,097	\$380,970
Health Fee	\$67.20	38,097	\$2,560,118
<u>SPRING 07</u>			
Athletics	\$10.00	37,067	\$370,670
Health Fee	\$67.20	<u>37,067</u>	<u>\$2,490,902</u>
		75,164	\$5,802,661

TOTAL REVENUES (Fall:Spring)	\$22,669,264
TOTAL STUDENT CREDIT HOURS (Fall:Spring)	760,442

TOTAL CREDIT HOUR EQUIVALENT FEE	\$29.81
<i>Adjust for \$2.00 Legislative Increase not part of Cap</i>	<u>-\$2.00</u>
ADJ. TOTAL CREDIT HOUR EQUIVALENT FEE	\$27.81

STEP 2: The CAP	2006-07 Undergraduate Matriculation	\$73.71 per student credit hour
	40% of Adjusted(1) Undergraduate Matriculation	\$29.48 per student credit hour
	Room under the 40% Cap	\$1.67

STEP 3: The 5%	Allowable Increase per Credit Hour	\$1.39 << 5% Maximum
	Allowable Increase per Headcount	\$14.06

(1) Matriculation Cap is adjusted by the \$2 increase instituted in the '04 Legislative session since that adjustment for migrating to Div. IA was to be removed in calculating the cap

Exhibit "E"

**FLORIDA INTERNATIONAL UNIVERSITY
REVENUE ESTIMATE USING ALLOWABLE INCREASE OF \$1.39/Cr Hr or \$14.06 Flat Fee**

December 21, 2006

		<i>ATHLETICS</i>			<i>A&S</i>	<i>HEALTH</i>
		<u>Cr Hr Fee</u>	<u>Flat Fee</u>	<u>Total</u>	<u>Cr Hr Fee</u>	<u>Flat Fee</u>
FEE INCOME 06-07	Summer	\$2,079,456	\$270,790	\$2,350,246	\$1,876,147	\$1,462,266
	Fall/Spr	<u>\$8,866,754</u>	<u>\$751,640</u>	<u>\$9,618,394</u>	<u>\$7,999,850</u>	<u>\$5,051,021</u>
	Total	\$10,946,210	\$1,022,430	\$11,968,640	\$9,875,997	\$6,513,287
FEE INCOME 07-08	Summer	\$2,141,840	\$276,200	\$2,418,040	\$1,932,432	\$1,856,064
	Fall/Spr	<u>\$10,221,481</u>	<u>\$766,500</u>	<u>\$10,987,981</u>	<u>\$9,328,570</u>	<u>\$6,228,579</u>
	Total	\$12,363,321	\$1,042,700	\$13,406,021	\$11,261,002	\$8,084,643
PROJECTED INCR	Summer	\$62,384	\$5,410	\$67,794	\$56,284	\$393,798
	Fall/Spr	<u>\$1,354,727</u>	<u>\$14,860</u>	<u>\$1,369,587</u>	<u>\$1,328,720</u>	<u>\$1,177,558</u>
	Total	\$1,417,111	\$20,270	\$1,437,381	\$1,385,005	\$1,571,356
% INCREASE	Summer	3.0%	2.0%	2.9%	3.0%	26.9%
	Fall/Spr	15.3%	2.0%	14.2%	16.6%	23.3%
	Total	12.9%	2.0%	12.0%	14.0%	24.1%
<u>SOURCE OF INCREASE:</u>						
ENROLLMENT		\$328,386	\$20,270	\$348,656	\$296,280	\$129,073
<u>INCREASE IN FEE:</u>						
SUMMER (PRIOR YR FEE INCR)		\$0	\$0	\$0	\$0	\$364,584
FALL/SPRING		\$1,088,725	\$0	\$1,088,725	\$1,088,725	\$1,077,699

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

26 APRIL 2007

SUBJECT: COMMITTEE REPORTS

PROPOSED BOARD ACTION:

None. Discussion Items.

- ACADEMIC POLICY AND STUDENT AFFAIRS COMMITTEE REPORT
CHAIR PATRICIA FROST
- FINANCE AND AUDIT COMMITTEE REPORT
CHAIR KIRK LANDON
- ADMINISTRATION AND ATHLETICS COMMITTEE REPORT
CHAIR ALBERT DOTSON
- GOVERNMENTAL RELATIONS COMMITTEE REPORT
CHAIR MIRIAM LOPEZ

EXHIBITS/SUPPORTING DOCUMENTS:

- NONE

FACILITATOR/PRESENTER:

- PATRICIA FROST
- KIRK LANDON
- ALBERT DOTSON
- MIRIAM LOPEZ

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