

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

THURSDAY, 28 JUNE 2007
9:00 A.M.

FLORIDA INTERNATIONAL UNIVERSITY
UNIVERSITY PARK CAMPUS
MARC INTERNATIONAL PAVILION
MIAMI, FLORIDA

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, 26 APRIL 2007 (<i>EXHIBIT "A"</i>) | |
| B. TENURE NOMINATIONS (<i>EXHIBIT "B"</i>) | |
| C. TENURE AS A CONDITION OF EMPLOYMENT NOMINATIONS (<i>EXHIBIT "C"</i>) | |
| D. REQUEST FOR A BSN-TO-PHD IN NURSING PROGRAM TRACK (<i>EXHIBIT "D"</i>) | |
| E. REQUEST FOR A MS IN ATHLETIC TRAINING (<i>EXHIBIT "E"</i>) | |
| F. UNIVERSITY EQUITY REPORTS (<i>EXHIBIT "F"</i>) | |
| 2. PROPOSED 2007 -2008 OPERATING BUDGET | KIRK LANDON |
| a. RESOLUTION FOR OPERATING BUDGET | |
| b. RESOLUTION FOR UNIVERSITY TUITION FEE RULE | |
| 3. LEGISLATIVE BUDGET REQUEST 2008-2009 | KIRK LANDON |
| a. OPERATING | |
| b. FIXED CAPITAL OUTLAY | |
| c. SUPPLEMENTAL EDUCATIONAL PLANT SURVEY | |
| d. MASTER PLAN UPDATE | |
| 4. AMENDMENT TO THE OPERATING PROCEDURES OF
 THE FLORIDA INTERNATIONAL UNIVERSITY BOARD
 OF TRUSTEES | DAVID PARKER |

5. FLORIDA INTERNATIONAL UNIVERSITY FOUNDATION INC. BYLAWS AS AMENDED AND RESTATED ON THE 30TH DAY OF MAY 2007 LARRY KAHN

B. REPORTS

6. COMMITTEE REPORTS

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

- C. ELECTION OF OFFICERS DAVID PARKER

- VII. OTHER BUSINESS DAVID PARKER

- VIII. ADJOURNMENT DAVID PARKER

NEXT FULL BOARD MEETING IS SCHEDULED FOR 11 SEPTEMBER 2007

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: CONSENT AGENDA

PROPOSED BOARD ACTION:

ADOPT THE FOLLOWING RESOLUTION:

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

- A. MINUTES, 26 APRIL 2007 (*EXHIBIT "A"*)
- B. TENURE NOMINATIONS (*EXHIBIT "B"*)
- C. TENURE AS A CONDITION OF EMPLOYMENT NOMINATIONS (*EXHIBIT "C"*)
- D. REQUEST FOR A BSN-TO-PHD IN NURSING PROGRAM TRACK (*EXHIBIT "D"*)
- E. REQUEST FOR A MS IN ATHLETIC TRAINING (*EXHIBIT "E"*)
- F. UNIVERSITY EQUITY REPORTS (*EXHIBIT "F"*)

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

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "A" - BOARD OF TRUSTEES MINUTES, 26 APRIL 2007
- EXHIBIT "B" - TENURE NOMINATIONS
- EXHIBIT "C" - TENURE AS A CONDITION OF EMPLOYMENT NOMINATIONS
- EXHIBIT "D" - REQUEST FOR A BSN-TO-PHD IN NURSING PROGRAM TRACK
- EXHIBIT "E" - REQUEST FOR A MS IN ATHLETIC TRAINING
- EXHIBIT "F" - UNIVERSITY EQUITY REPORTS

FACILITATOR/PRESENTER:

- NONE

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: FULL BOARD MEETING MINUTES, 26 APRIL 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 26 April 2007, attached to this Resolution as Exhibit "A," are hereby approved.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "A": 26 APRIL 2007 FULL BOARD MEETING MINUTES.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**



**BOARD MEETING
MINUTES
26 APRIL 2007**

I. Call to Order

Chairman David Parker convened the meeting of The Florida International University Board of Trustees at 9:05 a.m., on Thursday, 26 April 2007, via conference call.

The following attendance was recorded:

Present:

David Parker	Alfonso Leon
Betsy Atkins	Miriam Lopez
Albert Dotson	Claudia Puig
Patricia Frost	Rosa Sugrañes
Armando Guerra	Modesto Maidique
Bruce Hauptli	Larry Kahn, <i>Chairman FIU Foundation Board of Directors</i>
Kirk Landon	

II. Chairman's Remarks:

Chairman Parker welcomed all Trustees, University faculty and staff.

Chairman Parker extended the University's condolences and support to the entire Virginia Tech community, noting that the University sent a letter of condolence and support to the President Charles Steger, and to the Virginia Tech University community. Chairman Parker noted that the University held ceremonies of remembrance last week at University Park and Biscayne Bay Campus. He asked for a minute of silence in memory of the Virginia Tech victims and their families.

Chairman Parker thanked all of the Trustees and Directors who participated in the first ever joint Conference of the FIU Foundation Board of Directors and Board of Trustees April 19-21, noting that there was a very thorough discussion of issues that are key to the University's future course as a major research university. He added that the conference's strategic planning sessions focused on Board roles and responsibilities, Board leadership and setting priorities and goals.

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Chairman Parker noted that in March several Trustees, FIU students, administrators and staff traveled to Tallahassee to lobby legislators and policy makers on the University's needs for the coming year. On behalf of the Board and the University, he thanked Trustees Dotson, Lopez, Puig and Foundation Director Joe Caruncho for their participation.

III. FIU Foundation Report

Foundation Chairman Larry Kahn reported on the Financial Statements Recap for the 8-month Period Ending February 28, 2007 and provided an update on Foundation investments as of March 31, 2007. He also reported on fundraising efforts and Alumni membership.

IV. Requests to Address the Board:

There were no requests to address the Board

V. University Report

President Maidique announced the appointment of Dr. Joe Leigh Simpson, a member of the National Academy of Science, as the University's College of Medicine's first Associate Executive Dean of Academic Affairs. President Maidique also announced the appointment of Dr. Luis Mirón as Dean of the College of Education, noting that he joined the University with a two-decade background in urban school reform and community development.

President Maidique also provided a Legislative update.

VI. Item for Board Consideration:

A. Action Item

1. *Consent Agenda:*

Chairman Parker requested comments on the items included in the Consent Agenda. Hearing none, the Board adopted 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"*)

2. **Re-Adoption of the Revised University Traffic and Parking Regulations**

CFO and Senior Vice President for Administration Vivian Sanchez presented the Re-adoption of the Revised University Traffic and Parking Regulations for Board review, noting that the increase in fees was a response to the need for additional access to on-campus parking.

After further discussion, the Board adopted the following Resolution:

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WHEREAS, the Florida International University Board of Trustees (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.

3. Athletic Fee

CFO and Senior Vice President for Administration Vivian Sanchez presented the Athletic Fee increase for Board review, noting that the increase represented a \$1.39 per student credit hour and will be used to help fund stadium expenses and high priority needs in the Department of Intercollegiate Athletics.

After further discussion, the Board adopted the following Resolution:

WHEREAS, the Florida International University Board of Trustees (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 approves an Athletic Fee increase.

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4. Committee Status Reports

Committee Chair Albert Dotson reported on items heard by the Administration and Athletics Committees. CFO and Sr. Vice President Vivian Sanchez and Provost and Executive Vice President Ronald Berkman provided reports on the work of the Finance and Audit Committee and the Academic Policy and Student Affairs Committee respectively. 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.

VII. Other Business:

President Maidique announced the appointment of Trustee Rosa Sugrañes as Founding Chair of the University's Architecture and the Arts Advisory Board. Trustee Rosa Sugrañes noted that the retreat was very successful and was a reminder to Trustees of their roles and responsibilities to provide governance and oversight for the Institution but not to micromanage University operations.

VIII. Adjournment:

The meeting of the Florida International University Board of Trustees was adjourned on Thursday, 26 April 2007, at 10:06 a.m.

MB
4.27.07

David Parker
Chairman
FIU Board of Trustees

Modesto A. Maidique
Corporate Secretary
FIU Board of Trustees

Attachment: Exhibit "A," "B," "C," "D," & "E"

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: TENURE NOMINATIONS

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS each board of trustees is authorized to establish the personnel program for all employees of the university including tenure,

WHEREAS the University President is recommending the granting of Tenure for fourteen (14) nominees as listed in Exhibit "B",

THEREFORE BE IT RESOLVED that the Florida International University Board of Trustees approves the granting of Tenure to the fourteen individuals as listed in Exhibit "B" based on the recommendations of the University President.

BACKGROUND INFORMATION:

LEGAL 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,

(19)(a) 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 Florida Board of Governors, including: compensation and other conditions of employment, recruitment and selection, non-reappointment, 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.

EXHIBITS/SUPPORTING DOCUMENTS:

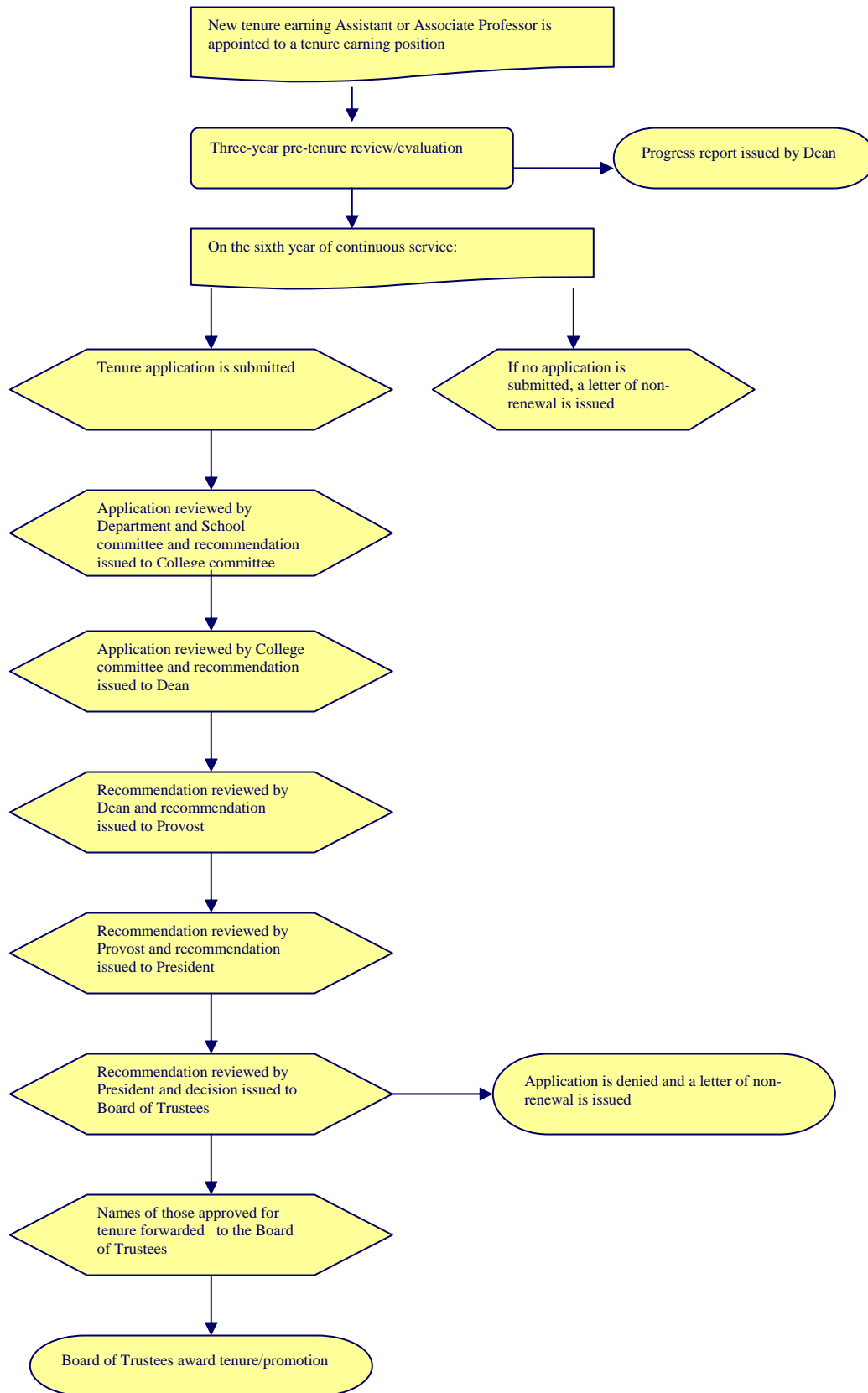
- EXHIBIT “B” – TENURE NOMINEES
- ATTACHMENT 1 – TENURE PROCESS
- ATTACHMENT 2 – TENURE NOMINEES’
BIOS

**Florida International University
2006 - 2007 Tenure Nominees**

NAME	PROPOSED RANK	DEPARTMENT	TENURE CIP CODE
SCHOOL OF ARCHITECTURE			
David Dolata	Associate Professor	Music	500901
Joel Galand	Associate Professor	Music	500901
COLLEGE ARTS & SCIENCES			
Clair Apodaca	Associate Professor	International Relations	450901
Prasad Bidarkota	Associate Professor	Economics	450601
Lara Kriegel	Associate Professor	History	540101
Fenfei Leng	Associate Professor	Chemistry/Biochemistry	400501
Alexander Mebel	Associate Professor	Chemistry/Biochemistry	400501
Rajamani Surya Narayanan	Associate Professor	Physics	400801
Fernando Noriega	Associate Professor	Biology	260101
Keqi Zhang	Associate Professor	Environmental Studies	400704
COLLEGE OF ENGINEERING			
Arvind Agarwal	Associate Professor	Mech. & Materials	141901
Won Bong Choi	Associate Professor	Mech. & Materials	141901
STEMPEL SCHOOL OF PUBLIC HEALTH			
Wayway Hlaing	Associate Professor	Public Health	512201
COLLEGE OF LAW			
Jeremy Levitt	Associate Professor	Law	220101

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Tenure and Promotion Process



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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

**2006-2007
Tenure Recommendations
Biographies**

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David Dolata
College of Architecture & the Arts, School of Music
Case Western Reserve University, Ph.D.

Assistant to Associate

Dr. David Dolata came to Florida International University as an Assistant Professor in the School of Music on August 13, 2004. His diverse educational background has prepared him well for his career at FIU. After graduating at the top of his class at the Cathedral School in Buffalo, New York, he continued his education at Bishop Fallon High School on the three-year program. At the age of sixteen he entered Niagara University, where he earned a B.A. in Social Sciences. Having worked his way through Niagara as a professional musician, Dr. Dolata decided to pursue a life in the arts and was accepted at one of the nation's top conservatories, the College-Conservatory of Music at the University of Cincinnati, receiving his B.M. and M.M. in Classical Guitar Performance. He refined his interests further at Case Western Reserve University in Cleveland, earning his Ph.D. in Musicology with a concentration in Historical Performance Practice, a dual degree that requires both a Ph.D. dissertation and recitals. While at Case, Dr. Dolata studied lute with the world's leading lutenist and Director of Early Music at the Eastman School of Music, Paul O'Dette. Both the M.M. and Ph.D. were on full scholarship.

Throughout his adult life, Dr. Dolata has made his living as a professional musician or professor. He continues to give concerts and make recordings based on his musicological research. His partner in several projects past, present, and future is Dr. Victor Coelho, Chair of Musicology at Boston University and the most important scholar in Dr. Dolata's research area. Regarding their latest recording on London's Toccata Classics, *Gramophone* recently wrote that Dolata and Coelho's playing is "imaginative and prosaic," and *Goldberg* opined that they demonstrate "considerable skill and maturity." Research grants have funded much of Dr. Dolata's scholarly publications and recordings. In August of 2005 his article, "Visual and Poetic Allegory in Bellerofonte Castaldi's Extraordinary *Capricci a due stromenti*," appeared as the lead essay in Oxford University Press' *Early Music*, the flagship journal in pre-classical period music; as of February 2007 this article is the 13th most requested article in that journal's history. In June 2006, his critical edition of Castaldi's *Capricci* (1622) was published as Vols. 142 & 143 of *Recent Researches of the Music of the Baroque Era*, the most prestigious series of such monographs. And in 2007, his 50-page biographical essay on Castaldi will appear in *Acta Musicologica*, the Journal of International Musicological Society, published in Basel and one of the two or three most selective musicological journals in the world; less than 10% of submitted articles are accepted and an even smaller percentage of essays are invited, as was Dr. Dolata's. These publications have led to his becoming the foremost expert on Bellerofonte Castaldi (1580-1649) on the one hand and, as a result of several other articles, historical lute tunings and temperaments on the other. Dr. Dolata's contributions to his profession have been both theoretical and practical, and his current publishing and recording commitments guarantee high visibility in international musicological circles for years to come. Prior his arrival at FIU, David Dolata served on the faculties of the University of Cincinnati Raymond Walters College, Marshall University, Sinclair Community College, the University of Louisville, and Eastern Washington University.

Joel Galand
College of Architecture & the Arts, School of Music
Yale University, Ph.D.

Assistant to Associate

Dr. Joel Galand joined Florida International University's School of Music as an Assistant Professor on August 13, 2004. After violin studies in the Boston area with Roman Totenberg, Kenneth Sarch, and Sarah Scriven, Joel Galand attended Yale University, where he received the B.A. (*cum laude*), the M. Phil, and the Ph.D. (in music theory). He comes to FIU from the University of Rochester. He has also taught at Yale and Notre Dame. At FIU, he teaches undergraduate and graduate courses in music theory, and he serves as Graduate Program Director for the School of Music. He is a past editor of *The Journal of Music Theory* and currently serves on the editorial boards of *The Kurt Weill Edition* (the critical *Gesamtausgabe* of the composer's complete works) and of *Music Theory On-line*.

Galand's research interests have revolved principally around two areas: eighteenth-century music theory and aesthetics (with particular emphasis on the concerto and other ritornello genres) and American musical theater (with a focus on the American works of Kurt Weill). His articles have appeared in leading scholarly music journals, including *Music Theory Spectrum*, *Notes*, *The Journal of Music Theory*, *Intégral*, and *Current Musicology*. His critical edition, with accompanying monograph, of Kurt Weill and Ira Gershwin's unpublished operetta *The Firebrand of Florence* was recently published by European-American Music as part of the *Kurt Weill Edition*. Galand's edition has been performed by the BBC (London), the ORF-Radio Wien (Vienna), and the NDR (Leipzig). A recording of the edition by the BBC Symphony and soloists under the direction of Sir Andrew Davis (Capriccio 60-091), for which Galand also served as musicological advisor, won the 2004 Echo Klassik Award (Germany's top classical music record award) in the category "Best Opera Recording 20th Century." Galand is a winner of the Society for Music Theory's Young Scholar Award, he is a two-time fellow of the Mannes Institute for Music Theory (at New York's Mannes School of Music), and he is a 2006-2007 recipient of the Provost's FIU Faculty Research Award. Galand is currently at work on a monograph, under contract with Yale University Press, concerning Kurt Weill's Broadway works.

Clair Apodaca
College of Arts & Sciences, Department of International Relations
Purdue University, Ph.D.

Assistant to Associate

Dr. Clair Apodaca returned to Florida International University as an Assistant Professor in the Department of International Relations, College of Arts and Sciences, on August 13, 2003. She received her Ph.D. from Purdue University in 1996. In 1998, Dr. Apodaca held the position of Visiting Assistant Professor in the Department of International Relations at Florida International University. She then moved to the University of Miami where she held a lecturer position from Fall 2000 to Spring 2003, and in the Fall of 2003, she returned to FIU as an Assistant Professor. Dr. Apodaca's areas of research include U.S. foreign policy, the international protection of human rights, women's human rights and refugee studies. Because of the wide range of scholarly fields interested in the effects of state policies on individual beings, and even though her work has always been dedicated to the study of human rights, her research has also touched upon many disciplines other than IR, such as jurisprudence, political science, political sociology, economics, and foreign policy analysis. Her work has appeared in *International Studies Quarterly*, *Human Rights Quarterly*, *Journal of Refugee Studies*, *Judicature*, *Asian Survey*, and the *Journal of Human Rights*, among other journals. Because Dr. Apodaca's method of investigation is statistical, journal articles are customary. However, her latest researched effort, *Understanding U.S. Human Rights Policy: A Paradoxical Legacy*, is a book, published by Routledge, and released in September 2006. She is now working on her next book project *A Basic Right: Child Hunger and Governmental Policies, A Cross-National Analysis*. This book length manuscript critically examines the effectiveness of governmental and international policies and programs in reducing child hunger. To assess the relationship, a statistical study is undertaken that uses a comprehensive global data set.

In recognition of her scholarship in the field, human rights scholars and writers elected her to the first Executive Committee for Human Rights in the American Political Science Association (APSA). Dr. Apodaca became the Human Rights APSA Section Secretary. As a member of the Executive Committee, she also served on the Best Book Award Committee of the Human Rights Section. In addition, Dr. Apodaca served as the Co-Program Chair (with Dr. Mark Gibney) for the Human Rights Section of the 2005 Annual Convention of the APSA held in Washington DC (September 2005). Presently, Dr. Apodaca is serving on the Executive Committee of the International Studies Association's Human Rights Section.

Prasad V. Bidarkota
College of Arts & Sciences, Department of Economics
The Ohio State University, Ph.D.

Assistant to Associate

Dr. Prasad Bidarkota was hired at Florida International University as an Assistant Professor on August 13, 2003, in the Economics Department of the College of Arts and Sciences. Dr. Bidarkota received his Bachelor of Technology degree from the Indian Institute of Technology, Bombay (India) and Masters and Ph.D. degrees in Economics from the Ohio State University, Columbus (USA).

Prasad worked in the Business School at LaTrobe University, Melbourne (Australia) and in the Department of Economics at Kansas State University before joining FIU. His research interests are in time series analysis of economic and financial data, particularly related to asset pricing and business cycles. His research work has been published in journals such as the Review of Economics and Statistics, Journal of Economic Dynamics and Control, Oxford Bulletin of Economics and Statistics, and several others. He has presented his research work extensively at both national and international conferences, including the Econometric Society meetings (USA and Singapore), Studies in Non-Linear Dynamics and Econometrics, and the Conference of Economists (Australia).

Lara Kriegel
College of Arts & Sciences, Department of History
The Johns Hopkins University, Ph.D.

Assistant to Associate

Dr. Lara Kriegel joined Florida International University's as an Assistant Professor in the Department of History, College of Arts and Sciences on August 11, 2000. Dr. Kriegel was born and raised in Memphis, Tennessee, where she received her education through secondary school. As the recipient of the Henry L. Bowden Tuition Scholarship, she attended Emory University from 1986 to 1990. After graduating from Emory University with a Bachelor of Arts in History, Kriegel pursued a Master of Arts in Women's Studies at the University of York in England under the auspices of a Rotary Foundation International Fellowship. It was there that Kriegel developed the keen interests in British History and Women's History that led her to study for the Ph.D. at The Johns Hopkins University. After completing her Ph.D., Kriegel spent one year as a Postdoctoral Fellow at Brown University's Pembroke Center for Teaching and Research on Women before coming to FIU, in August, 2000.

At FIU, Kriegel has dedicated herself to the teaching, service, and research expected of tenure-earning faculty. She has offered courses to undergraduate and graduate students in the fields of Western Civilization, Women's Studies, European Women's History, British History, Imperial History, and Museum History. Many of Kriegel's curricular innovations and service contributions at FIU have involved this last field. Namely, Kriegel played a leading role in the development of the History Department's M.A. Option in Public History. She has also worked in several capacities to strengthen relationships between the Wolfsonian Museum and the University community.

Kriegel's research efforts as an assistant professor will culminate in the publication of her monograph, *Grand Designs: Labor, Empire, and the Museum in Victorian Culture*, which is forthcoming from Duke University Press (2007). Several fellowships enabled the completion of this project. These include an NEH Postdoctoral Fellowship at the Huntington Library (2002-03), a Mellon Postdoctoral Fellowship at the Newberry Library (declined), and a Research Fellowship at the Yale Center for British Art (2003). Prior to completing her book, Kriegel published a number of essays, including "Culture and the Copy: Calico, Capitalism, and Copyright of Designs in Early Victorian Britain." Published in the *Journal of British Studies* in 2004, this essay won the Donald Gray Prize of the North American Victorian Studies Association.

Fenfei Leng
College of Arts & Sciences, Department of Chemistry and Biochemistry
University of Mississippi, Ph.D.

Assistant to Associate

Dr. Fenfei Leng joined Florida International University as an Assistant Professor in the Chemistry and Biochemistry Department, College of Arts and Sciences on August 13, 2001. He received a Bachelor's Degree in Biochemistry from Nanjing University, China in 1986 and a Master's Degree in Plant Pathology from the Graduate School of Nanjing Agriculture University, China in 1989. After graduation, Dr. Leng obtained a teaching position as an Assistant Lecturer at Jiangxi Medical College (Nanchang, Jiangxi province, China) and taught Biochemistry to medical students, and was promoted to Lecturer in 1991. Dr. Leng came to U.S. in 1993 for his graduate studies at the University of Mississippi Medical Center and earned a Ph.D. in Biochemistry in 1997. After obtaining his Ph.D., Dr. Feng went to Johns Hopkins University for postdoctoral training in Dr. Roger McMacken's Laboratory until August 2001.

Dr. Leng's academia career started at the University of Mississippi Medical Center where he was a graduate student in Dr. Jonathan B. Chaires' Laboratory. He was attracted to the energetic studies of daunorubicin-DNA interactions. Daunorubicin is an anti-cancer drug currently used in human cancer chemotherapy. It binds to DNA tightly. His dissertation study was "Interaction of Daunorubicin and Its Derivatives with DNA." He received the Robert A. Mahaffey, Jr. Memorial Award (1997) at the University of Mississippi Medical Center and was a semifinalist for the Student Research Achievement Award of the 41st National Annual Meeting of Biophysical Society (1997). After graduating with his Ph.D. Degree, Dr. Leng joined Dr. Roger McMacken's Laboratory at the Johns Hopkins University for his postdoctoral training. Dr. Leng studied transcription activation of DNA replication, an outstanding question in the field for over two decades. He discovered that transcription-coupled DNA supercoiling is the key for activating DNA replication and that certain sequence-specific DNA-binding proteins dramatically stimulate transcription-coupled DNA supercoiling in defined protein systems. Dr. Leng carried the project of transcription-coupled DNA supercoiling to FIU. This project is currently funded by NIH MBRS SCORE program.

Alexander Mebel
College of Arts & Sciences, Department of Chemistry & Biochemistry
Kurnakov's Inst. of General & Inorganic Chemistry,
Russian Academy of Science, Ph.D.

Assistant to Associate

Dr. Alexander Mebel joined Florida International University in August, 2003, as an Assistant Professor in the Chemistry & Biochemistry Department in the College of Arts and Sciences. He obtained a B.Sc. in Physical Chemistry of the Moscow Institute of Steel and Alloys in 1984. He started to work as an engineer and later as a research worker in the Laboratory of Quantum Chemistry at the Institute of New Chemical Problems of Russian Academy of Sciences. Meanwhile, he joined the graduate program at Kurnakov's Institute of General and Inorganic Chemistry of Russian Academy of Sciences in Moscow and completed his Ph.D. Physical Chemistry in 1990. Between 1991-1992, his postdoctoral experience included working as a visiting scientist with Professor P. v. R. Schleyer at the Institut für Organische Chemie, Universität Erlangen-Nürnberg, in Erlangen, Germany. Dr. Mebel worked as a postdoctoral fellow at the Institute of Molecular Sciences in Okazaki, Japan between 1992-1993 with Prof. K. Morokuma. He also worked as a postdoctoral fellow at the Department of Chemistry of Emory University in Atlanta, Georgia, from 1993 to 1995 with Profs. K. Morokuma and M. C. Lin. In 1996, he moved to Taipei, Taiwan where he joined the Institute of Atomic and Molecular Science of Academia Sinica, first as a Postdoctoral Fellow and then became a tenure-track Assistant Research Fellow. In 2001, Dr. Mebel obtained tenure and was promoted to an Associate Research Fellow at IAMS. In 2003, he joined the Department of Chemistry and Biochemistry at FIU as an Assistant Professor.

Since his graduate studies, Dr. Mebel's research has focused on computational quantum chemistry and its applications to a variety of chemical problems. In Moscow, Germany, and Japan, he studied the structure, stability and properties of clusters of light elements, including closoboranes and metallaboranes. At Emory University, Dr. Mebel's research shifted toward the studies of reaction mechanisms and kinetics of elementary chemical reactions related to combustion, atmospheric, and interstellar chemistry. At IAMS in Taiwan, he was fortunate to have collaborated with experimental groups of Prof. Yuan T. Lee, who won a Nobel Prize in Chemistry in 1986 for his innovative crossed molecular beams works. This provided Dr. Mebel with an opportunity to relate his theoretical research on kinetics and dynamics of elementary chemical reactions to state-of-the-art experimental studies of combustion, atmospheric, and interstellar reactions. Currently, Dr. Mebel's research interests include three major areas: studies of potential energy surfaces, kinetics, and dynamics of chemical reactions, prediction and assignment of absorption and emission spectra based on ab initio calculations of potential energy surfaces for excited electronic states, and modeling of photoabsorption and photoluminescence properties of nanoscale materials.

Dr. Mebel has published about 250 scientific articles in refereed journals (~50 of them since joining FIU) and 9 book chapters. At FIU, he has received research grants from DOE for quantum chemical studies of chemical reactions related to the formation of polyaromatic hydrocarbons (2004-2007) and recently from the CRC Program at NSF for studies of chemistry of unsaturated hydrocarbons in Titan's atmosphere (2006-2011).

Rajamani Surya Narayanan
College of Arts & Sciences, Department of Physics
Univ. California, Davis, Ph.D.

Assistant to Associate

Dr. Narayanan Surya Narayanan joined Florida International University as an Assistant Professor in August, 2002, in the Physics Department, College of Arts and Sciences. He received his Ph.D. in Physics from the University of California, Davis in 1990, and his research interests lie in the area of theoretical nuclear and particle physics. Dr. Narayanan conducted his post-doctoral studies at Deutsches Elektronen Synchrotron, Hamburg, Germany; Rutgers University, Piscataway, New Jersey; Institute for Advanced Study, Princeton, New Jersey; and Institute for Nuclear Theory, Seattle, Washington. He was a Visiting Scientist at the Supercomputer Computations Research Institute in Tallahassee, Florida, and served as an Assistant Editor for the scientific journal, *Physical Review D*.

Dr. Narayanan has fifty scientific publications in peer reviewed journals. He has made contributions to several currently active research areas such as Lattice Quantum Chromo Dynamics, Lattice Chiral Gauge Theories, Gauge Field Topology, Quantum Chromo Dynamics for a large number of color charges and to the development of numerical algorithms in Lattice Gauge Theories. Currently, he has approximately 2,700 citations in scientific publications, and has been invited to several international conferences and workshops to present his research. Dr. Narayanan has also been invited to present research seminars at several universities and institutes in the U.S. and abroad. After joining FIU, he continues to serve as a scientific editor for *Physical Review D*. Dr. Narayanan has acted as a referee for several peer reviewed journals in his area of physics and has also reviewed research proposals submitted to the Department of Energy and National Science Foundation. Dr. Narayanan has funding from the National Science Foundation to conduct his scientific research at FIU.

He has taught Physics at FIU at the junior and senior undergraduate levels, and is also currently teaching a graduate level course in Physics. Dr. Narayanan has experimented with teaching physics using interactive methods and adopted a Socratic style of teaching physics. Several undergraduate students have worked on projects under his supervision as part of their Independent Study Program and he has supervised the summer undergraduate research of two students. Dr. Narayanan currently has a graduate student working on a Ph.D. thesis under his supervision. He has served on several Departmental Committees and is currently a member of the Graduate Committee. Dr. Narayanan is also a member of the University Student Grievance Committee and the Academic Misconduct Review Board.

Fernando G. Noriega
College of Arts & Sciences, Department of Biological Sciences
National University of La Plata, Argentina, Ph.D.

Assistant to Associate

Dr. Fernando G. Noriega joined Florida International University as an Assistant Professor in the Department of Biological Sciences, College of Arts and Sciences, on December 26, 2003. He was born and raised in Argentina. He received his Zoology degree and Ph.D. at the National University of La Plata in Argentina. In 1989, he joined the prestigious Center for Insect Science at the University of Arizona (UofA) as a Research Associate. In 1994, Dr. Noriega was promoted to an independent Research Assistant Professor at the Department of Biochemistry at UofA, and in 2002, he was promoted to Research Associate Professor also in the Department of Biochemistry at UofA.

His research combines biochemistry, physiology and molecular biology to address fundamental questions in insect biology. Dr. Noriega has been working with insect vectors of diseases since he started graduate school in Argentina in 1981. His Ph.D. research was focused on hormonal control of molting and reproduction in Triatominae insects (kissing bugs), vectors of Chagas Disease, a dramatic health problem in all Latin America. After moving to the U.S.A., Dr. Noriega became interested in understanding mosquito's physiological processes such as digestion, activity of the endocrine system and hormonal regulation of gene expression; his research has been funded by NIH's RO1s for more than 15 years. Currently, the main focus of Dr. Noriega's research is the study of the regulation of synthesis of juvenile hormone, a molecule that regulates development, reproduction and behavior in the *Aedes aegypti* mosquito, the vector of Dengue and Yellow fever. This project has been twice funded by RO1s from NIH (2001-2010); as a Principal Investigator, Dr. Noriega has already brought funds to FIU for a total of \$1,986,625. In addition, he has established a number of collaborations with researchers in the U.S.A., Latin America and Europe to develop a variety of projects, such as thermoregulation and taxonomic studies of cicadas, proteomics of the neuroendocrine system, use of quantum-dots nanocrystals to target peptides in the insect neuroendocrine system, novel components of the mosquito immune response and role of hormones on the maturation of the mosquito immune system. Dr. Noriega has 33 papers published in peer review journals and 2 book chapters. He has given more than 40 invited lectures in 14 different countries, including Japan, China, Thailand, Germany, Brazil, Spain, Mexico, Sweden, Scotland and the Czech Republic; and has more than 35 presentations in international meetings in places such as Australia, Israel, France and Greece.

Keqi Zhang
College of Arts & Sciences, Department of Environmental Studies
University of Maryland, Ph.D.

Assistant to Associate

Dr. Keqi Zhang received a Ph.D. degree in Geography from the University of Maryland, College Park in 1998. He joined the International Hurricane Research Center (IHRC) at Florida International University in 1998 as a Research Associate. He was an Assistant Research Professor in IHRC from 1999 to 2003. Dr. Zhang has been an Assistant Professor in the Department of Environmental Studies and IHRC since 2003.

Dr. Zhang's research interests include coastal response to sea level rise and storm impact, airborne light detection and ranging (LIDAR) mapping, storm surge modeling, and three-dimensional visualization and animation. He has authored and coauthored 25 journal papers, 6 book chapters, and 10 conference proceedings. His papers on coastal storm activity, global warming and coastal erosion, and LIDAR data classification have been published in prestigious scientific journals such as *Journal of Climate*, *Climatic Change* and *IEEE Transactions on Geoscience and Remote Sensing*, and have been cited frequently by other researchers. Dr. Zhang also presented his research results at more than 20 international and domestic professional conferences. His research has been reported and cited by major news media such as the *New York Times*, *Christian Science Monitor*, *Los Angeles Times* and *Newsweek*. From 2001 to 2003, Dr. Zhang received \$3.3 million in research grants as a Co-PI from the Federal Emergency Management Agency. From 2003-2006, Dr. Zhang received \$1 million in research grants as PI and \$1.2 million as Co-PI from the National Oceanic and Atmospheric Administration, National Science Foundation, and National Aeronautics and Space Administration. In 2007, Dr. Zhang has been awarded \$600,000 in research grants as PI by the National Oceanic and Atmospheric Administration, U.S. Department of Energy, U.S. Fish & Wildlife Service, and The Nature Conservancy.

Dr. Zhang has taught four different courses for graduate and undergraduate students since 2003 and obtained "very good" evaluations for most courses. Dr. Zhang has supervised 2 Ph.D. dissertations and 3 M.S. theses as major and co-major professor. Dr. Zhang served as committee member for 5 Ph.D. dissertations and M.S. theses. Dr. Zhang has also provided a considerable amount of service to FIU by serving as the Director of the Laboratory for Coastal Research at IHRC and member of the Graduate Committee in the Department of Environmental Studies.

Arvind Agarwal
College of Engineering, Department of Mechanical & Materials Engineering
University of Tennessee at Knoxville, Ph.D.

Assistant to Associate

Dr. Arvind Agarwal joined the Department of Mechanical and Materials Engineering, College of Engineering and Computing at the Florida International University (FIU) on November 15, 2002. He obtained his Ph.D. in Materials Science and Engineering from the University of Tennessee at Knoxville in 1999. Dr. Agarwal worked as the Materials Scientist at Plasma Processes Inc., Huntsville, AL for three (3) years until 2002. He worked as Principal Investigator and Principal Engineer on several federal (NASA, Office of Naval Research, Missile Defense Agency) research projects worth more than \$2M. He also served as Adjunct Professor in the Department of Chemical and Materials Engineering at the University of Alabama in Huntsville. The following highlights summarize his achievements in his academic career especially in FIU.

Research: At FIU, as a PI he has successfully received a funding of ~\$1.7M of which \$1.2 M is as sole-PI (average of \$275,000 per year). He received a CAREER award from National Science Foundation (NSF) which is NSF's most prestigious award in support of the early career-development activities of those teacher-scholars who most effectively integrate research and education within the context of the mission of their organization. He has published ninety one (91) technical articles that include fifty three (53) refereed journal papers, twenty one (21) peer-reviewed conference papers, two (2) book chapters and fifteen (15) book reviews. He has also edited or co-edited three (3) books. His refereed journal papers have received a total of **two** hundred and thirty four (234) citations.

Teaching: He has directly supervised/supervising four (4) Ph.D. students and three (3) Master students. He has graduated one (1) Masters student and one (1) Ph.D. student. A second Ph.D. student is expected to graduate in the Summer, 2007. He has also supervised three (3) undergraduate students and two (2) post-doctoral fellows, all during last four (4.5) years as FIU faculty. His two (2) Ph.D. students hold "Dissertation Year Fellowship" whereas another Ph.D. student is awarded "Presidential Enhanced Fellowship". His Ph.D. student was awarded "Best Graduating Engineering Ph.D." in the Fall, 2006. Dr. Agarwal has successfully established Plasma Spray Laboratory, Undergraduate Materials Research Laboratory and most recently, Nano-Mechanics and Nanotribology Laboratory with external funds (\$250K) from the Office of Naval Research (ONR).

Service: Dr. Agarwal created a new student chapter 'Materials Advantage' at FIU. This student chapter was awarded the 'Chapter of Excellence' Nation-wide, consecutively in the first three (3) years of its existence. Last month FIU chapter was awarded the "First National Materials Bowl" defeating teams from Carnegie Mellon, Georgia Tech and Colorado School of Mines. This is a great achievement to such a young Materials Engineering Program at FIU and also gives broader visibility to FIU at the national level. Dr. Agarwal has been serving as the Graduate Program Director in the MME Department for the past 2.5 years.

Wonbong Choi
College of Engineering, Department of Mechanical & Materials Engineering
North Carolina State University, Ph.D.

Associate Professor

Dr. Wonbong Choi was hired by Florida International University as an Associate Professor in the Department of Mechanical and Materials Engineering, College of Engineering and Computing, on August 13, 2003. Choi obtained his Ph.D in Materials Science and Engineering from the North Carolina State University (NCSU) in 1997. Between 1988 and 1993, he worked as a research scientist at Agency Defense & Development, developing fine ceramic composite.

Prior to joining FIU, Dr. Choi spent 5 years as a project manager and a senior research scientist at SAMSUNG(SAIT), managing a government project in Nanotechnology, one of his invention “carbon nanotube field emission display” reported Science and covered extensively by news media around the world. Choi is credited to developing the vertical CNT-Field Effect Transistor and CNT based memory devices. His innovations, reported as news in the TRN News (January 2002) and MIT’s Magazine (June 2003) were the first to show some practical ways of making carbon nanotube based devices. He has conducted granted projects in the nanotechnology funded by AFOSR, SRC, DOE and Samsung. Choi is an author/co-author of over 70 patents (granted or applied), 3 book chapters, 69 journal papers and over 45 conference proceedings. His research papers have been cited more than 1780 times in total.

Choi has received several awards for his innovative research including the 2006 MRS Medal award. He has been invited to speak at many international conferences, MRS, TMS, IEEE, APS and so on. He has served as a chair/committee member for several international meetings including TMS Nano Symposium 2007.

WayWay M. Hlaing
Stempel School of Public Health, Department of Epidemiology & Biostatistics
University of South Florida, Ph.D.

Assistant to Associate

Dr. WayWay M. Hlaing came to Florida International University as an Assistant Professor in the Department of Public Health, Stempel School of Public Health on December, 1, 1999. Her education in medicine [MBBS (MD in U.S.) 1986], health education and behavior [MS, 1992], and epidemiology [PhD, 1998] have led her to an interest in health disparities and behavioral epidemiology. Her first career was in clinical practice as a physician. Soon after she received her Ph.D., her research career commenced. After working one year as a senior research associate at the University of Miami, Dr. Hlaing's faculty career began in the Department of Public Health with 6 faculty at FIU. She initially taught various public health courses and now teaches primarily Epidemiology courses. Her research projects were as diverse as the courses she taught early on. Being one of the two epidemiologists until 2004, Dr. Hlaing was also instrumental in helping colleagues with their research projects while continuing with her own research interest in lifestyle behaviors and chronic diseases.

Since joining FIU, she has worked on three federally funded (NIH, CDC, and HRSA) grants and three locally funded projects in various capacities (PI, co-PI, and methodologist). Dr. Hlaing is currently a co-PI and co-director on NIH and HRSA grants, respectively. She was a recipient of an NIH-fellowship grant through the Latino HIV/AIDS Behavioral Center at FIU. She recently received the Office of the Provost/FIU Foundation Faculty Research Award, and is currently a nominee for the Faculty Senate's Excellence in Graduate Teaching Award for 2007. Two of her research articles (*Annals of Epidemiology*, 2006 & *American Journal of Human Biology*, 2001) made significant contributions to epidemiologic methodology. Dr. Hlaing is the first author on 80% of the scholarly articles she has published. In addition to the membership in the Epidemiology, Public Health and School Health professional associations, she serves on the American College of Epidemiology (ACE)'s Ethics and Standards of Practice (ESOP) Committee, and the American School Health Association's Research Council. She also serves as a reviewer to 6 peer-reviewed journals and is a grant reviewer for local organizations. Except for a break during a leave of absence in 2003, Dr. Hlaing has shown dedication to excellence in teaching graduate students in Public Health. Her record of research is strong as evident by the quality of papers that contributed significantly to the field, and the funded studies she has been involved with. Her service record also indicates a willingness to work with various teams internally at FIU and with diverse community and professional organizations.

Jeremy Levitt
College of Law
University of Wisconsin @ Madison, J.D.

Associate Professor

Professor Jeremy Levitt joined Florida International University as an Associate Professor of Law and Director of the Program for Human Rights and Global Justice at College of Law on August 15, 2005. He came to FIU from DePaul University College of Law, where he was an Assistant Professor of Law and Director of the Center on International Law, Policy and Africa. Professor Levitt is a former Special Assistant to the Managing Director for Global Human and Social Development at the World Bank Group, and during the summer of 2005, he was a Visiting Fellow at the world-renowned Lauterpacht Research Center for International Law at Cambridge University. Professor Levitt is widely regarded as one of America's leading international lawyers and scholars on issues of peace, security, human rights and Africa. He is also a noted political scientist, and Africanist with expertise and publications in the law of the use of force, human rights law, international organizations, democratization, African politics, state dynamics and regional collective security. Professor Levitt has demonstrated a talent for teaching, passion for legal and multidisciplinary scholarship and strong commitment to public service. He earned his B.A. in Political Science at Arizona State University, his J.D. at the University of Wisconsin-Madison, and his Ph.D. in International Studies at the University of Cambridge, St. John's College, where he served as Managing Editor of the *Cambridge Review of International Affairs*. While earning his Ph.D., Dr. Levitt served as an International Affairs Fellow, Center for International Development and Conflict Management at the University of Maryland-College Park, and then as a Research Associate at the Center for Defense Studies, Africa Security Unit at the University of London, Kings College.

In the past four years since entering the academy, Professor Levitt has authored two books including the widely acclaimed, *The Evolution of Deadly Conflict in Liberia: From 'Paternalitarianism to State Collapse* (Carolina Academic Press, 2005) and *Africa: Selected Documents on Political, Conflict and Security, Humanitarian and Judicial Issues* (Transnational Publishers Ardsley, 2003), and co-authored a law review volume, in addition to over a fifteen law review and other articles. He currently is editing two book volumes titled *Africa: Mapping New Boundaries in International Law* (Hart Publishing, UK 2007), and *Hurricane Katrina: America's Unnatural Disaster* (University of Nebraska Press, 2007), which is in part being funded by a \$25,000 corporate gift Levitt secured. Professor Levitt is also writing a single author book titled *Illegal Peace? Power-Sharing with Warlords and Rebels in Africa*, which is based on a highly praised article he published with the Michigan Journal of International Law in 2006.

Professor Levitt is a member of the State Department's Advisory Commission on the African Judiciary, Term Member of the New York-based Council on Foreign Relations, the US' premier think tank on world affairs, and a Patron of the American Society of International Law (ASIL). He has been a frequent source for the national and international media, including, among others, Fox-News Live, BET Nightly News, National Public Radio and the Chicago-Tribune, and is a regular columnist with the Chicago Sun-Times. He has worked as a diplomatic trainee with the State Department, Bureau for African Affairs, in Addis Ababa, Ethiopia, and as a legal aide to the Constitutional Assembly of the Parliament of the Republic of South Africa during the country's constitutional making process.

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: TENURE AS CONDITION OF EMPLOYMENT NOMINATIONS

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS each board of trustees is authorized to establish the personnel program for all employees of the university including tenure,

WHEREAS the University President is recommending the granting of Tenure as a Condition of Employment for six (6) nominees listed in Exhibit "C",

THEREFORE BE IT RESOLVED that the Florida International University Board of Trustees approves the granting of Tenure as a Condition of Employment to the six individuals listed in Exhibit "C" based on the recommendations of the University President.

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,

(19)(a) 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 Florida Board of Governors, including: compensation and other conditions of employment, recruitment and selection, non-reappointment, 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.

BACKGROUND INFORMATION:

The Tenure as a Condition of Employment nominees had tenure at their previous institutions.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “C” – TENURE AS A
CONDITION OF EMPLOYMENT
NOMINEES
- ATTACHMENT 3 – TENURE AS A
CONDITION OF EMPLOYMENT
NOMINEES’ BIOS

**Florida International University
2006 - 2007 Tenure Nominations
(as a condition of employment)**

	PROPOSED		TENURE
NAME	RANK	DEPARTMENT	CIP CODE
COLLEGE OF ARTS & SCIENCES			
Alexander Lichtenstein	Associate Professor	History	540101
Bianca Premo	Associate Professor	History	540101
COLLEGE OF EDUCATION			
Luis Miron	Professor	Educ. Leadership	130410
COLLEGE OF MEDICINE			
J. Patrick O'Leary	Professor	Surgery	511201
John A. Rock	Professor	OB/GYN	511201
Joe Leigh Simpson	Professor	OB/GYN	511201

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

2006-2007

**Tenure as a Condition of Employment Recommendations
Biographies**

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Alexander Lichtenstein
College of Arts & Sciences, Department of History
University of Pennsylvania, Ph.D.

Associate Professor

Dr. Alexander Lichtenstein is returning to Florida International University as an Associate Professor in the History Department, College of Arts and Sciences, on August, 15, 2007. He received his B.A. from Yale University in 1984 and his Ph.D. in American Civilization in 1990 from the University of Pennsylvania. After working from 1990-2002 at FIU, he moved on to Rice University, where he has served as Associate Professor of History. He is the author of the book *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (1996), and has written introductory essays for three reprint editions of books published in the 1930s and 1940s: *I am a Fugitive from the Georgia Chain Gang* (1994); *Revolt Among the Sharecroppers* (1997), and *Wartime Shipyard* (2006). He has more than 100 other publications, including book chapters in Glen Eskew, ed., *Labor in the Modern South* (2001), Robert Zieger, ed., *Southern Labor in Transition* (1997), Stephan Palmie, ed., *Slave Cultures and the Culture of Slavery* (1995), and Gary Fink and Merl Reed, eds., *Race, Class, and Community in Southern Labor History* (1994). His articles on labor and race relations in both the United States and South Africa have appeared in *Labor History*, *Journal of Southern History*, *Georgia Historical Quarterly*, *Reviews in American History*, *Journal of Peasant Studies*, *American Communist History*, *Labor: Studies in Working-Class History of the Americas*, *Punishment & Society*, *Plantation Societies in the Americas*, *Journal of African History*, and *Journal of Southern African Studies*. His many reviews and essays have appeared in the *Chicago Tribune*, the *Houston Chronicle*, *Southern Exposure*, *American Quarterly*, *Reviews in American History*, *Radical History Review*, *SAFUNDI: A Journal of Comparative American and South African Studies*, and *Alabama Review*, among others.

A distinguished Organization of American Historians lecturer (2002-2005), and the recipient of NEH, Fulbright, American Philosophical Society, and Claude Pepper Foundation research grants, Dr. Lichtenstein is currently completing a book on labor, civil rights and anticommunism in Florida. He has served as an editorial associate on the boards of five professional journals, has been program committee chair for the Southern Labor Studies Conference (2002), and appeared on the History Channel in "Histories Mysteries: The Chain Gang."

Bianca Premo
College of Arts & Sciences, Department of History
University of North Carolina, Ph.D.

Associate Professor

Dr. Bianca Premo will be joining Florida International University on August 15, 2007, as an Associate Professor in the Department of History, College of Arts and Sciences. A specialist in colonial Latin America, Dr. Premo earned a BA (University of South Carolina, 1992), MA (University of Arizona, 1995), and Ph.D. (University of North Carolina, 2001) in History. During her graduate studies, she was awarded several academic and research awards, including a Fulbright Dissertation Scholarship and fellowships from the Ford Foundation, both of which funded extensive archival investigations in Latin America and in Spain on the subject of childhood and law in colonial Lima, Peru. After serving as a visiting professor of history at the University of North Carolina and Duke University, she received her first tenure-track position at Emory University in Atlanta, Georgia in 2001, where she was awarded tenure on April 30, 2007.

In her six years as an assistant professor, she published her first book, *Children of the Father King: Youth, Authority, and Legal Minority in Colonial Lima* (UNC Press, 2005). Immediately after finishing that book, she completed significant work on a second major book project entitled "Taking Tyrants to Court: Civil Litigation in the Spanish Empire during the Enlightenment," which has received funding from national sources including the American Council of Learned Societies and the American Philosophical Association. She also co-edited a volume of historical scholarship entitled *Raising an Empire: Children in Early Modern Iberia and Colonial Latin America* (University of New Mexico Press, 2007). She has published five scholarly articles, several contributions to edited volumes and three book reviews. Her written scholarship has been rewarded with several national prizes. For *Children of the Father King*, these include the Thomas McGann Prize from the Rocky Mountain Council of Latin American History, the Lewis Hanke Prize for best first book project, and an Honorable Mention for the Premio Silvia Zalava. An article on indigenous women and the colonial economy published in *The Americas* received the Antonine Tibesar Prize from the Conference on Latin American History. Premo is an active member not only of her University community but also the broader national and international community of Latin American historians, being named, for example, Chair of the Colonial Studies Committee for the Conference on Latin American History, as well as an area editor for the journal *The Americas*.

Luis Mirón
College of Education
Tulane University, Ph.D.

Dean and Professor

Luis Mirón, Ph.D., has been appointed Dean of the College of Education at Florida International University (FIU). Dr. Mirón is an accomplished researcher who has directed multiple public policy and school reform studies. He comes to FIU from the University of Illinois (UI) at Urbana-Champaign, where he has served as program chair in the College of Education's Department of Educational Policy Studies since 2005. Prior to his current position he served as chair of the Department of Education at UC-Irvine for five years. He has also taught at UC-Berkeley, Loyola University, Tulane University, and University of New Orleans.

Dr. Mirón's research has garnered more than \$1.6 million in funded grants and contracts. His published work focuses on urban school reform, educational equity and educational leadership. Dr. Mirón has authored, co-authored or edited seven books, including *The New Discourses of Educational Leadership and Urban Schools: The New Social Spaces of Resistance*. He has authored or co-authored over eighty refereed book chapters, journal articles and book reviews.

He serves or has served on the Editorial Boards of *Latinos and Education*, *Journal of Thought*, *Urban Review*, *Cultural Studies-Critical Methodologies*, *Race, Class & Gender and Education Theory*.

Dean Mirón received his bachelor's degree in English Literature in 1972 from Tulane University, his master's degree in secondary education in 1981 from Louisiana State University and his doctorate in the politics and policy of urban education departments of education and Latin American studies in 1986 from Tulane University.

James Patrick O'Leary
College of Medicine
University of Florida, M.D.

Executive Associate Dean and Professor

Dr. James Patrick O'Leary was born in New York City but quickly found his way to the South where he has remained. His medical school and residency years were spent at the University of Florida where he was elected to Alpha Omega Alpha, the National Honor Society. He then served on the faculty at the University of Florida and in 1977 received the Hippocratic Award as the Outstanding Teacher in the school of medicine. Later, while serving as Chief of the Surgical Service at the Nashville Veterans Administration Medical Center and Professor of Surgery at Vanderbilt University, Dr. O'Leary received the Shovel Award as the Outstanding Teacher at the institution. In 1984, he was appointed as the Seeger Chair in Surgery and Program Director at Baylor University Medical Center, as well as Clinical Professor at the University of Texas, Southwestern. In 1989, Dr. O'Leary was appointed The Isidore Cohn, Jr. Professor and Chairman of the Department of Surgery at Louisiana State University's Health Sciences Center in New Orleans, Louisiana. Recently, he served as the Interim Dean of the medical school and served as the Associate Dean for Clinical Affairs from 2001-2006. Following in the tradition of his two previous academic appointments, Dr. O'Leary received the Outstanding Faculty Teaching Award from the Aesculapian Society in 1990 and 1995. He was also honored by both the Medical School at the University of Florida and Belmont Abbey College by being inducted to each of the school's "Wall of Fame" honoring outstanding achievement by their graduates. An Honorary Doctorate Degree in Humane Letters was awarded by the Bradley Institute also at his Alma Mater. In 2003, he received the Distinguished Service Award from the Southern Medical Association.

In addition to having authored over 200 peer reviewed scientific publications, Dr. O'Leary has been the author of three editions of the Physiologic Basis of Surgery Textbook with the 4th Edition scheduled to be published in the fall of 2007.

As an authority in the field of surgical gastroenterology, Dr. O'Leary is widely published and is an accomplished and sought after lecturer. He has held several positions with the National Board of Medical Examiners, including Chairman of the Clinical Chairmen's Committee. He has served as President of the New Orleans Surgical Society (NOSS), American Society of Bariatric Surgery (ASBS), the Southeastern Surgical Congress (SESC), the Association of Program Directors in Surgery (APDS), and the Louisiana Chapter of the American College of Surgeons (ACS). In 2001, he was appointed First Vice-President of the Southern Surgical Association. In the ACS he has served on multiple committees including the last seven SESAP Committees, as the Director of SESAP Audio Companion, as a Governor of the College, and then Chairman of the Executive Committee of the Board of Governors. In addition, Dr. O'Leary has served on numerous committees for the ACS including the Committee on Continuing Education which he chaired, the Educational Task Force on Systems Based Practice, the Task Force on Geriatric Surgery, the Regental Committee on Communications, the Finance and Investment Committee, and the National Faculty for Bariatric Surgery. He has served as Vice-Chair of the Advisory Council for General Surgery. He served as the First Vice-President Elect to the ACS from 2004-2005 and from 2005-2006 served as the First Vice-President.

John A. Rock
College of Medicine
Duke University, M.D.

Senior Vice President, Dean, and Professor

Dr. John A. Rock has been appointed Senior Vice President for Medical Affairs and Dean of the College of Medicine at Florida International University. Dr. Rock received his Bachelor of Science (1968) and Doctor of Medicine (1972) at Louisiana State University and his Master of Science degree from Harvard University School of Public Health (2003). He completed his residency in Obstetrics and Gynecology at Duke University Medical Center (1976) and a Fellowship in Reproductive Endocrinology at the Johns Hopkins School of Medicine (1978). Dr. Rock was promoted to the Rank of Full Professor with Tenure in Obstetrics and Gynecology, and Pediatrics at Johns Hopkins University. He was appointed Full Professor with Tenure in Obstetrics and Gynecology, Pediatrics and Public Health at Emory University and Louisiana State University.

Dr. Rock's basic research focused on the Pathophysiology of Endometriosis and the determination of efficacy of surgical reconstructive procedures and Medical therapy using the randomized clinical trial. He was the first to recognize and describe the presence of microscopic endometriosis which was the basis of the introduction of new therapies for this complex disease. Dr. Rock has published over 187 articles in juried Journals, 18 Textbooks, 66 book chapters, 73 symposia, seminars, and proceedings. He has attained continuous grant funding through out his academic career. He has given over 300 presentations as visiting Professor to University departments, medical societies, and National Medical programs throughout the world. He was given the distinguished Surgeon Award by the American Society for Reproductive Medicine in 2003.

Dr. Rock is recognized as an outstanding reconstructive Surgeon. He has published extensively on the diagnosis and treatment of uterovaginal anomalies. His surgical innovations have improved the reproductive outcomes of these disorders. He is the Senior Editor of Telinde's Operative Gynecology, one of the most respected textbooks in the Field of Gynecologic Surgery. He has served as the President of The Society of Gynecologic Surgeons, the American Society for Reproductive Medicine and the World Endometriosis Society. He has trained over 50 postdoctoral fellows world wide.

Dr. Rock has over 25 years of administrative experience. Throughout his career he has brought academic programs to new levels of excellence and increased research productivity, established outstanding patient care units and fostered excellent educational programs.

Joe Leigh Simpson

College of Medicine

Duke University, M.D.

Executive Associate Dean and Professor

Joe Leigh Simpson, M.D. joined Florida International University College of Medicine as Executive Associate Dean for Academic Affairs and Professor of Human and Molecular Genetics in February.

Dr. Simpson was formerly Professor and Chairman of the Department of Obstetrics and Gynecology, and also Professor of Molecular and Human Genetics at Baylor College of Medicine. A reproductive geneticist with extensive laboratory and clinical experience, Professor Simpson received his undergraduate and medical education at Duke University (M.D., 1968). He subsequently took an internship in Pediatrics and a residency in Obstetrics and Gynecology at Cornell University Medical College (New York City), and trained in cytogenetics under James German. He is certified in Medical Genetics as well as in Obstetrics and Gynecology.

Professor Simpson's early work dealt with clinical delineation and elucidation of disorders of human sexual development. Later research pursuits encompassed prenatal cytogenetic diagnosis, automated karyotyping, genetics of repetitive spontaneous abortions, maternal serum screening for neural tube defects and aneuploidy, population genetic studies involving the Hutterites, and prevention of malformations in maternal diabetes mellitus. He and Sherman Elias participated in the U.S. NIH trials that verified safety and efficacy of chorionic villus sampling (CVS). Current research initiatives include preimplantation genetic diagnosis, cell recovery for noninvasive aneuploidy detection, and molecular studies of endometriosis, a disorder for which Professor Simpson was the first to identify polygenic/multifactorial etiology (1980).

Professor Simpson was on the faculty at Northwestern University (Chicago) 1975-1986. In 1986 Professor Simpson became Chairman of Obstetrics and Gynecology, University of Tennessee, Memphis. In 1994 Professor Simpson became Ernst W. Bertner Chairman and Professor of Obstetrics and Gynecology and also Professor of Molecular and Human Genetics, Baylor College of Medicine (Houston).

Professor Simpson has over 700 peer review publications, chapters and reviews. He has written over a dozen major texts on reproductive genetics and obstetrics, and is currently on the editorial board of 11 journals. Professor Simpson was 1993-1994 President of the American Society for Reproductive Medicine, 1994-1998 President of the International Society of Prenatal Diagnosis, 1995-1998 President of the Society for Advancement of Contraception, and 1998-1999 President of the Society for Gynecologic Investigation. He is a member of the Board for Preimplantation Genetic Diagnosis International Society (PGDIS), and a member of the Royal College of Obstetricians and Gynecologists, Fellow *ad eundem*. He has also held positions of prominence in the American College of Obstetricians and Gynecologists, the American Society of Human Genetics, the American College of Medical Genetics, and other organizations. He served on the NICHD Advisory Council and is a member of the March of Dimes Scientific Advisory Board. He has been on numerous grant review panels in the U.S. and Europe, and served as a Temporary Adviser to WHO. He served on advisory panels for the International Olympic Committee (IOC) Medical Commission, dealing with gender verification. Professor Simpson is a member of the National Academy of Sciences, Institute of Medicine (IOM).

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: BSN TO PH.D. TRACK IN NURSING PROGRAM

PROPOSED BOARD ACTION:

Adopt the following Resolution:

RESOLVED that the Florida International University Board of Trustees (the BOT) hereby approves the BSN to Ph.D. Track in Nursing, attached to this Resolution as Exhibit "D", and

FURTHER RESOLVED, that the BOT authorizes the University President to file the proposal with the Division of Colleges and Universities and take all actions necessary to implement the program.

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 BSN-PhD in nursing track is a graduate track at the doctoral level for students with a baccalaureate degree in nursing. Within the professional programs such as nursing, this is a nationally well-established track for the most highly qualified BSN nurses to enter doctoral study. This is consistent to the goals advanced by the National Academy of Science, the National Institute of Nursing Research, the American Academy of Nursing, and the American Association of Collegiate Nursing. These authorities have pushed for nurse researcher to be trained at earlier points in their careers so that they will have extended time to develop and expand their research. A major program emphasis is the preparation of PhD education nursing leaders and focused research on health issues for minority and underserved populations.

This track within the established PhD program is designed to prepare nursing faculty to increase the supply of nurses, to prepare nurse leaders for the health care industry, to increase the number of Ph.D. nurses from minority groups and to produce clinically relevant research focused on minority health issues. The proposed BSN-PhD in Nursing track will 1) provide well prepared graduates for leadership roles in academia, the health care industry, government and private organizations focused on health care; 2) prepare minority graduates to advance the field of Nursing in academic settings and the health care industry where minorities are very much underrepresented; 3) help meet the critical need for PhD prepared Nursing faculty, especially minority faculty, 4) contribute needed research in the areas of minority health issues; and 5) provide “place-bound” students (many of them minorities) the opportunity to pursue a PhD in Nursing degree.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “D” – EXECUTIVE SUMMARY:
NEW BSN TO PHD TRACK IN NURSING;
CRITERIA FOR EVALUATING PROPOSED
ACADEMIC PROGRAM
- APPENDIX 1: PEER COMPARISON DATA;
COSTS FOR PROPOSED PROGRAM;
IMPLEMENTATION ANALYSIS

New BSN to PhD Track in Nursing in the College of Nursing and Health Sciences

Executive Summary

The BSN-PhD in nursing track is a graduate track at the doctoral level for students with a baccalaureate degree in nursing. Within the professional programs such as nursing, this is a nationally well-established track for the most highly qualified BSN nurses to enter doctoral study. This is consistent to the goals advanced by the National Academy of Science, the National Institute of Nursing Research, the American Academy of Nursing, and the American Association of Collegiate Nursing. These authorities have pushed for nurse researcher to be trained at earlier points in their careers so that they will have extended time to develop and expand their research. A major program emphasis is the preparation of PhD education nursing leaders and focused research on health issues for minority and underserved populations.

This new track within the existing PhD program is designed to prepare nursing faculty to increase the supply of nurses, to prepare nurse leaders for the health care industry, to increase the number of Ph.D. nurses from minority groups and to produce clinically relevant research focused on minority health issues. The proposed BSN-PhD in Nursing track will 1) provide well prepared graduates for leadership roles in academic, the health care industry, government and private organizations focused on health care; 2) Prepare minority graduates to advance the field of Nursing in academic settings and the health care industry where minorities are very much underrepresented; 3) Help meet the critical need for PhD prepared Nursing faculty, especially minority faculty; 4) Contribute needed research in the areas of minority health issues; 5) provide “place-bound” students (many of them minorities) the opportunity to pursue a PhD in Nursing degree; 6) Encourage FIU graduates to extend their careers into teaching and research; and 7) Enhance the reputation of FIU through increased research and publication.

FIU is well positioned to establish a nationally recognized program to produce PhD minority nursing leaders for the health care industry, government, the private sector, and especially to meet the demand for nursing faculty who can prepare new nurses to meet the cultural and ethnic health care needs of a changing national population. This faculty mix is well prepared to address the critical and well-recognized need and demand for minority, PhD prepared nursing faculty. Increasing the numbers of minority nursing faculty was reemphasized by recent recommendations made to Congress and the Secretary of Health and Human Services by the national Council on Nurse Education and Practice in 2000.

The School of Nursing (SON) has a unique opportunity to establish itself as a leader in PhD education, especially in the preparation of minority leaders, given its multicultural faculty and student body. The SON is uniquely positioned to do so based on its strong teaching and clinical base with established, accredited BSN and MSN programs; a critical mass of doctorally prepared faculty; low tuition compared to regional competition; and ability to rapidly build significant faculty research. As a Carnegie Research II University, doctoral education and research are important components of FIU’s mission. The BSN-PhD in Nursing track will help the University meet its objectives by adding to the PhD pool and generating Master’s students. In addition, health has been identified as a major university theme.

**CRITERIA FOR EVALUATING PROPOSED ACADEMIC PROGRAM
Proposed BSN-PhD Track in Nursing**

Criteria	How Met
Fit with FIU Strategic Plan	Track responds to univeristy goals of top research university, health initiative focus and generation of doctorally prepared graduates.
Rationale	The proposed BSN-PhD track in Nursing addressed the dearth of PhD prepared nurses who will go on to become nursing researchers, educators and expert clinicians early on in their career. This is consistent to the goals advanced by the National Academy of Science, the National Institute of Nursing Research, the American Academy of Nursing, and the American Association of Collegiate Nursing. These authorities have pushed for nurse researcher to be trained at earlier points in their careers so that they will have extended time to develop and expand their research.
Distinctiveness of Program	This track will help meet the critical need for PhD prepared Nursing faculty, especially minority faculty.
Resources	The critical resources are in place for the Nursing PhD program. This track will augment the use of these resources. The CNHS provides students and faculty with a technology forward instructional experience incorporating state of the art infomrational an dinstructional technolgoy that is centered around active learning and clinical integration.
	The class labs within the CNHS house practice simulators, full media presentation capabilities and patient practice simulators
Support	The proposed track will have access to the over 100 clincial facilities used by the CNHS for its educational and research activities. As a new track within the PhD program, it will generate new revenue from tuiton fees.
Competition	Not a factor as this track is consistent with national goals of the nursing academies, and there is the critical shortage at the local, state and national level of doctorally prepared nurses and nurse researchers.
Pros	Will serve to increase number of docotrally prepared nurses and contribute to alleviating the health crisis. Will positively affect the other units within College and University through increased opportunities for synergistic learning experiences. Will support the health and graduate initiative of the university. Will provide for increased opportunities for external research funding.
Cons	None--program investment has already been made. Financial impact of track implementation is minimal when compared to benefits.

PEER COMPARISON DATA

Select at least three peer programs outside Florida offering the proposed Ph.D. In identifying peers select programs in the same or similar field which are comparable to yours, perhaps located in institutions with missions analogous to yours, except that they already offer a Ph.D. Specify your criteria for selecting the peers. Utilizing data from the National Research Council (NRC) and National Science Foundation (NSF), provide comparative data for the department that will house the new program or core faculty who will participate in the new program, and comparative data from the projected student headcount. If the discipline proposed is not included in these sources, obtain comparable data from other sources. *Universities may choose to provide additional data comparisons that are not available from NRC or NSF, such as percent of graduate students supported by contracts and grants, and total contracts and grants for the most recent year.*

Academic Analytics 2006 Data	Proposed FIU Program: BSN-PhD in Nursing Track Z-Score	Peer University 1 Program: Wayne State University Z-Score	Peer University 2 Program: University of Texas-Galveston Z-Score	Peer University 3 Program: Rutgers the State University Z-Score
Total Program Faculty	10	34	7	29
% Supported	-0.92	1.97	-0.76	-0.92
% with Publications	-0.69	1.98	-0.65	-0.57
Publications/Faculty	-0.45	1.01	-0.71	-0.64
Faculty Scholarly	-0.57	1.25	-0.58	-1
Total Graduate Students	32 (projected)	49	42	32
NSF DATA	Proposed FIU Program	Peer University 1 Program	Peer University 2 Program	Peer University 3 Program
R&D Expenditures (most recent three years in NSF data)		Univ of Central Florida	Kent State University	Penn State University
Year 1 Total				
Year 2 Total				
Year 3 Total				
DEFINITIONS				
Total Faculty	Total headcount of ranked faculty (professor, associate or assistant professor) participating in the program; full-time or part-time.			
% Supported	Percentage of program faculty (Total Faculty) with external <u>research</u> support. If not using NRC data, specify time period.			
% with Publications	Percentage of program faculty (Total Faculty) publishing <u>refereed journal</u> articles. If not using NRC data specify time period. If this is a discipline in which books are a more important indicator of scholarly activity, you may include books, but justify doing so.			
Publications/Faculty	The ratio of the total number of program publications (see definition of publications above) to the number of program faculty (Total Faculty). If not using NRC data, specify time period.			
Total Students	The number of full-time and part-time graduate students enrolled. For the proposed program list projected headcount in the fifth year. Specify the year for peer data.			
R&D Expenditures	Separately budgeted R&D current fund expenditures designed to produce specific research outcomes and either funded by an agency external to an academic institution or separately budgeted by an internal unit of the institution.			

Costs for Proposed Program - First and Fifth Years

<i>Instruction & Research</i>	First Year				Fifth Year			
	General Revenue		Contracts & Grants	Summary	General Revenue		Contracts & Grants	Summary
	Current	New			Current	New		
Position (FTE)								
Faculty	0.50	0.00	0.00	0.50	0.25	0.25	1.50	2.00
A&P	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
USPS	0.20	0.00	0.00	0.20	0.25	0.00	0.75	1.00
Total	0.70	0.00	0.00	0.70	0.50	0.25	2.25	3.00
Salary Rate								
Faculty	\$45,000	\$0	\$0	\$45,000	\$25,324	\$25,324	\$151,942	\$202,590
A&P	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
USPS	\$8,000	\$0	\$0	\$8,000	\$10,609	\$0	\$21,218	\$31,827
Total	\$53,000	\$0	\$0	\$53,000	\$35,933	\$25,324	\$173,160	\$234,417
I&R								
Salaries & Benefits	\$66,250	\$0	\$0	\$66,250	\$44,916	\$31,655	\$210,450	\$293,021
OPS Graduate Assistants	\$0	\$0	\$0	\$0	\$0	\$0	\$70,000	\$70,000
Other Personnel Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Graduate Assistant Waivers	\$0	\$0	\$0	\$0	\$0	\$0	\$21,000	\$21,000
Operating Capital Outlay	\$500	\$0	\$0	\$500	\$1,000	\$0		\$1,000
Electronic Data Processing	\$500	\$0	\$0	\$500	\$1,000	\$0		\$1,000
Library Resources	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000	\$1,000
Special Categories	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total I & R	\$67,250	\$0	\$0	\$67,250	\$46,916	\$31,655	\$308,450	\$387,021

IMPLEMENTATION ANALYSIS

	Total Estimated Costs	Projected Students			FTE
		Full-Time Headcount	Part-Time Headcount	Total Headcount	
First Year of Implementation	\$67,250	6	2	8	7.00
Second Year of Implementation	\$69,738	10	2	12	12.00
Third Year of Implementation	\$173,713	14	6	20	17.00
Fourth Year of Implementation	\$342,383	18	8	26	22.00
Fifth Year of Implementation	\$387,021	22	10	32	27.00

NUMBER OF ANTICIPATED GRADUATES

	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7
	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
NUMBER OF GRADUATES	0	0	0	3	6	10

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: MS IN ATHLETIC TRAINING PROGRAM

PROPOSED BOARD ACTION:

Adopt the following Resolution:

RESOLVED that the Florida International University Board of Trustees (the BOT) hereby approves the MS in Athletic Training Program, attached to this Resolution as Exhibit "E", and

FURTHER RESOLVED, that the BOT authorizes the University President to file the proposal with the Division of Colleges and Universities and take all actions necessary to implement the program.

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 proposed new program is the Master of Science in Athletic Training. The proposed program will be housed in the Department of Physical Therapy within the College of Nursing and Health Sciences at Florida International University. Specifically, Athletic Training (CIP 51.0913) is a program that prepares individuals to work in consultation with, and under the supervision of, physicians to prevent and treat sports injuries and associated conditions. These programs include instruction in the identification, evaluation, and treatment of athletic injuries and illnesses; first aid and emergency care; therapeutic exercise; anatomy and physiology; exercise

physiology; kinesiology and biomechanics; nutrition; sports psychology; personal and community health; knowledge of various sports and their biomechanical and physiological demands; and applicable professional standards and regulations.

The proposed program is at the forefront of its field in two distinct areas. First, the currently accepted practice is to prepare bachelor's recipients for certification in Athletic Training. Indeed, there are 11 nationally accredited undergraduate Entry-Level Athletic Training Education Programs in the State of Florida. However, there is current discussion at the national association level regarding a future mandate that the entry-level degree would in fact occur at the master's degree. This trend is evidenced by the changes that we have witnessed within the Physical Therapy program. This program would not only be the first in state of Florida to address this, but the closest nationally accredited program is currently located at the University of Tennessee. Second, this program responds to the need for the currently licensed Athletic Trainer holding a bachelor's degree to obtain a master's degree.

The proposed program will 1) Instill critical thinking, problem solving, ethical reasoning abilities, and interpersonal skills required to be successful in the athletic training profession with regard to working with the physically active population; 2) Develop scholarly practitioners who appreciate advancing knowledge and critically examine the body of knowledge for evidence-based practice as a foundation for the delivery of athletic training care; 3) Encourage students to become dedicated and professionally involved in the athletic training profession in terms of continuing education, leadership, and professional responsibility; 4) Provide opportunities for the entry level professional to qualify for the national licensure exam. 5) Provide opportunities for the currently licensed professionals active in the field to enhance their knowledge and skills. The mission is consistent with the mission of Florida International University.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "E" – EXECUTIVE SUMMARY: MS IN ATHLETIC TRAINING PROGRAM; CRITERIA FOR EVALUATING PROPOSED ACADEMIC PROGRAM
- APPENDIX 2 – REVENUE/COST COMPARISON; COSTS FOR PROPOSED PROGRAM; IMPLEMENTATION ANALYSIS

**NEW MS IN ATHLETIC TRAINING PROGRAM
(GATEP—GRADUATE ATHLETIC TRAINING PROGRAM)
COLLEGE OF NURSING AND HEALTH SCIENCES**

EXECUTIVE SUMMARY

The proposed new program is the Master of Science in Athletic Training. The proposed program will be housed in the Department of Physical Therapy within the College of Nursing and Health Sciences at Florida International University. The proposed professional education program will be a comprehensive Graduate Athletic Training Education Program (GATEP), developed in full compliance with national accreditation standards and guidelines, culminating in the Master of Science in Athletic Training degree with Entry-Level and Post-Professional sub-plans (tracks). Specifically, Athletic Training (CIP 51.0913) is a program that prepares individuals to work in consultation with, and under the supervision of, physicians to prevent and treat sports injuries and associated conditions. These programs include instruction in the identification, evaluation, and treatment of athletic injuries and illnesses; first aid and emergency care; therapeutic exercise; anatomy and physiology; exercise physiology; kinesiology and biomechanics; nutrition; sports psychology; personal and community health; knowledge of various sports and their biomechanical and physiological demands; and applicable professional standards and regulations.

The proposed program will 1) Instill critical thinking, problem solving, ethical reasoning abilities, and interpersonal skills required to be successful in the athletic training profession with regard to working with the physically active population; 2) Develop scholarly practitioners who appreciate advancing knowledge and critically examine the body of knowledge for evidence-based practice as a foundation for the delivery of athletic training care; 3) Encourage students to become dedicated and professionally involved in the athletic training profession in terms of continuing education, leadership, and professional responsibility; 4) Provide opportunities for the entry level professional to qualify for the national licensure exam. 5) Provide opportunities for the currently licensed professionals active in the field to enhance their knowledge and skills.

The proposed GATEP is listed on the State Universities System Strategic Plan (information provided by Kyle Perkins, Vice Provost of Planning and Institutional Effectiveness). The critical need for education in Health Professions and Related Clinical Sciences (CIP 51.0000) has been targeted by the National Center for Education Statistics.

The Department of Labor's Occupational Outlook Handbook (2006-2007 Ed.) indicates the demand for health care services will create a dramatic increase in job opportunities, for example, employment for athletic training services is projected to increase by 27% or more over the next seven years (Assessed November 4th, 2006 from <http://www.bls.gov>).

The proposed GATEP will address this rising demand for health care services by establishing an accredited education program that offers affordable and accessible educational and research opportunities for students as they mature into allied health care professionals.

The GATEP at Florida International University is in a position to create a unique and affordable education program that is currently not available in the state of Florida, while providing a quality education and the opportunity for students to obtain an advanced degree.

The mission is consistent with the mission of Florida International University.

CRITERIA FOR EVALUATING PROPOSED ACADEMIC PROGRAM

Proposed MS in Athletic Training

(GATEP--Graduate Athletic Training Education Program)

Criteria	How Met
Fit with FIU Strategic Plan	Program responds to university goals of top research university and strategic health initiative focus.
Rationale	The proposed new program is the Master of Science in Athletic Training. The proposed professional education program will be a comprehensive Graduate Athletic Training Education Program (GATEP), developed in full compliance with national accreditation standards and guidelines. The proposed program will be housed in the Department of Physical Therapy within the College of Nursing and Health Sciences. This program prepares individuals to work in consultation with, and under the supervision of, physicians to prevent and treat sports injuries and associated conditions. Indicators show the demand for health care services will create a dramatic increase in job opportunities, for example, employment for athletic training services is projected to increase by 27% or more over the next seven years (Assessed November 4th, 2006 from http://www.bls.gov).
Distinctiveness of Program	This program will attract state and national attention as it is developed. The educational concept of offering entry level athletic training education programs at the graduate level is a considered cutting edge for the field.
Resources	To meet accreditation standards, the proposed Master of Science in Athletic Training program must demonstrate an annual operating budget covering the essential needs and functions of the program including: (1) expendable supplies, (2) capital equipment, (3) operating expenses (including accreditation fees and recruitment), (4) course instruction, and (5) professional development Office space for faculty will be incorporated in the construction plans for the new CNHS building. The current facilities will provide the basic needs for the program. The clinic component will utilize currently available clinical sites.
Support	The proposed tuition-plus program of \$112 per credit will provide a stable base of funding to support the Entry-Level professional education sub-plan in compliance with accreditation standards and guidelines.
Competition	Currently there are only 15 nationally accredited entry-level graduate athletic training programs in the country. The closest one is at UT-Chattanooga. This program will be providing an opportunity for students to be educated within the state of Florida.
Pros	The proposed GATEP has been developed in accordance with accreditation standards and guidelines; therefore, when accreditation is obtained the program will receive national recognition. Teaching and research laboratory space has been increased and/or improved. More community outreach efforts have been realized with the addition of clinical affiliate sites for both the Entry-Level professional education sub-plan and the Post-Professional advanced education sub-plan. As more students enroll in the GATEP, more research opportunities will be realized.
Cons	The costs associated with developing and implementing a GATEP that meets accreditation standards and guidelines are potentially prohibitive; however, with the implementation of the proposed tuition-plus program of \$112/credit, this potential negative impact is offset.

REVENUE/COST COMPARISON

MS IN AT Program

FIU Tuition	(84	FIU MS in AT Tuition Plus	
Tuition per Student (27 UG, 57 G credits)	\$17,598.72	Tuition Plus per Student \$112/credit	\$9,408.00
Total Tuition (49 students)	\$862,337.28	Total Tuition Plus (49 students)	\$460,992.00

<i>Total Annual Estimated Revenues</i>	
<i>Total Tuition</i>	<i>\$298,000</i>
<i>Total Tuition Plus</i>	<i>\$160,000</i>
	<i>\$458,000.00</i>

cf.

Total Annual Estimated Costs

C&G \$ 50,000
E&G \$458,000

Costs for Proposed Program - First and Fifth Years

<i>Instruction & Research</i>	First Year				Fifth Year			
	General Revenue		Contracts & Grants	Summary	General Revenue		Contracts & Grants	Summary
	Current	New			Current	New		
Position (FTE)								
Faculty	3.51	0.00	0.00	3.51	3.51	1.00	0.00	4.51
A&P	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
USPS	0.50	0.00	0.00	0.50	1.00	0.00	0.00	1.00
Total	4.01	0.00	0.00	4.01	4.51	1.00	0.00	5.51
Salary Rate								
Faculty	\$175,500	\$0	\$0	\$175,500	\$189,967	\$60,000	\$0	\$249,967
A&P	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
USPS	\$15,000	\$0	\$0	\$15,000	\$30,000	\$0	\$0	\$30,000
Total	\$190,500	\$0	\$10,000	\$200,500	\$219,967	\$60,000	\$50,000	\$329,967
I&R								
Salaries & Benefits	\$238,125	\$0	\$0	\$238,125	\$276,880	\$60,000	\$0	\$336,880
OPS Graduate Assistants	\$0	\$30,000	\$9,375	\$39,375	\$40,000	\$0	\$37,500	\$77,500
Other Personnel Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenses	\$0	\$13,733	\$0	\$13,733	\$9,000	\$0	\$0	\$9,000
Graduate Assistant Waivers	\$0	\$13,500	\$2,500	\$16,000	\$18,000	\$0	\$10,000	\$28,000
Operating Capital Outlay	\$0	\$67,614	\$0	\$67,614	\$0	\$30,000	\$0	\$30,000
Electronic Data Processing	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Library Resources	\$15,314	\$1,779	\$0	\$17,093	\$24,159	\$0	\$0	\$24,159
Special Categories	\$0	\$0	\$625	\$625	\$0	\$0	\$2,500	\$2,500
Total I & R	\$253,439	\$126,626	\$10,000	\$390,065	\$368,039	\$90,000	\$50,000	\$508,039

IMPLEMENTATION ANALYSIS

	Total Estimated Costs	Projected Students			FTE
		Full-Time Headcount	Part-Time Headcount	Total Headcount	
First Year of Implementation	\$390,065	16	0	16	9.00
Second Year of Implementation	\$396,152	20	0	20	11.25
Third Year of Implementation	\$363,217	29	0	29	16.31
Fourth Year of Implementation	\$397,610	38	0	38	21.38
Fifth Year of Implementation	\$508,039	49	0	49	27.56

NUMBER OF ANTICIPATED GRADUATES

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6
	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
NUMBER OF GRADUATES	13	17	23	31	42	49

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: FLORIDA INTERNATIONAL UNIVERSITY EQUITY REPORTS

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS, Florida Statutes require the University to develop plans for Equity Accountability, Educational Equity and Gender Equity in Athletics (collectively, the “Plans”); and

WHEREAS, the University must submit the reports on the Plans to the Chancellor of the State University System; and

WHEREAS, the reports on the Plans are attached hereto as Exhibit “F” and are ready for Board approval; and

THEREFORE, BE IT RESOLVED that The Florida International University Board of Trustees approves the Reports attached,

BE IT FURTHER RESOLVED, that the President shall submit the Reports to the Chancellor of the State University System and shall take any further actions necessary to give effect to this resolution.

BACKGROUND INFORMATION:

A. LEGAL AUTHORITY:

Section 1012.95 provides in part:

(2)(a) . . . each state university president shall submit an annual equity report to the Chancellor of the State University System. The equity report shall consist of a status update, an analysis, and a status report of selected personnel transactions . . .”

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “F”: EXECUTIVE SUMMARY
– UNIVERSITY EQUITY REPORTS (TO
BE DISTRIBUTED PRIOR TO MEETING)

Pending Exhibit “F”: Executive Summary –
University Equity Reports

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: PROPOSED 2007-2008 UNIVERSITY OPERATING BUDGET

PROPOSED BOARD ACTION:

Adopt the following Resolution:

RESOLVED that the Florida International University Board of Trustees (the BOT) approves the 2007-2008 University Operating Budget, including tentative approval of the 2007-2008 Operating Budget of the FIU Foundation, Inc., as attached to this Resolution as Exhibit “G”, subject to approval by the FIU Foundation Inc. Board of Directors, and

FURTHER RESOLVED that the BOT delegates to the University 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 and authority to make any changes resulting from the final approval of the 2007-08 Operating Budget of the FIU Foundation, Inc. by its Board of Directors, and

FURTHER RESOLVED that the University President shall keep the BOT informed of any changes in excess of 2% made to the total approved 2007-2008 Operating Budget during the operating year.

BACKGROUND INFORMATION:

A: LEGAL AUTHORITY:

Florida Board of Governor’s Resolution delegating and delineating powers of local boards of trustees adopted January 7, 2003 and Section 1001.75, Florida Statutes (2005), K-20 Governance, University presidents; powers and duties, states in relevant part:

**1001.75, UNIVERSITY PRESIDENTS; POWERS AND DUTIES.—THE
PRESIDENT IS THE CHIEF EXECUTIVE OFFICER OF THE STATE UNIVERSITY . . .
AND SHALL . . .**

(2) PREPARE A BUDGET REQUEST AND AN OPERATING BUDGET FOR APPROVAL BY THE UNIVERSITY BOARD OF TRUSTEES.

B: THE PROPOSED 2007-2008 UNIVERSITY BUDGET IS PRESENTED USING THE FOLLOWING CATEGORIES:

Exhibit “G”:

Proposed Allocations 2007-2008 by Budget Entities

- A. Overview
- B. Educational and General (E&G)
- C. Auxiliary Enterprises Proposed Budget Allocation
- D. Sponsored Research Proposed Budget Allocation
- E. Activity and Service Proposed Budget Allocation
- F. Athletics Proposed Budget Allocation
- G. Concession Proposed Budget Allocation
- H. Financial Aid Proposed Budget Allocation
- I. FIU Foundation, Inc.
- J. FIU Research Foundation, Inc.
- K. Public Education Capital Outlay (PECO) Proposed Budget Allocation
- L. Challenge Grants Legislative Budget Allocation

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “G” 2007-2008 PROPOSED UNIVERSITY OPERATING BUDGET
- ATTACHMENT 1: LINE ITEM DEFINITIONS

FACILITATOR/PRESENTER:

- KIRK LANDON

Florida International University
Board of Trustees Financial Summary
2007-08 Budget

Overview

	Final Budget 2006-07	Forecast 2006-07	Change Forecast vs. Final Budget	Requested Budget 2007-08	Change Forecast vs. Requested Budget
<i>(In millions of dollars)</i>					
Revenue / Receipts					
Education and General (net)	\$317.6	\$318.0	\$0.4	\$351.9	\$33.9
Auxiliary Enterprises	\$107.2	\$116.4	\$9.2	\$118.4	\$2.0
Sponsored Research	\$83.1	\$87.2	\$4.1	\$86.4	(\$0.8)
Student Scholarships	\$67.5	\$68.9	\$1.4	\$72.7	\$3.8
Concessions	\$0.4	\$0.4	(\$0.0)	\$0.5	\$0.1
Intercollegiate Athletics	\$15.7	\$15.4	(\$0.3)	\$18.6	\$3.1
Activities & Service	\$10.6	\$10.7	\$0.1	\$11.1	\$0.4
FIU Research Foundation Inc.	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
FIU Foundation Inc.	\$15.3	\$22.8	\$7.4	\$17.4	(\$5.4)
Interfund Adjustments	(\$10.8)	(\$10.8)	\$0.0	(\$11.5)	(\$0.6)
Total Operating Revenues	\$606.6	\$628.9	\$22.3	\$665.4	\$36.5
Student Loans	\$100.7	\$100.0	(\$0.7)	\$114.5	\$14.5
Total	\$707.3	\$728.9	\$21.6	\$779.9	\$51.0
Expenses					
Education and General	\$317.6	\$306.1	(\$11.5)	\$351.9	\$45.9
Auxiliary Enterprises	\$87.5	\$86.0	(\$1.5)	\$98.8	\$12.9
Sponsored Research	\$82.5	\$80.9	(\$1.5)	\$85.7	\$4.8
Student Scholarships	\$72.2	\$67.2	(\$5.0)	\$72.4	\$5.2
Concessions	\$0.4	\$0.4	(\$0.0)	\$0.4	\$0.0
Intercollegiate Athletics	\$15.9	\$18.6	\$2.7	\$19.7	\$1.2
Activities & Service	\$10.0	\$9.2	(\$0.9)	\$10.7	\$1.5
FIU Research Foundation Inc.	\$0.6	\$0.6	\$0.0	(\$0.3)	(\$0.8)
FIU Foundation Inc.	\$9.8	\$10.0	\$0.2	\$9.9	(\$0.2)
Interfund Adjustments	(\$10.8)	(\$10.8)	\$0.0	(\$11.5)	(\$0.6)
Total Operating Expenses	\$585.7	\$568.1	(\$17.6)	\$637.8	\$69.7
Principal Payment of Debt	\$6.2	\$7.1	\$0.9	\$7.8	\$0.7
Student Loans	\$100.7	\$100.0	(\$0.7)	\$114.5	\$14.5
Change in Net Assets	\$14.7	\$53.7	\$39.0	\$19.8	(\$34.0)

Notes:

E&G revenues are net of waivers and uncollectible amounts.

As of FY2006-07 the University no longer budgets for student loans since the University acts as an agent with respect to these loans.

Interfund transfers have been included resulting in higher revenue and expenses by fund allowing for an individual fund performance analysis. The interfund adjustments above eliminate this double counting. However, interfund transactions such as tuition funded by scholarships and auxiliary services provided to other units have not been eliminated.

The FIU Foundation Inc. FY2007-08 budget is subject to approval by it's Board of Directors.

The financials presented above reflects the state budgeting methodology which differs from full accrual Financial Statements. The following have the most significant impact:

- *Depreciation of Assets:* For budgeting purposes equipment purchases are fully expensed in their acquisition year, therefore depreciation is not included in the budget.
- *Payables:* The E&G budget expenses include year end commitments (encumbrances) even though they have not yet been invoiced (payables).
- *Unrealized gains and losses:* The investment results are recognized as revenues in the budget however GASB accounting principles require that it be recorded as an expense.

Florida International University
 Board of Trustees Financial Summary
2007-08 Budget

Overview

<i>(In millions of dollars)</i>	Final Budget 2006-07	Forecast 2006-07	Change Forecast vs. Final Budget	Requested Budget 2007-08	Change Forecast vs. Requested Budget
Carry Forward					
Prior Years Available Funds	\$3.23	\$7.64	\$4.41	\$4.26	(\$3.38)
2005 -2006 Available Funds	\$2.73	\$6.60	\$3.87	\$6.60	\$0.00
2006 -2007 Available Funds	\$0.00	\$0.00	\$0.00	\$4.90	\$4.90
Expenditures	\$4.20	\$3.38	(\$0.82)	\$7.79	\$4.41
Net Available Carry Forward	\$1.76	\$10.86	\$9.10	\$7.97	(\$2.89)
Capital Appropriation (Revenue)					
Public Education Capital Outlay	\$55.2	\$55.2	\$0.0	\$75.8	
Capital Improvement Fee Trust Fund (CIF)	\$12.6	\$12.6	\$0.0	\$0.0	
Challenge Grants			\$0.0		
Major Gifts Trust Fund Gifts	\$2.6	\$2.6	\$0.0	\$2.0	
Alec P. Courtelis Grant	\$3.5	\$3.5	\$0.0	\$2.6	
Challenge Grants	\$6.2	\$6.2	\$0.0	\$4.7	
Total Capital Appropriation	\$74.0	\$74.0	\$0.0	\$80.5	

Notes:

The Carry Forward information presented above includes University centrally controlled funds and excludes departmentally allocated funds.

Florida International University
 Board of Trustees Financial Summary
E&G Revenue and Expenses

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08		
Revenues					
General Revenue	\$196,649	\$196,649	\$228,652	\$32,003	16%
Educational Enhancement	\$19,679	\$19,679	\$19,913	\$233	1%
Student Fee (net)	\$101,251	\$101,664	\$103,368	\$1,704	2%
Total Revenues (net)	\$317,580	\$317,993	\$351,933	\$33,941	11%
Expenses					
Permanent Salaries and Benefits	\$210,639	\$198,999	\$239,803	\$40,804	21%
State Mandated Personnel Increases*	\$6,077		\$3,038	\$3,038	
OPS	\$24,812	\$25,229	\$26,549	\$1,320	5%
Operating Expenses (E&G)	\$64,864	\$66,834	\$68,438	\$1,604	2%
OCO	\$8,379	\$13,056	\$11,146	(\$1,910)	-15%
University Contingency	\$2,809	\$1,958	\$2,960	\$1,002	51%
Total Expenses	\$317,580	\$306,076	\$351,933	\$45,858	15%
Change in Net Assets	\$0	\$11,917	\$0	(\$11,917)	-100%

*State mandated personnel increases are budgeted centrally for FY2006-07 and FY2007-08 but are reflected in each of departments FY2006-07 forecasts.

Florida International University
 Board of Trustees Financial Summary
 2007-08 E&G Revenue Growth

<i>(In thousands of dollars)</i>	General Revenue	Educational Enhancement	Total State Funding	Student Fee (net)	Total
2006 - 2007 Adjusted Recurring Base Budget	\$196,119	\$18,885	\$215,004	\$101,251	\$316,255
2007 - 2008 New Funds					
• Enrollment Growth					
Enrollment Growth	\$8,895	\$278	\$9,173	\$2,117	\$11,290
Change in Mix	\$259		\$259		\$259
• Infrastructure					
Phased - In Space	\$241		\$241		\$241
Risk Management Insurance Increase	\$50		\$50		\$50
• Employee Compensation & Benefits					
Health Insurance Increase (annualization & adjust.)	\$1,472		\$1,472		\$1,472
Salary Increase (06-07 annualization)	\$1,454		\$1,454		\$1,454
Performance Incentive Estimated (\$1,000 lump sum) ¹	\$2,929		\$2,929		\$2,929
Life Insurance Estimated Increase	\$108		\$108		\$108
• Legislative Line Item					
Life Sciences Initiative	\$4,000		\$4,000		\$4,000
College of Medicine	\$5,472		\$5,472		\$5,472
Hurricane Mitigation Research	\$400		\$400		\$400
Wall of Wind Project (non-recurring)	\$2,000		\$2,000		\$2,000
Research Enhancement (non-recurring)	\$5,000		\$5,000		\$5,000
Degree Tracking Program (non-recurring)		\$750	\$750		\$750
Metropolitan Center (non-recurring)	\$50		\$50		\$50
Targeted Degree Program - Nursing	\$203		\$203		\$203
Total Incremental Dollars	\$32,533	\$1,028	\$33,561	\$2,117	\$35,678
2007 - 2008 Base Budget	\$228,652	\$19,913	\$248,565	\$103,368	\$351,933

Notes

¹ One-time payment on 11/1/2007

Florida International University
Board of Trustees Financial Summary
E&G Expense Summary

By Executive Area

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
(In thousands of dollars)	2006-07	2006-07	2007-08		
Academic Affairs					
Salaries and Benefits	\$160,398	\$152,845	\$179,970	\$27,125	18%
OPS	\$21,923	\$22,363	\$23,605	\$1,243	6%
Expense	\$27,668	\$29,691	\$32,631	\$2,940	10%
OCO	\$7,670	\$9,988	\$10,459	\$471	5%
Total Operating Expenses	\$217,659	\$214,886	\$246,665	\$31,778	15%
External Relations					
Salaries and Benefits	\$4,842	\$4,543	\$5,672	\$1,129	25%
OPS	\$315	\$385	\$376	(\$9)	-2%
Expense	\$915	\$1,270	\$992	(\$278)	-22%
OCO	\$5	\$21	\$1	(\$20)	-94%
Total Operating Expenses	\$6,077	\$6,220	\$7,041	\$822	13%
General Counsel					
Salaries and Benefits	\$2,437	\$2,214	\$2,650	\$437	20%
OPS	\$130	\$117	\$97	(\$20)	-17%
Expense	\$2,485	\$3,062	\$2,579	(\$482)	-16%
OCO	\$6	\$46	\$1	(\$45)	-98%
Total Operating Expenses	\$5,057	\$5,438	\$5,328	(\$111)	-2%
Office of the President					
Salaries and Benefits	\$1,594	\$1,556	\$1,708	\$152	10%
OPS	\$238	\$191	\$130	(\$60)	-32%
Expense	\$599	\$621	\$687	\$66	11%
OCO	\$25	\$30	\$50	\$20	66%
Total Operating Expenses	\$2,455	\$2,398	\$2,575	\$177	7%
UTS					
Salaries and Benefits	\$11,132	\$10,558	\$11,837	\$1,278	12%
OPS	\$933	\$848	\$1,051	\$202	24%
Expense	\$7,094	\$7,740	\$7,101	(\$639)	-8%
OCO	\$408	\$2,007	\$363	(\$1,643)	-82%
Total Operating Expenses	\$19,566	\$21,154	\$20,352	(\$802)	-4%
Human Resources					
Salaries and Benefits*	\$7,372	\$2,754	\$6,266	\$3,512	128%
OPS	\$245	\$213	\$188	(\$25)	-12%
Expense	\$2,237	\$1,026	\$2,696	\$1,669	163%
OCO	\$0	\$11	\$0	(\$11)	-100%
Total Operating Expenses	\$9,854	\$4,005	\$9,150	\$5,144	128%
Division of Finance					
Salaries and Benefits	\$4,933	\$4,977	\$5,507	\$530	11%
OPS	\$111	\$111	\$147	\$36	33%
Expense	\$453	\$468	\$563	\$95	20%
OCO	\$23	\$44	\$0	(\$44)	-100%
Total Operating Expenses	\$5,519	\$5,599	\$6,216	\$617	11%

Florida International University
 Board of Trustees Financial Summary
E&G Expense Summary

By Executive Area

	Final Budget 2006-07	Forecast 2006-07	Requested Budget 2007-08	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>					
<u>Student Affairs</u>					
Salaries and Benefits	\$7,286	\$7,318	\$9,631	\$2,313	32%
OPS	\$692	\$718	\$767	\$50	7%
Expense	\$990	\$1,156	\$1,773	\$617	53%
OCO	\$44	\$358	\$72	(\$287)	-80%
Total Operating Expenses	\$9,013	\$9,550	\$12,243	\$2,693	28%
<u>Division of Administration</u>					
Salaries and Benefits	\$10,646	\$12,233	\$16,562	\$4,329	35%
OPS	\$226	\$283	\$188	(\$95)	-34%
Expense	\$22,423	\$21,799	\$19,416	(\$2,383)	-11%
OCO	\$198	\$552	\$200	(\$352)	-64%
Total Operating Expenses	\$33,494	\$34,867	\$36,366	\$1,499	4%
<u>University Total</u>					
Salaries and Benefits	\$210,639	\$198,999	\$239,803	\$40,804	21%
State Mandated Personnel Increases**	\$6,077		\$3,038	\$3,038	
OPS	\$24,812	\$25,229	\$26,549	\$1,320	5%
Expense	\$64,864	\$66,834	\$68,438	\$1,604	2%
OCO	\$8,379	\$13,056	\$11,146	(\$1,910)	-15%
Contingency	\$2,809	\$1,958	\$2,960	\$1,002	51%
Total Operating Expenses	\$317,579	\$306,076	\$351,933	\$45,858	15%

Notes

* Operational Excellence Award salary increases are budgeted in Human Resources for FY2006-07 and FY2007-08 but are reflected in the FY2006-07 departmental forecasts.

** State mandated personnel increases are budgeted centrally for 2006-07 and 2007-08, but are reflected in each of the 2006-07 departmental forecasts.

Florida International University
 Board of Trustees Financial Summary
 Auxiliary Enterprises

Total Auxiliary Enterprises

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08		
Total Revenues*	\$107,178	\$116,382	\$118,384	\$2,002	2%
<u>Expenditures</u>					
Salaries and Benefits	\$26,053	\$24,973	\$32,424	\$7,451	30%
OPS	\$17,670	\$15,459	\$14,953	(\$506)	-3%
Expense	\$34,884	\$38,454	\$42,897	\$4,443	12%
OCO	\$2,539	\$1,475	\$2,981	\$1,506	102%
Debt Service Interest	\$6,382	\$5,617	\$5,581	(\$36)	-1%
Total Operating Expenses	\$87,528	\$85,979	\$98,836	\$12,857	15%
Operating Income	\$19,651	\$30,403	\$19,548	(\$10,855)	-36%
Principal payment of Debt	(\$4,630)	(\$5,583)	(\$5,923)	(\$339)	6%
Change in Net Assets	\$15,021	\$24,820	\$13,626	(\$11,194)	-45%
<u>FUND BALANCE</u>					
Beginning Fund Balance	\$75,536	\$75,536	\$86,800		
Change in Net Assets	\$15,021	\$24,820	\$13,626		
Capital Expenditures	(\$6,513)	(\$8,415)	(\$9,245)		
Third Party Reserves	\$0	(\$3,500)	\$0		
Institutional Transfers	(\$2,093)	(\$1,640)	(\$1,700)		
Ending Fund Balance	\$81,951	\$86,800	\$89,480	\$2,680	3%

Notes

Budget figures represent total revenue and expenditures for all Auxiliary activities, hence interdepartmental transactions have not been eliminated.

* A&S Transfers to Student Centers (PCS72) and Extracurricular activities (PCS87) have been reclassified to revenues.

** Fund balance for FY2006-07 Budget has been adjusted to reflect the beginning fund balance resulting from FY2005-06 actuals.

Financial Highlights

Financial performance for FY2006-07 depicts revenues surpassing budget expectations by \$9M to reach a total of \$116M primarily driven by Treasury operations and the South Beach Wine and Food Festival. Additional expenses are driven mainly by Academic Auxiliaries, due to appropriate allocation of expenses to the corresponding auxiliary, higher expenses in South Beach Wine and Food festival, and Telecom activities associated with increased revenue. Revenue growth along with expense savings from salary and temporary staff result in a favorable change in net assets relative to the budget of \$8.8M.

In FY2007-08 , each auxiliary will continue on the trend of being self supporting despite the \$12M growth in expenses as units project new hires, salary increases, OPS conversions and projects which did not materialize in FY2006-07.

Florida International University
 Board of Trustees Financial Summary
 Auxiliary Enterprises

Housing

	Final Budget 2006-07	Forecast 2006-07	Requested Budget 2007-08	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>					
Total Revenues	\$19,945	\$20,281	\$22,004	\$1,723	8%
<u>Expenditures</u>					
Salaries and Benefits	\$2,452	\$2,379	\$3,455	\$1,076	45%
OPS	\$1,249	\$1,165	\$1,135	(\$29)	-3%
Expense	\$7,572	\$7,035	\$8,696	\$1,661	24%
OCO	\$439	\$140	\$75	(\$65)	-47%
Debt Service Interest	\$4,195	\$4,217	\$4,051	(\$166)	-4%
Total Operating Expenses	\$15,907	\$14,936	\$17,412	\$2,476	17%
Operating Income	\$4,038	\$5,344	\$4,591	(\$753)	-14%
Principal payment of Debt	(\$2,955)	(\$3,076)	(\$3,280)	(\$205)	7%
Change in Net Assets	\$1,083	\$2,269	\$1,311	(\$957)	-42%

FUND BALANCE

Beginning Fund balance	\$11,429	\$11,429	\$8,114		
Change in Net Assets	\$1,083	\$2,269	\$1,311		
Capital Expenditures	(\$3,611)	(\$5,584)	(\$1,167)		
Third Party Reserves	\$0	\$0	\$0		
Institutional Transfers					
Total Fund Balance	\$8,902	\$8,114	\$8,258	\$144	2%

Financial Highlights

The Housing Auxiliary generates revenues in the form of rental income from students seeking housing facilities on campus. The rapid growth in students over the past 10 years resulted in an excess demand for Housing facilities. A new 825 bed facility, Lakeview, opened in Fall-06, bringing total capacity for the Housing System to 2,980 beds. Planning phase has started for a new facility expected to open in Fall 09.

Occupancy rates for the housing system in FY2006-07 have met budget expectations of 93%. Expense savings of \$0.6M are a result of maintenance and repair projects delayed until summer 2007.

Revenues for FY2007-08 are projected to grow \$1.7M due to higher occupancy rates of 96% and a 7% fee increase. The fee increase remains essential to maintain healthy debt service coverage ratios given the higher operating costs and the building repairs scheduled for FY2007-08.

Expenses in FY 2007-08 reflect the cost associated with the university wide initiative of converting OPS employees into permanent positions, the payroll accrual adjustment for the transition to ADP, and the increase in temporary summer staff. The housing system is expected to incur \$1.7 million in minor projects and repairs, \$0.9 million of which are repairs to Biscayne Bay Campus housing facility. Nevertheless, the system will continue to maintain its debt coverage ratios in both FY2006-07 of 1.31 and FY2007-08 of 1.23*, as well as maintain their reserve for future housing facilities and the Facility Maintenance and Equipment Reserve.

Capital Expenditures in FY2007-08 reflect the remaining balance for the Lake View construction project.

* Debt coverage ratio was calculated excluding one time investments

Florida International University
 Board of Trustees Financial Summary
 Auxiliary Enterprises

Parking/Traffic/Transportation

	Final Budget 2006-07	Forecast 2006-07	Requested Budget 2007-08	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>					
Total Revenues	\$7,555	\$8,042	\$8,614	\$572	7%
<u>Expenditures</u>					
Salaries and Benefits	\$1,044	\$1,096	\$1,293	\$197	18%
OPS	\$220	\$196	\$194	(\$2)	-1%
Expense	\$1,564	\$1,689	\$2,010	\$321	19%
OCO	\$100	\$60	\$164	\$104	174%
Debt Service Interest	\$1,336	\$1,336	\$1,275	(\$61)	-5%
Total Operating Expenses	\$4,264	\$4,377	\$4,936	\$559	13%
Operating Income	\$3,291	\$3,665	\$3,678	\$13	0%
Principal payment of Debt	(\$1,675)	(\$1,675)	(\$1,735)	(\$60)	4%
Change in Net Assets	\$1,616	\$1,990	\$1,943	(\$47)	-2%

FUND BALANCE

Beginning Fund balance	\$8,066	\$8,066	\$8,865		
Change in Net Assets	\$1,616	\$1,990	\$1,943		
Capital Expenditures	(\$869)	(\$1,191)	(\$2,400)		
Third Party Reserves	\$0	\$0	\$0		
Institutional Transfers					
Total Fund Balance	\$8,813	\$8,865	\$8,408	(\$457)	-5%

Financial Highlights

The Parking and Traffic auxiliary is responsible for the registration of vehicles for faculty, staff and students, the construction of parking accommodations, transportation between campuses, as well as the enforcement of parking rules and regulations for both campuses. There are currently 4 garages and 54 parking lots in operation totaling 14,186 parking spaces. The most recent garages, Panther Garage and Red Garage, opened in Fall 2004.

In FY2006-07 expenses for the Parking Auxiliary are expected to be slightly above budget due to increased cost for the Golden Panther Express bus service and additional funding required for minor construction projects.

Parking fees for FY2007-08 will be \$67 per semester for students and range between \$132 per year and \$974 per year for employees, a 10% increase from FY2006-07 fees. This fee increase will primarily support expansion in services and construction of Parking Garage V.

Included in the fund balance are the parking reserves required for Parking Garage V, the Facility Maintenance and Equipment Reserve.

Florida International University
 Board of Trustees Financial Summary
 Auxiliary Enterprises
Academic Auxiliaries

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08		
Total Revenues	\$35,965	\$36,934	\$37,914	\$979	3%
<u>Expenditures</u>					
Salaries and Benefits	\$10,074	\$8,734	\$11,010	\$2,275	26%
OPS	\$12,351	\$10,810	\$10,226	(\$584)	-5%
Expense	\$9,959	\$11,701	\$14,434	\$2,733	23%
OCO	\$729	\$475	\$499	\$24	5%
Debt Service Interest	\$0	\$0	\$0	\$0	
Total Operating Expenses	\$33,113	\$31,720	\$36,169	\$4,449	14%
Operating Income	\$2,852	\$5,214	\$1,745	(\$3,470)	-67%
Operational Transfers	\$687	(\$0)	(\$263)	(\$263)	
Change in Net Assets	\$3,539	\$5,214	\$1,481	(\$3,733)	-72%
<u>FUND BALANCE</u>					
Beginning Fund balance	\$18,805	\$18,805	\$24,019		
Change in Net Assets	\$3,539	\$5,214	\$1,481		
Capital Expenditures	\$0	\$0	\$0		
Third Party Reserves	\$0	\$0	\$0		
Institutional Transfers					
Total Fund Balance	\$22,344	\$24,019	\$25,500	\$1,481	6%

Financial Highlights

Academic Auxiliary programs reside under both the Continuing Education and Academic Sales and Services Activity and is comprised primarily of value added programs, web based courses, conferences, labs, recharge centers and a few distance learning programs. These units represent the office of Academic Affairs of the University in its efforts to fulfill the public service mission, and provide educational programs to nontraditional students. Generally, the revenues generated serve to support the actual program and its growth. Almost every college or school at FIU provide some continuing education or other revenue generating activity.

In FY2007-08, revenue growth is mostly driven by the expansion of graduate programs and web based courses while higher expenses are derived from salary positions not filled in FY2006-07, related to administrative support for Kovens Conference Center and Continuing Education, the accrual adjustment due to payroll transition to ADP, and the appropriate allocation of administrative and marketing expenses to the corresponding auxiliary.

Florida International University
 Board of Trustees Financial Summary
 Auxiliary Enterprises

Other Auxiliaries

	Final Budget 2006-07	Forecast 2006-07	Requested Budget 2007-08	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>					
Total Revenues	\$43,713	\$51,124	\$49,853	(\$1,271)	-2%
<u>Expenditures</u>					
Salaries and Benefits	\$12,483	\$12,764	\$16,667	\$3,903	31%
OPS	\$3,849	\$3,289	\$3,398	\$109	3%
Expense	\$15,789	\$18,029	\$17,757	(\$272)	-2%
OCO	\$1,271	\$800	\$2,243	\$1,443	180%
Debt Service Interest	\$850	\$63	\$254	\$191	302%
Total Operating Expenses	\$34,243	\$34,945	\$40,319	\$5,374	15%
Operating Income	\$9,470	\$16,180	\$9,534	(\$6,646)	-41%
Principal payment of Debt	\$0	(\$833)	(\$907)	(\$75)	
Operational Transfers	(\$687)	\$0	\$263	\$263	
Change in Net Assets	\$8,783	\$15,347	\$8,890	(\$6,457)	-42%

FUND BALANCE

Beginning Fund balance	\$37,235	\$37,235	\$45,803		
Change in Net Assets	\$8,783	\$15,347	\$8,890		
Capital Expenditures	(\$2,033)	(\$1,640)	(\$5,678)		
Third Party Reserves	\$0	(\$3,500)	\$0		
Institutional Transfers	(\$2,093)	(\$1,640)	(\$1,700)		
Total Fund Balance	\$41,892	\$45,803	\$47,314	\$1,512	3%

Financial Highlights

Other auxiliary activities include the remaining activities which have various revenue sources which are essentially derived from the following:

- Commission earnings from Food Service and Bookstore Operations
- Student Fees for services other than instruction such as Health and Student and Recreational Centers
- Interdepartmental Services such as Duplicating and Telecom
- Investment Earnings gained in the Special Purpose Investment Reserve (SPIR) generated from the University's operating cash flow

The positive variance in FY2006-07 revenues has been driven mainly by higher rates of return and cash balances, resulting in an investment earnings gain of approximately \$10M, and \$2M in additional income from the South Beach Wine and Food festival. Most of the expense growth is due to higher expenses in South Beach Wine and Food festival, and Telecom activities associated with increased revenue.

Capital Expenditures in 2007-08 include \$5M funding to support construction projects to enhance food service facilities and build additional retail space. Institutional transfers include the receipt of \$.5M loan repayment from Office of Sponsored Research Administration (OSRA), and \$2.2M loan payment through the Research Foundation associated with grant activity.

**Sponsored Research Development Trust Fund
 Total Trust Fund**

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08		
Total Revenues	\$83,145	\$87,197	\$86,371	(\$826)	-1%
<u>Expenditures</u>					
Salaries and Benefits	\$30,057	\$29,014	\$31,944	\$2,930	10%
OPS	\$18,891	\$18,951	\$19,522	\$571	3%
Expense	\$31,711	\$30,730	\$32,455	\$1,724	6%
OCO	\$1,800	\$2,243	\$1,800	(\$443)	-20%
Total Expenditures	\$82,459	\$80,939	\$85,721	\$4,783	6%
Operating Income	\$686	\$6,258	\$650	(\$5,609)	-90%
Change in Net Assets	\$686	\$6,258	\$650	(\$5,609)	-90%
<u>Fund Balance Information</u>					
Reserves					
Operating Fund	(\$11,266)	(\$7,804)	(\$7,655)	\$150	-2%
Nonoperating Transfer	\$500	\$500	\$500	\$0	0%
Total Fund Balance	(\$10,766)	(\$7,304)	(\$7,155)	\$150	-2%

Financial Highlights

The Sponsored Research Trust Fund includes funding of grants and contracts in support of research, public service and training. Revenues are derived from Federal, State, Local and Private sources to support the sponsored programs of the University. These funds are restricted to the specific purpose for which they are awarded. The total grant allocated is comprised of Direct Costs and Indirect Costs. Direct Costs are those costs directly related to research projects such as salaries and benefits of researchers and supplies while indirect costs represent the University's overhead such as administrative support, utilities, etc. Currently, the fee is up to 40% of the direct costs and varies based on different formulas depending on whether the grant is Federal, State, Local or Privately funded.

In order to support the transition to full accrual the Office of Sponsored Research is in the process of the acquisition of a grants module to support tracking and recording receivables.

Revenues

Revenues within the Total Trust Fund are derived from a number of sources. The main sources of revenue are:

- (a) **Federal Grants**: These are grants allocated to the University from the Federal government on a cost reimbursement basis.
- (b) **Local and State Grants** are funds awarded by State & Local government entities.
- (c) **Other Grants** generally come from private entities for specific research purposes. Some of these grants are allocated on a cost reimbursement basis while some may be "Fixed Price". Excess funds are transferred to Miscellaneous Revenues.
- (d) **Miscellaneous Revenues** refer to excess funding from 'fixed price' awards. ('Fixed Price' awards are unrestricted and are

- The University is projecting an increase in revenues in FY2007-08. Due to a one-time prior period recovery of indirect costs in FY2006-07 of \$2.2M, the anticipated increase in revenues is \$1.4M with \$0.5M attributed to an increase in indirect cost recovery and \$.9M in new awards and awards currently in the start up phase.
- IDC Recovery for FY2006-07 increased due to one time revenues of \$2.2M. This was a result of the Contracts and Grants Office identifying prior year expenditures that did not capture the full indirect cost allowed per the award document. Indirect cost recovery for FY2007-08 is projected to increase by 5% due to new awards negotiated at higher rates of return.
- Several new awards were received in FY2006-07 that were funded from the agency prior to expenses being incurred. Expenditures for these awards will be incurred in FY2007-08. Examples of these are :Hispanic Crime Prevention program, Major Cultural Institution Grants, HIV Prevention Group and Focus Group Research on Miami.

- The Office of Sponsored Research has also worked on reducing receivables. As of March 06 the accounts receivable balance was approximately \$29.8M of which \$23.1M was from the current fiscal year and \$6.7M was from prior fiscal years. As of March 07 the accounts receivable balance was approximately \$17.2M of which \$12.4M was current fiscal year receivables and 4.8M was prior year receivables.

Expenditures

- Salary expenditures for FY2007-08 include a projected increase in current salaries and the hiring of critical personnel in Contracts and Grants Administration.
- In FY2007-08, the Contracts & Grants office is planning full implementation of the Info-Ed module to assist in the proposal process and the Image Now module which will allow scanning and electronic submission of documents.

Net Transfers

- Net transfers represent \$500,000 towards the auxiliary loan balance.

Change in Net Assets

- Change in net assets represents the indirect cost returned to the departments not spent, investment losses, project change in assets and the Office of Sponsored Research change in assets.

Reserves

- The fund balance includes the \$4.4M loan from the Auxiliary Trust Fund less any payments made. At the end of FY2006-07 the outstanding principal is \$3.9M

**Office of Sponsored Research Administration (OSRA)
 Indirect Costs (Overhead)**

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08		
Total Revenues	\$11,000	\$13,288	\$11,500	(\$1,788)	-13%
Expenditures					
Salaries and Benefits	4,414	3,653	4,374	721	20%
OPS	416	334	339	5	1%
Expense	2,185	3,029	3,119	90	3%
IDC return to departments	3,300	8,839	2,774	(6,065)	-69%
OCO		14	24	10	66%
Total Operating Expenses	\$10,314	\$15,869	\$10,629	(\$5,239)	-33%
Operating Income	\$686	(\$2,580)	\$871	\$3,451	-134%
Change in Net Assets	\$686	(\$2,580)	\$871	\$3,451	-134%
Fund Balance Information					
Reserves					
Operating Fund	(\$6,694)	(\$2,779)	(\$2,408)	\$371	-13%
Principal Payment of Debt	\$500	\$500	\$500	\$0	0%
Total Fund Balance	(\$6,194)	(\$2,279)	(\$1,908)	\$371	-16%

Financial Highlights

Revenues

- Revenues for the Office of Sponsored Research are directly correlated with the amount of research expenditures at the University and specifically the rate of IDC. Indirect costs are based on an assessment of all sponsored projects to cover the administrative and operational costs of Sponsored Research, the overhead accounts belonging to deans and center directors and FIU cost sharing commitments. This rate is projected to remain flat for FY2007-08 with respect to FY2006-07. This is due to the timing of completing old awards with lower IDC and the receiving of new awards with higher rates. In FY2006-07a space utilization study was conducted along with continued analysis and negotiations between OSRA and the Federal government to increase FIU's IDC rates which will improve OSRA recovery of indirect costs in the years to come.
- IDC Recovery for FY2006-07 increased due to prior period adjustments of \$2.2M. This was a result of the Contracts and Grants Office identifying prior year expenditures that did not capture the full indirect cost allowed per the award document. Indirect cost recovery is projected to increase by 5% due to new awards negotiated at a higher rate of return.

Expenditures

- Salary expenditures for FY2007-08 are projected to increase due to a projected increase in salaries and the hiring of critical personnel in Contracts and Grants Administration
- IDC shared with the academic departments is classified under expenses. These funds are provided to the academic units from the IDC recovery to cover their grant administrative costs. For FY2006-07 \$8.8M was returned to departments, this represented \$2.9M for 0405, \$1.9M for FY2005-06 and \$4.0M for FY2006-07. This catch up resulted in a negative operating income in FY2006-07. For FY2007-08 return of IDC is projected to be \$2.8M.
- The expenditures also include agreed upon support from the Office of Sponsored Research Administration for additional personnel in Environmental Health, Purchasing, Controllers and Personnel to assist in the additional administrative processes needed for Contracts and Grants administration. For FY2006-07 forecasted expense for these activities is \$1.2M and projections for FY2007-08 are \$1.4M.
- Net transfer represent \$500,000 towards repaying the auxiliary loan
- Change in net assets for FY2006-07 of a negative \$3.1M is a result of the prior period return of IDC to the various departments. Moving forward the Office of Sponsored Research will be allocating this money to the department on a quarterly basis.
- The fund balance includes the \$4.4M loan from the Auxiliary Trust Fund less any payments made. At the end of FY2006-07 the outstanding principal is \$3.9M

Activity & Service Fund

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08		
Total Revenues	\$10,625	\$10,721	\$11,096	\$375	3%
<u>Expenditures</u>					
Salaries and Benefits	\$1,420	\$1,334	\$1,939	\$604	45%
OPS	\$635	\$663	\$627	(\$36)	-5%
Expense	\$7,903	\$7,154	\$8,089	\$936	12%
OCO	\$79	\$31	\$13	(\$18)	-59%
Total Operating Expenses	\$10,036	\$9,183	\$10,668	\$1,486	16%
Operating Income	\$589	\$1,539	\$428	(\$1,111)	-72%
Change in Net Assets	\$589	\$1,539	\$428	(\$1,111)	-72%
<u>Fund Balance Information</u>					
Reserves					
Operating Funds	\$5,645	\$5,975	\$6,403	\$428	7%
Total Fund Balance	\$5,645	\$5,975	\$6,403	\$428	7%

Student Activities Summary

The Activity and Service Fee fund is the student life component of the University which supports clubs, organizations, student centers and recreational sports for all campuses. The purpose of this activity is to enhance and balance the academic experience with social real world interactions amongst students. The principle funding source for this activity is a per credit hour fee of \$10.52 which is charged equally to all level of students. For FY2007-08 the revenue also reflects investment interest income of \$379K.

Financial Highlights

The \$604K increase in salaries is mainly due to the hiring of a new positions for the Student Government Association Office and projected increases in salaries and benefits. Operational expenditures will increase to sporting events, concerts, conferences, Graham Center Operations, expanded business hours and programming activities, as well as, several student organizations. Based on student priorities Student Government with final approval from the President allocates the funds.

Florida International University
 Board of Trustees Financial Summary
 Intercollegiate Athletics

Athletics

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08		
Total Revenues	15,666	15,410	18,551	\$3,140	20%
<u>Expenditures</u>					
Salaries and Benefits	4,539	6,186	6,285	\$98	2%
OPS	730	780	437	(\$343)	-44%
Expense	6,257	6,623	7,227	\$604	9%
Scholarships	4,341	4,807	5,764	\$956	20%
OCO	0	157	0	(\$157)	-100%
Total Expenditures	15,867	18,553	19,713	1,159	6%
Change in Net Assets	(201)	(3,143)	(1,162)	1,981	-63%

Fund Balance

Beginning Fund Balance	2,575	2,575	1,245		
Change in Net Assets	(201)	(3,143)	(1,162)		
Institutional Transfers	1,808	1,812	(73)		
Total Fund Balance	\$4,183	\$1,245	\$9	(1,235)	

Financial Highlights

Intercollegiate Athletics is the functional area of the University responsible for team sports and their support activities. Examples of University sports activities include football, baseball, soccer, golf, basketball, cross country track, swimming, tennis and volleyball.

Despite incremental revenues from a student fee increase, from \$11.66 to \$13.05 per credit hour, Intercollegiate Athletics will realize operating losses of approximately (\$3.1M) in FY2006-07 and (\$1.1M) in FY2007-08 which will be covered by reserves and a transfer from its unrestricted Foundation funds. This gap is the result of the University building and strengthening its infrastructure to support its athletics program in order to compete in NCAA division 1A.

Concessions

	Final Budget	Forecast	Requested Budget	Change Forecast vs.	
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08	Requested Budget	%
Total Revenues	\$428	\$403	\$458	\$55	14%
<u>Expenditures</u>					
Salaries and Benefits					
OPS					
Expense	\$428	\$394	\$425	\$30	8%
OCO					
Total Operating Expenses	\$428	\$394	\$425	\$30	8%
Operating Income	\$0	\$9	\$34	\$25	276%
Change in Net Assets	\$0	\$9	\$34	\$25	276%
<u>Fund Balance Information</u>					
Reserves					
Operating Funds	\$335	\$378	\$411	\$34	9%
Total Fund Balance	\$335	\$378	\$411	\$34	9%

Concession Fund

This activity contains all the commission based revenues from vending snack and refreshment machines as well as student housing washing machines. The commission revenues in the concession fund are used to support the purchase of food and refreshment items at University wide events, faculty recruitment, staff meeting, student housing socials and convocation events.

Financial Highlights

In FY2006-07 efforts to mitigate negative revenue exposure were successful. These efforts included: focusing efforts on locations with the greatest return on investment especially since 7 out of 28 locations account for 70% of total business activities, evaluating product mix, exploring new locations and attempting to increase the number of vending machines where possible. Unfortunately, in FY2006-07 the University experienced several incidents of vandalism to machines which adversely impacted the projected revenue but appropriate steps have been taken to secure the machines. Due to the volatility of the business we are not projecting any increases for FY2007-08, though we are in negotiation to renew our soda contract and expect a favorable outcome. The FYFY2007-08 revenue reflects investment interest income of \$25.7K.

Laundry revenues are projected to increase 8% due to Lakeview Housing facilities being upgraded to accept the PantherCard.

Financial Aid Scholarships

<i>(In thousands of dollars)</i>	Final Budget 2006-07	Forecast 2006-07	Requested Budget 2007-08	Change Forecast vs. Requested Budget	%
Total Revenues	\$67,509	\$68,873	\$72,721	\$3,847	6%
<u>Expenditures</u>					
Salaries and Benefits OPS					
Expenses OCO	\$72,212	\$67,202	\$72,398	\$5,196	8%
Total Operating Expenses	\$72,212	\$67,202	\$72,398	\$5,196	8%
Operating Income	(\$4,703)	\$1,671	\$323	(\$1,349)	-81%
Change in Net Assets	(\$4,703)	\$1,671	\$323	(\$1,349)	-81%
<u>Fund Balance Information</u>					
Reserve					
Operating fund	\$583	\$9,584	\$9,906	\$323	3%
Total Fund balance	\$583	\$9,584	\$9,906	\$323	3%

Financial Highlights

The FY2006-07 budget was adjusted to represent the financial aid not captured in other funds such as Athletics and Contracts and Grants. The original revenue budget of \$74.0M and expense budget of \$78.4M were decreased by scholarships captured in other funds or agency accounts. Net income is a result of scholarships disbursed to students relative to the revenue collected through University fees and E&G state legislative, federal and private allotments.

Revenues

The revenues from Financial Grant and scholarship programs come from the following sources:

Federal Government, State of Florida and other states that offer financial assistance to their residents, Private Organizations, miscellaneous government agencies and University Institutional funds. Funding from the US Dept. of Education and the Florida Dept. of Education are subject to Legislative actions annually. (Large scholarship programs include the Federal Pell Grant forecasted at \$28.3M for FYFY2007-08 and the State of Florida funded Bright Futures programs at \$21.0M.) The overall major revenue sources for FYFY2007-08 are comprised of \$29.3M or 41% from Federal sources, \$21.0M or 29% from State sources and \$22.0M or 30.0% from Institutional and private classified sources. Revenues projections for FY2007-08 also include \$426,481 investment interest income.

Operating Expenses

The Financial Aid Office acts as an agent reviewing student status and matching qualifying students with applicable aid programs. There is a forecasted increase in scholarship activity for FYFY2007-08 in the amount of \$1.1M for Pell, \$2.2M for Bright Futures Grants and \$600K for Florida Student Assistance Grant awards

Loans

Based on Board of Governor guidelines the University no longer budgets for student loans since the University acts as an agent with respect to these funds. For 06-07 the original budget was \$100,691,588 with projections as of June 30, 2007 being \$99,980,388. For FY2007-08 the projected loans to students is anticipated to be \$114,470,458, increasing due to Federal loans: Subsidized and Unsubsidized Stafford Loans are projected to increase 12%, Plus loans increase projections are 48% and Perkins loans are projected to increase by 71%. Federal loans make up for 92% of the total loans disbursed to students while the remaining 8% is related to private loans.

Fund Balance

The cash balances at year-end are carried forward to fund need-based and merit type scholarships in future years.

Institutional Financial Aid

<i>(In thousands of dollars)</i>	Final Budget 2006-07	Forecast 2006-07	Requested Budget 2007-08	Change Forecast vs. Requested Budget	%
Total Revenues	\$11,297	\$11,227	\$11,625	\$397	4%
<u>Expenditures</u>					
Expenses	\$16,000	\$9,556	\$11,302	\$1,746	18%
Total Operating Expenses	\$16,000	\$9,556	\$11,302	\$1,746	18%
Operating Income	(\$4,703)	\$1,671	\$323	(\$1,349)	-81%
Change in Net Assets	(\$4,703)	\$1,671	\$323	(\$1,349)	-81%
Fund Balance Information					
Operating fund	\$755	\$7,130	\$7,452	\$323	1%
Total Fund balance	\$755	\$7,130	\$7,452	\$323	5%

Financial Highlights

The revenues consist of a 5% of per credit tuition as a Financial Aid fee charged all students and a \$6.4M allocation from E&G. These funds are disbursed based on both need and merits.

Fund Balance

The cash balances at year-end are carried forward to fund scholarships in future years.

Florida International University
Board of Trustees Financial Summary

FIU Foundation, Inc.

	Final Budget 2006-07	Forecast 2006-07	Requested Budget 2007-08	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>					
Revenues:					
Contributions:					
University-Wide Scholarships & Programs	\$200	\$475	\$313	(\$162)	-34%
College, Schools, Centers	\$3,700	\$3,500	\$3,185	(\$315)	-9%
Athletics Operations	\$670	\$452	\$502	\$50	11%
Alumni Membership	\$140	\$135	\$215	\$80	59%
Annual Fund	\$445	\$600	\$361	(\$239)	-40%
Total Contributions	\$5,155	\$5,162	\$4,576	(\$586)	-11%
Other Revenues:					
MARC Building Rental Income	\$1,575	\$1,583	\$1,575	(\$8)	-1%
Estimated Investment Income/Capital Gains	\$8,050	\$15,500	\$10,648	(\$4,852)	-31%
Foundation Staff University Funded	\$568	\$536	\$574	\$38	7%
Total Other Revenues	\$10,193	\$17,619	\$12,797	(\$4,822)	-27%
Total Revenues	\$15,348	\$22,781	\$17,373	(\$5,408)	-24%
Expenses:					
Operational:					
Annual Fund	\$320	\$285	\$438	\$153	54%
Administrative Operating Fund	\$1,565	\$1,593	\$1,794	\$201	13%
Foundation Staff University Funded	\$568	\$536	\$574	\$38	7%
Total Operational Costs	\$2,453	\$2,414	\$2,806	\$392	16%
University Programs:					
University-Wide Scholarships & Programs	\$350	\$880	\$648	(\$232)	-26%
College, Schools, Centers	\$5,700	\$5,500	\$4,927	(\$573)	-10%
MARC Building	\$840	\$840	\$884	\$44	5%
Athletics	\$315	\$250	\$400	\$150	60%
Alumni Programs	\$140	\$115	\$162	\$47	41%
General Reserve	\$40	\$24	\$30	\$6	25%
Total University Program Costs	\$7,385	\$7,609	\$7,051	(\$558)	-7%
Total Expenses	\$9,838	\$10,023	\$9,857	(\$166)	-2%
Change in Net Assets	\$5,510	\$12,758	\$7,516	(\$5,242)	-41%
Building Funds Activity					
Revenues	\$11,350	\$2,200	\$6,649		202%
Expenses	\$3,545	\$3,546	\$2,319		-35%
Building Funds Activity (Net)	\$7,805	(\$1,346)	\$4,330	\$5,676	-422%
Total Endowment					
Permanent Restricted beginning balance	\$71,252	\$71,252	\$76,252		
Endowment revenue	\$18,440	\$5,000	\$7,786		
Permanent Restricted Ending balance	\$89,692	\$76,252	\$84,038	\$7,786	10%
Endowment Reserves - Contribution	\$8,770	\$8,770	\$14,721		
Distributions to Endowment reserves	\$0	\$5,952	\$988		
Endowment reserves Ending balance	\$8,770	\$14,721	\$15,709	\$988	7%
Endowment balance	\$98,462	\$90,973	\$99,747	\$8,774	10%

Notes

Subject to approval by the FIU Foundation Inc. Board of Directors

Estimated investment income including realized and unrealized gains, forecasted for FY 2006-07 at 14% while FY 2007-08 budget projected at 8%

Florida International University
 Board of Trustees Financial Summary

FIU Research Foundation, Inc

	Final Budget	Forecast	Requested Budget	Change Forecast vs. Requested Budget	%
<i>(In thousands of dollars)</i>	2006-07	2006-07	2007-08		
Total Revenues	\$0	\$0	\$0	\$0	
<u>Expenditures</u>					
Debt Service Interest	\$562	\$562	\$290	(\$272)	-0.02%
Total Expenditures	\$562	\$562	\$290	(\$272)	-0.02%
Operating Income	(\$562)	(\$562)	(\$290)	\$272	-0.02%
Principal Payment of debt	(\$1,598)	(\$1,530)	(\$1,910)	(\$380)	-0.02%
Change in Net Assets	(\$2,160)	(\$2,092)	(\$2,200)	(\$108)	
<u>Fund Balance</u>					
Beginning Fund balance	\$0	\$0	\$0		
Change in Net Assets	(\$2,160)	(\$2,092)	(\$2,200)		
Net transfers	\$2,160	\$2,092	\$2,200		
Total Fund Balance	\$0	\$0	\$0	\$0	0%

Financial Highlights

The principle activity for FY2006-07 and FY2007-08 is the repayment of an outstanding five year note related to research. The cash transfer to meet this obligation derives from Treasury operations in the Auxiliary Trust Fund. Since cash is transferred and no expense is recognized in the Auxiliary fund, no revenue is recognized in this entity. At the end of fiscal year FY2007-08 the outstanding loan balance will be \$4.5 million.

Florida International University
Board of Trustees Financial Summary
Public Education Capital Outlay

FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
2007-08
AS OF 5/10/2007

FIU Utilities/Infrastructure/Capital Renewal Roofs	\$7,000,000
Science / Classroom Complex - UP	\$29,000,000
Graduate Classroom Building - UP	\$4,680,165
Satellite Chiller Plant - UP	\$1,110,000
Health Sciences Laboratory Clinic - UP	\$19,000,000
International Hurricane Center - UP	\$15,000,000
TOTAL	<u><u>\$75,790,165</u></u>

Florida International University
 Board of Trustees Financial Summary
Challenge Grants

**MAJOR GIFTS TRUST FUND
 2007-2008
 AS OF 5/10/2007**

	<u>ALLOCATION MATCH</u>
C.V. STARR SCHOLARSHIP ENDOWMENT	\$99,701
SCHOOL OF NURSING PROGRAM ENDOWMENT	\$50,000
PINO GLOBAL ENTREPRENEURSHIP CENTER ENDOWMENT	\$360,000
FIU FOUNDATION PROFESSORSHIP IN THE COLLEGE OF LAW	\$525,000
THE WOLFSONIAN PROGRAM ENDOWMENT	\$139,549
INGERSOLL-RAND PROFESSORSHIP IN INTERNATIONAL BUSINESS	\$50,001
SCHOOL OF NURSING PROGRAM ENDOWMENT	\$125,000
MARRIOTT SCHOLARS ENDOWMENT	\$50,000
PINO GLOBAL ENTREPRENEURSHIP CENTER ENDOWMENT	\$340,000
MICHAEL FELSBURG SCHOLARSHIP ENDOWMENT	\$50,465
SCHOOL OF NURSING PROGRAM ENDOWMENT	\$125,000
OCEAN WATERS HOSPITALITY MANAGEMENT SCHOLARSHIP ENDOWMENT	\$50,000
SEDANO'S FAMILY FIRST GENERATION SCHOLARSHIP ENDOWMENT	\$50,000
TOTAL	<u><u>\$2,014,716</u></u>

**FIXED CAPITAL OUTLAY
 ALEC P. COURTELIS FACILITY ENHANCEMENT CHALLENGE GRANT PROGRAM LIST**

	<u>ALLOCATION MATCH</u>
Frost Art Museum	\$363,500
College of Law	\$212,901
Graduate School of Business Phase I	\$1,109,388
Hospitality & Tourist Mgmt. Biscayne Bay	\$300,000
IHRC Wall of Wind	\$608,063
Engineering Center Lab	\$55,000
TOTAL	<u><u>\$2,648,852</u></u>

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FLORIDA INTERNATIONAL UNIVERSITY
Line-Item Definitions for Auxiliary, Sponsored Research and Local Funds

REVENUES:

Auxiliary revenues represent operating inflows generated by the provision of products and/or services to the University community. Auxiliary Enterprise Operations are self-sufficient and rely on the generation of these revenues for their ongoing existence.

Sponsored Research receives its revenue/funding through the acquisition of Federal, State and Local grants.

Student Activities (SGA) and Intercollegiate Athletics receive their funding through the assessment of a student credit hour fee as well as gate admission for general and sports events.

Financial Aid revenues originate from scholarship programs such as Pell Grants, Bright Futures that are passed on to qualifying students. Additionally, Financial Aid loans are funded by financial institutions which are passed on to qualifying students.

Concessions funding originates from commissions on vending machine sales across the University.

EXPENDITURES:

Salaries & Benefits – The expenditure category from which State employees are paid. Expenditures in this category typically include salary rate (actual salary) plus the costs of benefits (retirement, social security, health insurance and life insurance).

OPS – This category represents "Other Personnel Services" typically representing the costs of temporary employment positions such as student assistants, graduate assistants, and faculty adjuncts. Note, in the SAMAS environment, consultant expenditures were booked as professional agreements under OPS. However, beginning in the 2004-05 fiscal year under PeopleSoft financials, consultants will be booked as an Expense category expenditure.

Expense – Expenditures in this category represent a wide range of cost activities such as phone service, utilities, supplies and photocopying. Generally, expenditures under \$1,000 per item are classified in the expense category. As noted above, consultant related expenditures will be booked to expense as well as overhead charges which under SAMAS were previously recorded as a Transfer-Out.

OCO – This operating category is where capital expenditures greater than \$1,000 per individual item and/or items with a useful life greater than one year are recorded. Items classified as OCO are also recorded as assets on the University balance sheet.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: UNIVERSITY TUITION FEES REGULATION FIU-1101 – AMENDMENT

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS, the Florida International University Board of Trustees (the BOT) is authorized to set tuition and fees for the University within the limits provided by law;

WHEREAS, the Legislature has provided the Florida Board of Governors (the BOG) or its designee, the BOT, with authority to set 2007-2008 Academic Year tuition and fees for graduate, graduate professional, and nonresident students (at any level of instruction);

THEREFORE, BE IT RESOLVED THAT, the BOT approves the 2007-2008 Academic Year tuition and fees increases reflected in the amendments to the Tuition Fees Schedule Regulation FIU-1101 attached hereto as Exhibit “H”;

BE IT FURTHER RESOLVED THAT, the BOT delegates authority to the University President to forward the Regulation to the Board of Governors for approval and to approve any subsequent amendments that are based on comments to the Regulation received from the Board of Governors and as a result of the regulation-making process;

AND BE IT FURTHER RESOLVED, that the President report to the BOT at its next regularly scheduled meeting on any substantive change requested or made to the Regulation as a result of comments received by the Board of Governors and the regulation-making process.

BACKGROUND INFORMATION:

A. LEGAL AUTHORITY:

Florida Board of Governors Resolution delegating and delineating powers of local boards of trustees adopted January 7, 2003 and Section 1001.74(11), Florida Statutes (2006), Powers and duties of university boards of trustees, provides:

(11) Each board of trustees shall establish fees pursuant to ss. 1009.24 and 1009.26.

In accordance with the General Appropriations Act for Fiscal Year 2007-2008, Conference Report on Senate Bill 2800:

The maximum resident undergraduate tuition per credit hour is hereby established for the 2007-2008 fiscal year as follows:

	2007-2008 Fall/Spring Terms
Lower Level Course Work	\$77.39
Upper Level Course Work	\$77.39

Except as otherwise provided by law, the Board of Trustees, as the BOG's designee for fiscal year 2007-2008, shall set University tuition and fees for graduate, graduate professional and nonresident students. The annual percentage increase in tuition and fees established by the Board of Trustees shall not exceed ten percent. Tuition and out of state fees for nonresident students may not be lower than the rates in effect for the 2006-2007 fiscal year.

B. EXPLANATION FOR PROPOSED BOARD ACTION:

The Tuition Fees Regulation FIU-1101 is being amended to reflect the increases in tuition fees for the 2007-08 Academic Year of the University that have been authorized by the Legislature. Specifically, the BOT is authorizing:

- An increase in undergraduate Resident tuition (formerly known as "Matriculation") from \$73.71 to \$77.39 per credit hour
- An increase in graduate Resident tuition from \$211.63 to \$222.21 per credit hour
- An increase in law school Resident tuition from \$240.52 to \$252.54 per credit hour

In addition, the BOT is increasing the Student Financial Aid Fees because Student Financial Aid Fees are 5% of the Resident and Out-of-State fees; increasing the Intercollegiate Athletics Fee (as previously approved by the Board on April 26, 2007); and increasing the fee charged to students enrolling in the same undergraduate course more than twice to \$179.88.

Finally, in 2006, the Legislature authorized an increase of up to five percent in tuition and fees for students enrolled prior to the fall of 2006, and an increase of up to ten percent in tuition and fees for students enrolled after the fall of 2006. Therefore, based on the tuition rate structure implemented in 2006, graduate students enrolled in or after the fall of 2006 will pay an additional Resident Fee of \$10.57 per credit

hour and an additional Financial Aid Fee of \$0.52 per credit hour; and newly enrolled law students will pay an additional Resident Fee of \$12.02 per credit hour and an additional Financial Aid Fee of \$0.60 per credit hour.

The Optional fees listed in section (9) are not new fees, but rather are a memorialization of fees already being charged that should be in a regulation.

The Transportation Access fee is being deleted from the Tuition Fees regulation as it already is contained within Regulation No. FIU-1105 (University Traffic and Parking Rules).

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “H”: TUITION FEES SCHEDULE, FIU-1101

FACILITATOR/PRESENTER:

- KIRK LANDON

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

FIU-1101 Tuition Fees Schedule

(1) Tuition shall be defined as the basic fee charged to a student for instruction provided by the Florida International University. Tuition consists of the following fees:

1. Resident Fee;
2. Student Financial Aid Fee;
3. Capital Improvement Trust Fund Fee;
4. Building Fee;
5. Health Fee;
6. Athletic Fee; and
7. Activity and Service Fee.

In addition to the fees set forth in 1.-7. above, a non- Florida student, as defined in the Florida Board of Governors' Resolution, will pay the Out-of-State Fee and the Non-Resident Student Financial Aid Fee.

(2) Registration shall be defined as consisting of two components:

(a) Formal enrollment in one or more credit courses approved and scheduled by the University;
and,

(b) Tuition payment, or other appropriate arrangements for tuition payment (installment payment, deferment, or third party billing) for the courses in which the student is enrolled.

(3) A student is liable for tuition associated with all courses for which the student is registered.

The fee payment deadline shall be as determined by the University.

(4) The following tuition shall be levied and collected on a per credit hour basis, effective the fall semester indicated for each student regularly enrolled, unless provided otherwise ~~in this chapter~~ by law, or Board of Governor or University rule or regulation.

FALL ~~2006~~2007

Fee	<i>Undergraduate</i>		<i>Graduate</i>		<i>Law</i>	
	<i>Resident</i>	<i>Non-Resident</i>	<i>Resident</i>	<i>Non-Resident</i>	<i>Resident</i>	<i>Non-Resident</i>
Resident	\$73.71 <u>77.39</u>	\$ 73.71 <u>77.39</u>	\$211.63 <u>222.21</u>	\$211.63 <u>222.21</u>	\$240.52 <u>252.54</u>	\$240.52 <u>252.54</u>
Out-of-State		\$393.62		\$480.07		\$437.60
Athletic	\$11.66 <u>13.05</u>	\$11.66 <u>13.05</u>	\$11.66 <u>13.05</u>	\$11.66 <u>13.05</u>	\$11.66 <u>13.05</u>	\$11.66 <u>13.05</u>
Activity and Service	\$10.52	\$10.52	\$10.52	\$10.52	\$10.52	\$10.52
Student Financial Aid	\$3.68 <u>3.86</u>	\$3.68 <u>3.86</u>	\$10.58 <u>11.11</u>	\$10.58 <u>11.11</u>	\$12.02 <u>12.62</u>	\$12.02 <u>12.62</u>
Non-Resident Financial Aid		\$19.68		\$24.00		\$21.88
Capital Improvement Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32

(5) (a) For those new students enrolled in a graduate classes in the Fall 2006, or thereafter, in addition to the tuition and fees set forth in paragraph (4) above, the University shall levy and collect an additional Resident Fee of ~~\$10.08~~10.57 per credit hour and an additional Student Financial Aid Fee of ~~\$0.500~~.52 per credit hour. The additional fees authorized by this paragraph (5)(a) shall not apply to a graduate student who was enrolled in a graduate program prior to Fall 2006, and such student's enrollment has not lapsed in four terms before re-enrolling in the same graduate program.

(b) For those new students enrolled in the law school in the Fall 2006, or thereafter, in addition to the tuition and fees set forth in paragraph (4) above, the University shall levy and collect an additional Resident Fee of ~~\$11.45~~12.02 per credit hour and an additional Student Financial Aid Fee of ~~\$0.570~~.60 per credit hour. The additional fees authorized by this paragraph (5)(b) shall not apply to a law school student who was enrolled in law school prior to Fall 2006, and such student's enrollment has not lapsed for four terms before re-enroll in the same program.

(6) Effective the Fall 2005 term, during any semester in which a graduate nonresident student has been appointed as a Graduate Assistant for at least .25 FTE, the Out-of-State Fee for the student shall be \$0.00 per credit hour.

(7) The following fees shall be levied and collected on a per semester basis, effective the fall semester indicated for each student regularly enrolled, unless provided otherwise ~~in this chapter~~ by law, or Board of Governor or University rule or regulation.

FALL ~~2006-2007~~

Fee	<i>Undergraduate</i>		<i>Graduate</i>		<i>Law</i>	
	<i>Resident</i>	<i>Non-Resident</i>	<i>Resident</i>	<i>Non-Resident</i>	<i>Resident</i>	<i>Non-Resident</i>
Health	\$67.20	\$67.20	\$67.20	\$67.20	\$67.20	\$67.20
Inter-collegiate Athletics	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00
Transportation Access	\$61.00	\$61.00	\$61.00	\$61.00	\$61.00	\$61.00

~~The Transportation Access Fee does not include the State sales tax, and is \$55.00 (plus the State sales tax) for any Summer semester.~~

(8) Effective the Fall Semester ~~2006~~2007, each student enrolled in the same undergraduate course more than twice shall be assessed an additional ~~\$161.70~~179.88 per credit hour for each such course in addition to the fees set forth above.

(9) Optional fees.

<u>Orientation fee</u>	<u>\$ 35.00</u>
<u>Identification Card</u>	<u>\$ 10.00</u>
<u>Fee for Transcript</u>	<u>\$ 5.00</u>
<u>Fee for Diploma replacement</u>	<u>\$ 10.00</u>
<u>Late Payment fee</u>	<u>\$100.00</u>
<u>Late Registration fee</u>	<u>\$100.00</u>
<u>Off-Campus Fee</u>	<u>cost</u>
<u>Fingerprinting</u>	<u>cost</u>
<u>Materials and Supplies fee</u>	<u>cost</u>
<u>Library Fines and Penalties</u>	<u>varies</u>

Authority: Resolution of the Florida Board of Governors dated January 7, 2003; Fla. Stat. sections 1001.74(11) and 1009.24, ~~2006~~2007-087 General Appropriations Act, Section ~~164~~156.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: LEGISLATIVE BUDGET REQUEST 2008-2009

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS, the Florida Board of Governors (the BOG) has the power to operate, regulate, control and be fully responsible for the management of the whole university system (Section 7, Article IX, Florida Constitution); and

WHEREAS, included within this responsibility is the development of an annual, system-wide Legislative Budget Request; and

WHEREAS, Section 1001.74(12), Florida Statutes, requires the universities' Boards of Trustees to submit an institutional budget request based on the guidelines established by the BOG; and

WHEREAS, Section 216.023(1), Florida Statutes, requires the submission of a legislative budget request to the legislature and governor based on an independent judgment of needs;

THEREFORE, BE IT RESOLVED that The Florida International University Board of Trustees (the BOT) hereby approves the Florida International University 2008-2009 Legislative Budget Request, attached to this resolution as Exhibit "I", and

BE IT FURTHER RESOLVED that the BOT authorizes the University Administration to amend the Legislative Budget Request to adjust to changing circumstances and to report to the BOT at its next regularly scheduled meeting of any substantive or material change made, and

BE IT FURTHER RESOLVED that the BOT authorizes the University Administration to take all actions necessary to implement this Resolution.

BACKGROUND INFORMATION:

A: LEGAL AUTHORITY:

Section 7.(d), Article IX, Florida Constitution, State University System, states in relevant part:

(d) The Board of Governors shall... operate, regulate, control, and be fully responsible for the management of the whole university system.

Section 1001.74(12), Florida Statutes, Powers and duties of university boards of trustees, states in relevant part:

(12) Each board of trustees shall submit an institutional budget request, including a request for fixed capital outlay, and an operating budget to the State Board of Education for approval in accordance with guidelines established by the state Board of Education.

Section 216.023(1), Florida Statutes, Legislative budget requests to be furnished to Legislature by agencies, states in relevant part:

(1) The head of each state agency... shall submit a final legislative budget request to the Legislature and to the Governor, as chief budget officer of the state, in the form and manner prescribed in the budget instructions and at such time as specified by the executive Office of the Governor, based on the agency's independent judgment of its needs. However, a state agency may not submit its complete legislative budget request, including all supporting forms and schedules required by this chapter, later than October 15 of each year unless an alternative date is agreed to be in the best interest of the state by the Governor and the chairs of the legislative appropriations committees.

B: EXPLANATION OF PROPOSED BOARD ACTION:

The 2008-2009 LBR shall be need-based and will provide flexibility for the Board of Governors (BOG) and universities' boards of trustees to jointly manage the System to meet the critical needs of the state, achieve the statewide goals and objectives of the State University System (SUS) Strategic Plan, address specific

institutional issues, and demonstrate accountability/ justification. The following goals and objectives of the SUS Strategic Plan will be addressed in the request:

1. Access to and production of degrees.
2. Meeting statewide professional and workforce needs.
3. Building world-class academic programs and research capacity.
4. Meeting community needs and fulfilling unique institutional missions.

To assure an equitable LBR, each university will receive a sum to distribute among the specific issues that each UBOT wants to include in the LBR for community needs, institutional mission or other Strategic Plan goals and objectives. Issues developed and approved must be no more than 8% of the University's 2007-2008 recurring state funding. Based on the 2007-08 recurring state appropriation for the Educational and General budget, the target for Florida International University has been set at: \$18.3 million.

FIU ensured that the Legislative Budget Request issues address the SUS Strategic Plan and are aligned with the University's Strategic Plan. We seek targeting funding to:

1. Health and Life Science Initiative
2. Undergraduate retention: Access to advising and degree-tracking
3. Research Enhancement
4. Hurricane Enhancement Initiative

The BOT is asked to approve the FIU 2008-09 Legislative Budget Request in the amount of \$18.3 million.

The proposed LBR will be submitted to the BOG for approval at their meeting on August 8, 2007.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "I": FLORIDA INTERNATIONAL UNIVERSITY 2008-2009 LEGISLATIVE OPERATING BUDGET ISSUE

FACILITATOR/PRESENTER:

- KIRK LANDON

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**FLORIDA INTERNATIONAL UNIVERSITY
2008-09 Legislative Operating Budget Issue**

**Priority Number 1
HEALTH AND LIFE SCIENCE INITIATIVE**

Budget Request for 2008-09: \$5.0 million

The University intends to continue unique opportunities for academic programs and research to serve the South Florida community by promoting and strengthening the training of students in health and life sciences.

Funding for this health initiative will allow FIU to continue to address local health needs, specifically in nursing, public health and other life sciences. It will allow FIU to continue building its capacity to contribute to the fundamental understanding of life sciences.

Funds will be necessary for faculty and support staff. It will also include enhanced student services to provide a quality pool of undergraduate students who will continue their graduate work in health related fields and to foster graduate research opportunities/fellowships. This initiative will continue to expand FIU's ability to prepare students for research careers and employment opportunities in the State's critical areas of Public Health and Biomedical Sciences.

**Priority Number 2
UNDERGRADUATE RETENTION:
ACCESS TO ADVISING AND DEGREE-TRACKING**

Budget Request for 2008-09: \$5.0 million

The University must fulfill its most important obligation, that of access, academic success, and graduation for its students. This request focuses on fundamental changes that must be instituted to provide the support and educational opportunity that our students require and deserve. The funding will focus on the following critical areas:

- Quality Advising
- Progress-to-Degree/Degree tracking system
- Entry Level Classes and Support
- Curricular offerings/Administrative-Faculty Efforts

FIU will improve the quality of advising that its students receive with renewed emphasis on curricular issues. We will develop training institutes in order for our faculty/advisors to be more effective in helping our students choose the programs and courses that will help them stay engaged and on track with their degree program.

Exhibit "I"

FIU will institutionalize its new degree tracking system to ensure that students have access to the most current, appropriate information with respect to their progress to degree with pre-determined milestones along the way. This will provide an interactive experience for students to manage their trajectory.

We will expand institutional support for enhanced tutoring services in the critical areas of writing and mathematics. We will develop appropriate mechanisms to embed writing across the curricular areas, to ensure that our graduates are capable of the quality writing that is necessary for success in the 21st century. FIU will provide increased student hourly support for the Writing Center.

In Fall 2007 the university will begin with a MWF/T-Th schedule for its students. This will provide many academic benefits to our students including increased opportunities throughout the day to take necessary courses, more frequent contact time between faculty and students, and increased opportunities for our graduate students to interact as Teaching Assistants with their faculty advisors and our undergraduate students.

We anticipate needing increased staff and advisors as the combination of all of these initiatives will warrant more of our students using our services. We also anticipate increased faculty, staff and advisor training and development with respect to annual planning. Finally, FIU will invest in information technology, and software development and implementation.

Priority Number 3 RESEARCH ENHANCEMENT

Budget Request for 2008-09:

\$5.0 million

The University intends to create a recurring pool of funds that will allow us to augment the existing funding for replacement and new faculty to recruit World Class/Eminent Scholars to join our senior Faculty.

This faculty will enhance our research portfolio and mentor younger faculty and graduate students in public health, biomedical engineering, hurricane mitigation research and other Science, Technology, Engineering, and Mathematics (STEM) disciplines.

This initiative will allow FIU to strengthen its research portfolio in these strategic areas, through both new researchers and new equipment. This initiative will act as a critical catalyst for local economic development, address unique local needs, and improve the University's national reputation in the research enterprise.

Priority Number 4
HURRICANE ENHANCEMENT INITIATIVE

Budget Request for 2008-09:

\$3.3 million

The Hurricane enhancement request will allow for the expansion of the International Hurricane Research Center (IHRC) mission to include academic program integration, provide opportunities for students, and make possible the development of academic materials and on-line training. In specific, it will:

- Build upon our successful hurricane initiatives in Public Hurricane Loss Projection (Catastrophe) Modeling, High-Resolution Coastal & Estuarine Storm Tide (CEST) Modeling, Wall of Wind full-scale destructive testing of houses, and creating a “culture of preparedness and mitigation” in the State of Florida.
- Enhance our current research and outreach in hurricane data management, including the statewide LIDAR data set for surge-prone areas in Florida.
- Develop state-of-the-art courses and computer simulations for academic program integration and student development, which would augment and utilize our modeling and simulation programs.
- Support the development of a Training Laboratory for emergency managers and student learning for FEMA HAZUS and other training courses, Multi-Media Area for reporters similar to that available at the National Hurricane Center, and other laboratories for student research.
- Create an interdisciplinary/multidisciplinary Forum on Hurricanes that will bring nationally and internationally acclaimed researchers to collaborate with FIU hurricane scientists and engineers, students, and the community at large.

Graduates will incorporate the practice of hazard mitigation in the exercises of their professions. This initiative will increase both the quality and the level of safety of homes and businesses.

Hurricanes continue to threaten our cities, our economy, and our lives. The IHRC is poised to lessen the dangers of hurricanes through advancement in science and technology. Since its inception the IHRC has developed collaboration with public and private entities. The IHRC, as the State of Florida Center, has shown its ability in conducting and promoting hurricane research as evidenced by organizing and leading the highly successful SUS-wide initiative of the Florida Hurricane Alliance.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: FIXED CAPITAL OUTLAY LEGISLATIVE BUDGET REQUEST, 2008-2009

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS the University must submit to the Board of Governors its Fixed Capital Outlay Legislative Budget Request for 2008-2009.

THEREFORE BE IT RESOLVED that the Florida International University Board of Trustees (the BOT) approve the Florida International University 2008-2009 Fixed Capital Outlay (FCO) Legislative Budget Request consisting of the 5-year capital improvement plan (CIP) for Public Education Capital Outlay (PECO) projects, the Courtelis Facilities Enhancement Challenge Grant program list, and the Appropriations Bill proposed project list prepared pursuant to Sections 1013.64, 1001.74, 1011.40 and 1013.60, Florida Statutes and attached to this Resolution as Exhibit "J"; and

BE IT FURTHER RESOLVED that the BOT authorizes the University President to amend the 2008-2009 Fixed Capital Outlay (FCO) Legislative Budget Request to adjust to changing circumstances not-to-exceed 15% for each year and that any changes made will be further reported to the Board of Trustees at the next board meeting.

BE IT FURTHER RESOLVED that the BOT authorizes the University Administration to take all actions necessary to implement this Resolution.

BACKGROUND INFORMATION:

STATUTORY AUTHORITY:

1013.64 F.S. (4)(a) Community college boards of trustees and university boards of trustees shall receive funds for projects based on a 3-year priority list, to be updated annually, which is submitted to the Legislature in the legislative budget request at least 90 days prior to the legislative session. Should the order of the priority of the projects change from year to year, a justification for such change shall be included with the updated priority list.

SUMMARY:

The **Capital Improvement Plan** (CIP) is intended to present the additional academic and academic support facilities needed for a five-year period. Accordingly, each college and university's CIP should not include such projects as student unions, parking garages, athletic facilities, and housing facilities which are normally funded from revenue bonds or allocations of Capital Improvement Fees. Each institution's CIP will be used to select projects for inclusion within the 2008-09/2010-11 Three-Year Public Education Capital Outlay (PECO) Project Priority List to prepare the Five-Year Capital Improvement Plan and to prepare the initial 2008-09 Courtelis Facilities Enhancement Challenge Grant Project List.

Additionally, the following must be submitted with the additional CIP request on August 1, 2007:

1. Projects funded from external institutional sources which require general revenue for operation.
2. Projects financed with long term debt or other long term obligations, including University direct support organization projects.
3. Previous legislative authorizations for which universities are requesting revisions.

Funding will be requested for institutional **PECO** projects in the following priority order:

- a. Continuation of the funded projects included on the Board of Governor's adopted three-year list.
- b. Utilities infrastructure/Capital Renewal/Roofs needs.
- c. Requests to increase the amount of initial construction funding for an existing project on the three year PECO list.
- d. Renovation and remodeling projects to meet current space needs, structural/mechanical repairs, and technology upgrades that are in accordance with s. 1013.64(4)(a), Florida Statutes.
- e. Instructional, then research, followed by support space needs to include projects that will bring each university to the system average percentage of formula need.
- f. Projects to provide specialized space for a newly approved academic program.
- g. Land acquisition in accordance with University Board of Trustees adopted master plans.
- h. Matching external funds from non-private sources.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “J”: CAPITAL IMPROVEMENT PLAN (CIP-2) AND LEGISLATIVE BUDGET REQUEST, 2008-2009 THROUGH 2012-2013; CHALLENGE GRANT REQUEST, 2008-2009; 2008-2009 APPROPRIATIONS BILL AUTHORIZATION ITEMS

FACILITATOR/PRESENTER:

- KIRK LANDON

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Exhibit "J"

FLORIDA BOARD OF GOVERNORS
 Capital Improvement Plan (CIP-2) and Legislative Budget Request

BOT 06/20/2007

Period: 2008-2009 through 2012-2013

Florida International University Board of Trustees

Priority Number	Project	2008-09	2009-10	2010-11	2011-12	2012-13	Total
1	FACILITIES INFRASTRUCTURE /CAPITAL RENEWAL - UW (P,C,E)	\$10,500,000	\$10,500,000	\$10,500,000	\$10,500,000	\$10,500,000	\$52,500,000
2	SCIENCE/CLASSROOM COMPLEX - UP (P,C)(C,E)	\$9,000,000	\$3,000,000				\$12,000,000
3	SATELLITE CHILLER PLANT - UP (C,E)	\$6,000,000					\$6,000,000
4	HEALTH-SCIENCE LABORATORY CLINIC - UP (C,E)	\$7,000,000					\$7,000,000
5	* STUDENT ACADEMIC SUPPORT CENTER - UP (P,C)(C,E)	\$24,000,000	\$5,120,000				\$29,120,000
6	* DEPT. OF HEALTH/FIU PUBLIC HEALTH - UP (P,C,E)(C,E)	\$12,000,000	\$2,196,000				\$14,196,000
7	PUBLIC SAFETY BUILDING SUPPLEMENT - UP (P,C,E)	\$1,976,000					\$1,976,000
8	HUMANITIES CTR., (ARTS & SCIENCES) - UP (P,C)(P,C,E)(C,E)	\$7,500,000	\$11,500,000	\$12,720,000			\$31,720,000
9	* SCIENCE LABORATORY COMPLEX - UP (P,C)(P,C)(C,E)	\$4,000,000	\$26,000,000	\$26,160,000			\$56,160,000
10	* REMODEL./RENOV. OF EXIST. EDUC. SPACE - UW (P,C,E)(P,C,E)(P,C,E)	\$1,000,000	\$2,000,000	\$9,480,000			\$12,480,000
11	CLASSROOM/OFFICE, (ACADEMIC IV) - BBC (P,C)(C,E)(C,E)	\$4,000,000	\$20,120,000	\$5,000,000			\$29,120,000
12	* CONSTR. MGT. & ENGINEERING EXPANSION - EC (P,C)(P,C)(C,E)		\$1,000,000	\$10,521,000	\$2,000,000		\$13,521,000
13	TRAINING COMPLEX (HUMAN RESOURCES) - UP (P,C)(P,C,E)			\$1,500,000	\$15,660,000		\$17,160,000
14	* HONORS COLLEGE - UP (P,C)(P,C)(C,E)			\$2,000,000	\$14,720,000	\$2,000,000	\$18,720,000
15	* GRADUATE SCHOOL OF BUSINESS, Phase II - UP (P,C)(C,E)				\$9,440,000	\$28,000,000	\$37,440,000
16	* SOCIAL SCIENCE, Phase II - UP (P,C)(C,E)				\$11,040,000	\$16,000,000	\$27,040,000
	TOTAL PECO REQUEST	\$86,976,000	\$81,436,000	\$77,881,000	\$63,360,000	\$56,500,000	\$366,153,000

* Indicates a new PECO project added to the 5-year CIP.

Exhibit "J"

FLORIDA BOARD OF GOVERNORS
 Capital Improvement Plan (CIP-2) and Legislative Budget Request
 Period: 2008-2009 through 2012-2013
 Florida International University Board of Trustees

BOT 06/20/2007

Priority Number	Project	2008-09	2009-10	2010-11	2011-12	2012-13	Total
16	HEALTH SCIENCES CONFERENCE CENTER, UP (P,C,E)	\$20,000,000					\$20,000,000
17	PATRICIA AND PHILLIP FROST ART MUSEUM, UP BR-839 (P,C,E)	\$500,000					\$500,000
18	COLLEGE OF LAW BR-832, UP (E)	\$200,000					\$200,000
19	GRADUATE SCHOOL OF BUSINESS- PHASE I, UP (P,C,E)	\$100,000					\$100,000
20	IHRC- WALL OF WIND TESTING FACILITY- PH. II, UP (P,C,E)	\$700,000					\$700,000
21	ENGINEERING CENTER- LAB REMODELING AND EXPANSION, UP (P,C,E)	\$20,000					\$20,000
22	TROPICAL BOTANY CENTER, UP (P,C,E)	\$5,000,000					\$5,000,000
23	CARNIVAL STUDENT CENTER	\$500,000					\$500,000
TOTAL CHALLENGE GRANT REQUEST		\$27,020,000	\$0	\$0	\$0	\$0	\$27,020,000

Exhibit "J"

STATE UNIVERSITY SYSTEM
 2008-2009 Fixed Capital Outlay Projects Requiring Legislative Approval
 to be Constructed, Aquired and Financed by a University or
 a University Direct Support Organization with Approved Debt
 authorized by the Board of Governors

August 1, 2007

Florida International University Board of Trustees

Univ	Project Title	GSF	Brief Description of Project	Project Location	Project Amount	Funding Source	Est. Annual Amount for Oper. & Maintenance Cost	Amount Source
FIU	Parking Garage Five	512,828	Parking garage for 1,400 cars with four lane access road. Includes 6,000 GSF of administrative office and support space.	UP	\$24,528,000	Revenue Bonds	\$520,000	(a) Auxiliary
FIU	Parking Garage Six	1,098,917	Parking garage for 3,000 cars with four lane access road. Includes 6,000 GSF of administrative office and support space.	UP	\$50,400,000	Revenue Bonds	\$800,000	(a) Auxiliary
FIU	Housing Phase V	488,000	Accommodates 800 beds and dining facility	UP	\$57,792,000	Revenue Bonds	\$5,211,840	(b) Auxiliary
FIU	Department of Health / FIU Public Health Building	120,000	Office, research and clinical space leased to the State of Florida supported Miami-Dade County Department of Health for a period of 50 years - medical initiative and collaboration with FIU's Department of Public Health	UP	\$35,000,000	Revenue Bonds	\$780,000	GR

(a) Annual operating and maintenance cost based on \$175 per year per car plus \$5/GSF per year for support space.

(b) Annual operating and maintenance cost based on approximately \$7.12/GSF apartment style residential facilities.

Exhibit "J"

STATE UNIVERSITY SYSTEM
 2008-2009 Fixed Capital Outlay Projects Requiring Legislative Authorization
 and General Revenue Funds to Operate and Maintain

August 1, 2007

Florida International University Board of Trustees

Univ	Project Title	GSF	Brief Description of Project	Project Location	Project Amount	Funding Source	Est. Annual Amount for Oper. & Maintenance Cost	Amount Source
FIU	Department of Health / FIU Public Health Building	120,000	Office, research and clinical space leased to the State of Florida supported Miami-Dade County Department of Health for a period of 50 years - medical initiative and collaboration with FIU's Department of Public Health	UP	\$35,000,000	Revenue Bonds	\$780,000	GR

(a) Annual operating and maintenance cost based on approximately \$6.50/GSF

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: 2005-2006 SUPPLEMENTAL EDUCATIONAL PLANT SURVEY AMENDMENT

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS Florida Statute 1013.31(1)(a) requires that the Board of Trustees arrange for an Educational Plant Survey to determine the University's needs; and

WHEREAS a survey was conducted pursuant to the requirements of the Statute:

THEREFORE BE IT RESOLVED that the Florida International University Board of Trustees (the BOT) adopts The Florida International University 2005-2006 Supplemental Educational Plant Survey, as mandated by Florida Statutes (Section 1013.31, F.S., 2005) which is attached to this Resolution as Exhibit "K"; and

BE IT FURTHER RESOLVED that the BOT authorizes the University Administration to take all actions necessary to implement this Resolution.

BACKGROUND INFORMATION:

STATUTORY AUTHORITY:

Florida Statutes 1013.31(1), "Educational plant survey; localized need assessment; PECO project funding,--" states in part,

(1) At least every 5 years, each board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan.

(a) *Survey preparation and required data.* – Each survey shall be conducted by the board or an agency employed by the board. Surveys shall be reviewed and approved by the board, and a file copy shall be submitted to the Office of Educational Facilities and SMART schools Clearinghouse within the Office of the Commissioner of Education.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “K”: SUPPLEMENTAL EDUCATIONAL PLANT SURVEY AMENDMENT – “ANALYSIS OF SPACE NEEDS BY CATEGORY – REVISED JUNE 28, 2007”

FACILITATOR/PRESENTER:

- KIRK LANDON

Exhibit "K"

ANALYSIS OF SPACE NEEDS BY CATEGORY - FORM B

FLORIDA INTERNATIONAL UNIVERSITY
Main Campus
Net Assignable Square Feet Eligible for Fixed Capital Outlay Budgeting

REVISED 06/20/2007

	Class-room	Teaching Lab	Study	Research Lab	Office	Aud/Exhibition	Instruct. Media	Student Academic Support	Gym	Campus Support Services	Total NASF
Space Needs by Space Type 2010-11*	314,454	358,447	456,584	257,186	960,023	78,093	29,415	15,619	150,199	131,001	2,751,021
Less:											
1) Current Inventory as of October 2005											
A) Satisfactory Space	139,417	230,204	182,123	204,128	530,405	96,323	15,712	4,108	62,896	78,248	1,543,564
B) Unsatisfactory Space to be Remodeled											0
C) Unsatisfactory Space to be Demolished/Terminated											0
D) Total Under Construction	6,035	22,173	40,325	0	29,700	10,600	150	4,204	0	6,630	119,817
Art Museum (FECG)	700	0	0	0	7,165	10,600	0	1,300	0	5,500	25,265
Central Utilities Plant Sub Station	0	0	0	0	400	0	0	0	0	0	400
College of Law	5,335	22,173	40,325	0	22,135	0	150	2,904	0	1,130	94,152
Total Current Inventory	145,452	252,377	222,448	204,128	560,105	106,923	15,862	8,312	62,896	84,878	1,663,381
2) Projects Funded for Construction thru 2005											
Office/Classroom (Graduate School of Business)	24,775	0	4,680	0	22,760	0	0	0	0	2,490	54,705
Social Sciences	17,500	0	0	0	15,570	0	500	0	0	1,500	35,070
Nursing & Health Science (Molecular Biology)	0	23,784	0	0	10,880	0	0	0	0	0	34,664
Total Funded Construction	42,275	23,784	4,680	0	49,210	0	500	0	0	3,990	124,439
Plus: Planned Demolition	0	0	0	0	0	0	0	0	0	0	0
Net Space Needs	126,727	82,286	229,456	53,058	350,708	(28,830)	13,053	7,307	87,303	42,133	963,201
Percent of:											
Current Inventory and Funded Projects											
Minus Demolition	60%	77%	50%	79%	63%	137%	56%	53%	42%	68%	65%
Space Needs											

NOTES: Funded projects consisting of space that is not eligible for fixed capital outlay budgeting are not shown.
* 2010-11 Space Needs based on 2000-01 NASF/FTE factors and projected FTE of 26,031

Exhibit "K"

REVISED 06/20/2007

FLORIDA INTERNATIONAL UNIVERSITY 2006-07 CIP

	Class- room	Teaching Lab	Study	Research Lab	Office	Aud/ Exhibition	Instruct. Media	Student Academic Support	Gym	Campus Support Services	Total NASF
Space Needs by Space Type 2010-11	314,454	358,447	456,584	257,186	960,023	78,093	29,415	15,619	150,199	131,001	2,751,021
Net Space Needs from Form B	126,727	82,286	229,456	53,058	350,708	(28,830)	13,053	7,307	87,303	42,133	963,201
Percent of Space Needs	60%	77%	50%	79%	63%	137%	56%	53%	42%	68%	65%
3) Projects Funded for Planning thru 2005-2006	0	0	0	0	0	0	0	0	0	0	0
Sub Total Net Space Needs	126,727	82,286	229,456	53,058	350,708	(28,830)	13,053	7,307	87,303	42,133	963,201
Sub Total Percent	60%	77%	50%	79%	63%	137%	56%	53%	42%	68%	65%
4) 2006-07 CIP Projects											
Proj 1) Facilities Infrastructure/Capital Renewal	0	0	0	0	0	0	0	0	0	0	0
Sub Total Net Space Needs	126,727	82,286	229,456	53,058	350,708	(28,830)	13,053	7,307	87,303	42,133	963,201
Sub Total Percent	60%	77%	50%	79%	63%	137%	56%	53%	42%	68%	65%
Proj 2) Science/Classroom Complex-UP	25,000	30,000	12,750	0	12,000	0	1,000	1,000	0	0	81,750
Sub Total Net Space Needs	101,727	52,286	216,706	53,058	338,708	(28,830)	12,053	6,307	87,303	42,133	881,451
Sub Total Percent	68%	85%	53%	79%	65%	137%	59%	60%	42%	68%	68%
Proj 3) Satellite Chiller Plant	0	0	0	0	500	0	0	0	0	0	500
Sub Total Net Space Needs	101,727	52,286	216,706	53,058	338,208	(28,830)	12,053	6,307	87,303	42,133	880,951
Sub Total Percent	68%	85%	53%	79%	65%	137%	59%	60%	42%	68%	68%
Proj 4) Health-Science Lab Clinic, UP	14,860	10,710	510	0	13,420	0	0	0	0	0	39,500
Sub Total Net Space Needs	86,867	41,576	216,196	53,058	324,788	(28,830)	12,053	6,307	87,303	42,133	841,451
Sub Total Percent	72%	88%	53%	79%	66%	137%	59%	60%	42%	68%	69%
Proj 5) Student Academic Support Center, UP	6,000	0	10,000	0	32,400	0	0	1,600	0	0	50,000
Sub Total Net Space Needs	80,867	41,576	206,196	53,058	292,388	(28,830)	12,053	4,707	87,303	42,133	791,451
Sub Total Percent	74%	88%	55%	79%	70%	137%	59%	70%	42%	68%	71%
Proj 6) Department of Health/FIU Public Health, UP	0	5,000	0	0	26,000	0	0	0	0	0	31,000
Sub Total Net Space Needs	80,867	36,576	206,196	53,058	266,388	(28,830)	12,053	4,707	87,303	42,133	760,451
Sub Total Percent	74%	90%	55%	79%	72%	137%	59%	70%	42%	68%	72%
Proj 7) Public Safety Building Supplement, Up	0	0	0	0	12,000	0	0	0	0	3,000	15,000
Sub Total Net Space Needs	80,867	36,576	206,196	53,058	254,388	(28,830)	12,053	4,707	87,303	39,133	745,451
Sub Total Percent	74%	90%	55%	79%	74%	137%	59%	70%	42%	70%	73%
Proj 8) Humanities Center/Arts & Sciences Offices, UP	4000	15,000	4,000	5,000	15,500	0	0	0	0	0	43,500
Sub Total Net Space Needs	76,867	21,576	202,196	48,058	238,888	(28,830)	12,053	4,707	87,303	39,133	701,951
Sub Total Percent	76%	94%	56%	81%	75%	137%	59%	70%	42%	70%	74%
Proj 9) Science Laboratory Complex, UP	16,300	4,000	30,000	32,700	20,000	0	2,000	1,000	0	0	106,000
Sub Total Net Space Needs	60,567	17,576	172,196	15,358	218,888	(28,830)	10,053	3,707	87,303	39,133	595,951
Sub Total Percent	81%	95%	62%	94%	77%	137%	66%	76%	42%	70%	78%
Proj 10) Remodeling/Renovation of Existing Space	0	0	0	0	0	0	0	0	0	0	0
Sub Total Net Space Needs	60,567	17,576	172,196	15,358	218,888	(28,830)	10,053	3,707	87,303	39,133	595,951
Sub Total Percent	81%	95%	62%	94%	77%	137%	66%	76%	42%	70%	78%
Proj 11) Classroom/Office, (Academic IV), BBC	8,000	5,000	6,000	3,000	16,800	0	800	0	0	0	39,600
Sub Total Net Space Needs	52,567	12,576	166,196	12,358	202,088	(28,830)	9,253	3,707	87,303	39,133	556,351
Sub Total Percent	83%	96%	64%	95%	79%	137%	69%	76%	42%	70%	80%
Proj 12) Construction Management & Engineering Expansion, EC	6,500	4,000	7,000	3,000	5,000	0	0	2,000	0	0	27,500
Sub Total Net Space Needs	46,067	8,576	159,196	9,358	197,088	(28,830)	9,253	1,707	87,303	39,133	528,851
Sub Total Percent	85%	98%	65%	96%	79%	137%	69%	89%	42%	70%	81%

Exhibit "K"

REVISED 06/20/2007

FLORIDA INTERNATIONAL UNIVERSITY 2006-07 CIP

	Class- room	Teaching Lab	Study	Research Lab	Office	Aud/ Exhibition	Instruct. Media	Student Academic Support	Gym	Campus Support Services	Total NASF
Proj 13) Training Complex, (Human Resources), UP	0	0	0	0	14,420	0	0	0	0	10,000	24,420
Sub Total Net Space Needs	46,067	8,576	159,196	9,358	182,668	(28,830)	9,253	1,707	87,303	29,133	504,431
Sub Total Percent	85%	98%	65%	96%	81%	137%	69%	89%	42%	78%	82%
Proj 14) Honors College, UP	10,500	0	3,000	3,000	9,500	0	0	0	0	0	26,000
Sub Total Net Space Needs	35,567	8,576	156,196	6,358	173,168	(28,830)	9,253	1,707	87,303	29,133	478,431
Sub Total Percent	89%	98%	66%	98%	82%	137%	69%	89%	42%	78%	83%
Proj 15) Graduate School Business Phase II, UP	20,600	3,410	12,000	0	40,740	0	0	0	0	0	76,750
Sub Total Net Space Needs	14,967	5,166	144,196	6,358	132,428	(28,830)	9,253	1,707	87,303	29,133	401,681
Sub Total Percent	95%	99%	68%	98%	86%	137%	69%	89%	42%	78%	85%
Proj 16) Social Science, Phase II - UP	9,000	0	3,200	0	15,378	0	1,000	1,500	0	5,000	35,078
Sub Total Net Space Needs	5,967	5,166	140,996	6,358	117,050	(28,830)	8,253	207	87,303	24,133	366,603
Sub Total Percent	98%	99%	69%	98%	88%	137%	72%	99%	42%	82%	87%

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: 2000-2010 Campus Master Plan Amendment No. 1

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS Florida Statute 1013.30 requires that the University Board of Trustees prepares and adopts the Campus Master plan; and

WHEREAS Florida Statute 1013.30(9) requires the Board of Trustees to approve any minor changes to the plan:

THEREFORE BE IT RESOLVED that the Florida International University Board of Trustees adopts Amendment No.1 to the Florida International University 2000-2010 Campus Master Plan Update, State Project No. BR-813 as a minor change amendment to the Master Plan approved by the Board at its July 26, 2004 meeting prepared in accordance with requirements of 1013.30, Florida Statutes, attached to this Resolution as Exhibit "L, Land Use Map – Amendment 1, Revised 6/28/07"; and

BE IT FURTHER RESOLVED that the Florida International University Board of Trustees authorizes the University Administration to take all actions necessary to implement this Resolution.

Background Information:

STATUTORY AUTHORITY:

1013.30 University campus master plans and campus development agreements.--

Each university board of trustees shall prepare and adopt a campus master plan for the university and maintain a copy of the plan on the university's website. The master plan must identify general land uses and address the need for and plans for provision of roads, parking, public transportation, solid waste, drainage, sewer, potable water, and recreation and open space during the coming 10 to 20 years. The plans must contain elements relating to future land use, intergovernmental coordination, capital improvements, recreation and open space, general infrastructure, housing, and conservation. Each element must address compatibility with the surrounding community. The master plan must identify specific land uses, general location of

structures, densities and intensities of use, and contain standards for onsite development, site design, environmental management, and the preservation of historic and archaeological resources. The transportation element must address reasonable transportation demand management techniques to minimize offsite impacts where possible. Data and analyses on which the elements are based must include, at a minimum: the characteristics of vacant lands; projected impacts of development on onsite and offsite infrastructure, public services, and natural resources; student enrollment projections; student housing needs; and the need for academic and support facilities. Master plans must be updated at least every 5 years.

The proposed amendment creates a “mixed” land use category appropriate for planned development in the northeast quadrant of University Park and the north side of the FIU Community Stadium. This change will rearrange land uses in a manner that will not increase the impact of any proposed campus development by more than 10 percent on a road or on another public facility or service provided or maintained by the state, the county, the host local government, or any affected local government. The proposed amendment is consistent with authority given to local boards to adopt minor changes to the plan as per §1013.30(9), Florida Statutes.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “L, LAND USE MAP – AMENDMENT 1, REVISED JUNE 28, 2007”

FACILITATOR/PRESENTER:

- KIRK LANDON

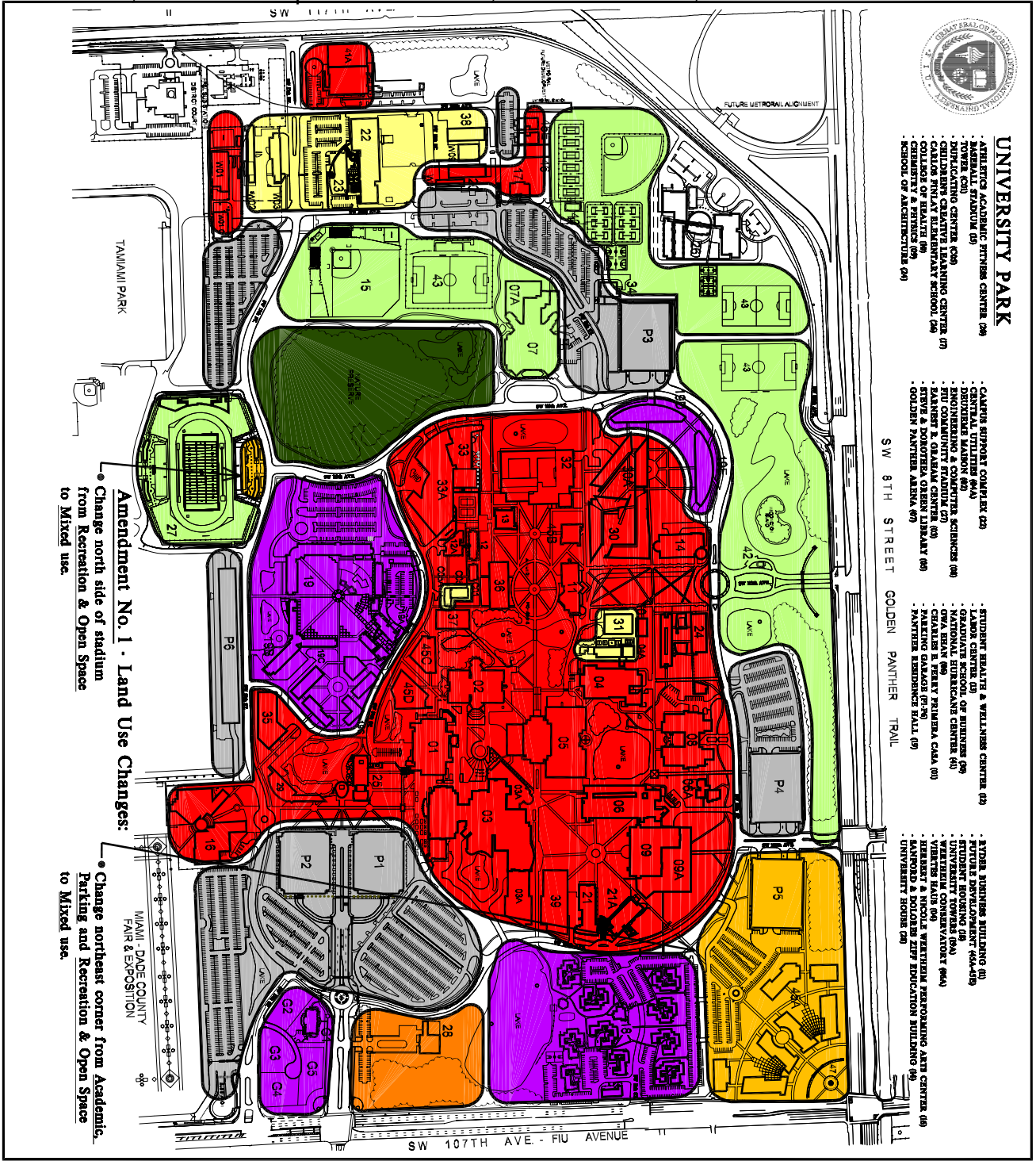
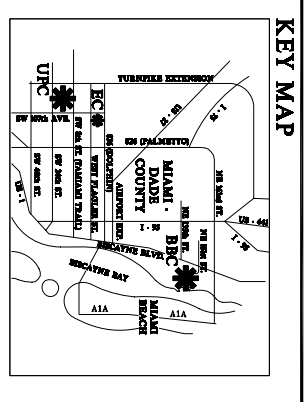


FIGURE NUMBER 43

LAND USE MAP

Amendment No. 1 - Revised 06/20/07

- LEGEND:**
- ACADEMIC
 - SUPPORT
 - RESIDENTIAL
 - RECREATION - OPEN SPACE
 - COMMUNITY INTERFACE
 - PARKING
 - CONSERVATION
 - MIXED



FINAL MASTER PLAN
FLORIDA INTERNATIONAL UNIVERSITY
MIAMI, FLORIDA

DATE: OCTOBER 2003

NOORTH SOURCE: ASHBY & VANDERKAM ARCHITECTS, INC. 2001 UNIVERSITY DRIVE, MIAMI, FL 33136

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

**SUBJECT: AMENDMENT TO THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF
TRUSTEES OPERATING PROCEDURES**

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS the Operating Procedures of the Florida International University Board of Trustees, Article IV, "Amendment of Operating Procedures," provides that the Operating Procedures may be altered, amended or repealed by a two thirds vote of all members of the Board;

WHEREAS changes in the Board operations have necessitated changes to the Operating Procedures;

THEREFORE BE IT RESOLVED that the Board hereby adopts the amendments to the Operating Procedures of the Florida International University Board of Trustees attached to this Resolution as Exhibit "M."

BACKGROUND INFORMATION:

LEGAL AUTHORITY:

The Florida International University Board of Trustees Operating Procedures, Article IV, states,

The Operating procedures may be altered, amended or repealed by a two thirds vote of all members of the Board at any regular meeting, when notice of the proposed amendment or repeal is provided in the meeting notice.

BACKGROUND INFORMATION:

The Chair, in consultation with the President, has determined that changes are needed to BOT operations in order to better address the strategic priorities of the University.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “M” – AMENDMENTS TO OPERATING PROCEDURES OF THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

FACILITATOR/PRESENTER:

- CHAIRMAN DAVID PARKER

OPERATING PROCEDURES OF THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

ARTICLE I ORGANIZATION

Board of Trustees

The Florida International University Board of Trustees (the "Board") is established as a body corporate, with all powers of a body corporate as provided by Florida law, acting as an instrumentality or an agency of the state, pursuant to s. 768.28, for purposes of sovereign immunity. It shall serve as the governing body of the Florida International University (the "University") and perform all duties prescribed by law and by the Board of Governors. In consultation with the University President, it shall provide for academic freedom and academic responsibility at the University.

Membership

The Board shall be composed of thirteen persons, six members appointed by the Governor of the State of Florida, five citizen members appointed by the Board of Governors, one member who shall be the Chair of the Faculty Senate and one member who is the President of the Florida International University Student Government Association.

Board members shall be appointed for staggered 5-year terms and may be reappointed for additional terms not to exceed ten (10) years of service. The Chair of the Faculty Senate will be appointed each year by the first of August and the President of the Florida International University Student Government Association will be appointed each year by the first of May. Members of the Board shall serve without compensation but may be reimbursed for travel and per diem expenses in accordance with state law.

Powers and Duties of Officers

The officers of the Board are the Chair, Vice-Chair, Treasurer, and the Executive Officer and Corporate Secretary. ~~The Chair and Vice-Chair shall be selected by the Board and shall serve for a two-year term to begin immediately upon selection. Thereafter, T~~the Board shall select the Chair and Vice Chair at the last regularly scheduled meeting of the fiscal year for a two year term to begin September 1. The Chair and Vice-Chair shall be eligible for reselection for one additional consecutive term. The Treasurer shall be appointed by the Chair. The University President shall serve as Executive Officer and Corporate Secretary of the Board.

Exhibit "M"

The Florida International University
Operating Procedures
~~19 September 2005~~
Page 2

Chair/Vice Chair:

The Chair shall preside at all meetings of the Board, call special meetings of the Board when necessary, attest to actions of the Board and notify the Governor in writing whenever a Board member fails to attend three consecutive meetings in any fiscal year, which failure shall be grounds for removal. The Vice-Chair shall act as Chair during the absence or disability of the Chair.

Treasurer:

The Treasurer shall be responsible for oversight of all policies relating to the financial affairs of the University; may present a financial report to the Trustees at each meeting of the Board; and perform such other duties as may be assigned to him/her by the Chair, or the Board.

Executive Officer/Corporate Secretary:

The University President, as Executive Officer and Corporate Secretary, **is an ex officio member of the Board and** shall be responsible to the Board for all operations of the University and for setting the agenda for meetings of the Board in consultation with the Chair.

As Executive Officer, the President shall serve as the principal liaison officer and official contact between the Board and the faculty, staff and students of the University. The President shall exercise such powers as are appropriate to his/her position in promoting, supporting and protecting the interests of the University and in managing and directing its affairs. The President may issue directives and executive orders consistent with existing Board policies and law. The President shall be responsible for all educational, financial, business and administrative functions of the University consistent with the policies established by the Board and shall exercise such other powers, duties and responsibilities as are delegated or assigned by the Board.

ARTICLE II MEETINGS

Regular meetings: The Board will meet no fewer than four times per fiscal year, at a time and place designated by the Chair. Meetings of the Board are open to the public and all official acts will be taken at public meetings. The schedule of meetings is to be available on the University website at <http://www.fiu.edu/trustees>.

The Director of Internal Audit shall present a report on the financial condition of the University to the full Board once every fiscal year at the November meeting.

A Trustee cannot participate in a regular board meeting via telephone or other communications media technology or video conferencing, unless such a meeting is conducted only via electronic means as provided below.

Meetings by Means of Telephone Conference Calls and other Communications Media Technology: Committees may, at the discretion of their Chairs, use telephone conference calls and other communications media technology to conduct Board business in the same manner as if the proceeding were held in person.

Adopted 13 January 2003
Amended 12 March 2003
Amended 22 November 2004
Amended 19 September 2005
Amended 28 June 2007

Exhibit "M"

The Florida International University
Operating Procedures
~~19 September 2005~~
Page 3

The notice of any meeting conducted by means of communication media technology will state where and how members of the public may gain access to the meeting.

Special Meetings: The Board will meet in special meetings, including hearings and workshops, at a time and place designated by the Chair, or in the absence of the Chair by the Vice Chair.

Notice of Regular, Special and Committee Meetings: Notice of regular meetings, committee meetings, and special meetings of the Board will be given by posting on the University's website at <http://www.fiu.edu/trustees> and faxing such notice and agenda to a newspaper of general circulation not less than seven days before the event, and will include a statement of the general subject matters to be considered. Whenever an emergency meeting is scheduled to be held, the Corporate Secretary will post a notice on the University's website at <http://www.fiu.edu/trustees> of the time, date, place, and purpose of the meeting as soon as possible under the circumstances.

Emergency Meetings: An emergency meeting of the Board may be called by the Chair of the Board or the Vice Chair in the Chair's absence, upon no less than forty-eight (48) hours notice whenever, in the opinion of the Chair or Vice Chair, an issue requires immediate Board action. Whenever such emergency meeting is called, the Chair will notify the Corporate Secretary. The Corporate Secretary will immediately serve either verbal or written notice upon each member of the Board, and shall provide notice to the public, by any procedure that is fair under the circumstances, stating the date, hour and place of the meeting and the purpose for which the meeting has been called. No other business will be transacted at the meeting unless additional emergency matters are agreed to by a majority of those Board members in attendance. The minutes of each emergency meeting will show the manner and method by which notice of such emergency meeting was given to each member of the Board and to the public.

Executive Session: The Legislature has provided limited exemptions from the Sunshine law for certain meetings because of the confidential material that must be discussed. When the Board decides to avail itself of any such exemption, it will do so by convening an executive session of the Board.

A. Pending Litigation:

Meetings to discuss pending litigation in which the Board is presently a party before a court or administrative agency may be held in executive session outside the Sunshine, provided the following procedures and conditions are met.

1. Counsel for the Board must advise the Board at a public meeting that he or she desires an executive session and must state the basis therefor.
2. Only Board members, the Board's attorney(s) and the President of the University may attend a closed executive session to discuss pending litigation. Staff members or consultants are not permitted to attend. The Board must give advance public notice, pursuant to its procedures, of the time and date of the executive session, and must identify the names of the persons who will be attending the closed session.

Adopted 13 January 2003
Amended 12 March 2003
Amended 22 November 2004
Amended 19 September 2005
Amended 28 June 2007

Exhibit "M"

3. The session must commence with an open meeting at which the Chairman of the Board or his/her designee shall announce the commencement of the meeting, the estimated length of the closed executive session, and the names of the persons attending. At that point, the meeting is closed to all except those whose names have been announced. The executive session may then commence. At the conclusion of the executive session, the meeting must be reopened to the public and the person chairing the meeting shall announce the termination of the closed executive session.

4. A certified court reporter must record the entire executive session. The reporter must record the times of commencement and termination of the executive session; all discussions and proceedings; the names of all persons present at any time; and the names of all persons speaking. No portion of any executive session may be held off the record. The Board must have the court reporter's notes fully transcribed, and the transcript filed with its records custodian. The transcript is exempt from Florida's public records law, and is not to be disclosed until the litigation concludes. Upon the conclusion of the litigation, the transcript becomes part of the public record.

5. The subject matter of the closed session must be confined to settlement negotiations or strategy sessions related to litigation expenditures. The Board may not go beyond these strict parameters. No final action, no vote, and no decisive action may be taken during the closed session. Any final decision to settle a lawsuit, for a certain amount of money, or under certain conditions, is a decision that must be voted upon in a public meeting.

B. Collective Bargaining:

1. Meetings to discuss collective bargaining strategy are completely exempt from the Sunshine law, and may be held in executive session without conforming to any of procedures and conditions required for an executive session to discuss litigation.

2. Attendance at the meeting by staff is limited to those named by the President as having involvement or oversight as to collective bargaining negotiations.

 3. All documents created for an executive session on collective bargaining are confidential and exempt from the Public Records provisions.

Quorum: ~~A majority of the Seven (7)~~ members of the Board must be present to constitute a quorum for the transaction of business.

Voting: ~~No business will be transacted without an affirmative vote of the Board, and a~~ The decision of the majority of the Trustees in attendance and voting on the question shall prevail, except that a majority vote of all members of the Board is required for establishing policy, for making rules and regulations, for appointing and removing the President and for approving or discontinuing programs. ~~The decision of the majority of the Trustees voting on the question shall prevail. No~~ No Trustee present at a Board or Committee meeting may abstain from voting except for those

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circumstances when a Trustee has a conflict of interest. If a Trustee has a conflict of interest with any agenda item, the Trustee shall advise the Chair of the conflict and abstain from voting. The Trustee shall complete a Memorandum of Voting Conflict Form within fifteen days of the meeting which shall be incorporated into the records of the meeting.

Voting by proxy or by mail shall not be permitted.

For purposes of these Operating Procedures the term "ex officio" shall mean that the person with such designation does not have a right to vote nor to be counted towards reaching a quorum.

At meetings of the Board, the Board shall vote on matters appearing on the Consent Agenda in its entirety, unless an individual Trustee requests that a separate vote be taken on a particular item. A separate vote shall be taken on each item appearing as an Action Item on the Agenda.

Parliamentary Rules: *Roberts Rules of Order*, newly revised, will be followed in conducting meetings of the Board, unless otherwise provided by the Board. The Chair shall resolve disputes regarding interpretations under Roberts Rules.

Agenda

The agenda for each meeting of the Board, or a Committee, shall be prepared by the Corporate Secretary or his/her designee, in consultation with the Chair of the Board or the Chair of the Committee, as applicable. Every request for inclusion of an item on the agenda of a meeting shall be put in writing and filed, together with any supporting documents, with the Corporate Secretary 30 days in advance of the meeting. The Corporate Secretary shall determine the propriety and practicability of including that item on the agenda for the meeting and may place time limits on any presentation or decline to place any matter on the agenda. The ~~Corporate Secretary~~ ~~President~~ will assemble the items received, and provide a copy of the agenda to each member of the Board at least 7 days prior to the meeting. If additional items or supporting documentation become available, a supplemental agenda will be provided at least 3 days prior to the meeting. If a Trustee would like a non-agenda item to be placed on the agenda, he/she may do so through a written memorandum to the Corporate Secretary no later than 3 days before the meeting of ~~Trustees~~ ~~the Board~~.

No agenda item may come before the Board unless it has been previously considered and recommended by a Committee of the Board. However, an agenda item may be presented to the Board without prior consideration by a Committee if it is determined to be an emergency item by the Corporate Secretary in consultation with the Chair.

Minutes

Minutes of the meetings of the Board shall be kept by the Corporate Secretary, who shall cause them to be printed and preserved and who shall transmit copies to the members of the Board. All lengthy reports shall be referred to in the minutes and shall be kept on file as part of the University

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records, but such reports need not be incorporated in the minutes except when so ordered by the Board.

ARTICLE III COMMITTEES

The ~~Chair of the~~ Board may establish such committees as ~~he/she~~ deems necessary for the orderly conduct of ~~the Board's its~~ business.

There shall be a minimum of two (2) standing committees of the Board, a Finance and Audit Committee and an Academic Policy ~~and Student Affairs~~ Committee. All Committees shall have no fewer than three members. A quorum for all Committees shall consist of a majority of the Committee.

The duty of each Committee shall be to consider and make recommendations to the Board on matters before it. Unless specifically delegated by the Board to a Committee, authority to act in all matters is reserved exclusively to the Board.

The Chair, in consultation with the President, shall appoint a Chair to head each Committee and a Vice Chair to substitute for the Chair of the Committee in his or her absence.

The President shall be an ex officio member of every Committee.

All Committee meetings shall be noticed by posting the notice and agenda on the University's website at <http://www.fiu.edu/trustees> and faxing said notice and agenda to a newspaper of general circulation ~~not less than seven (7) days before the meeting and will include a statement of the general subject matters to be considered.~~

The Finance and Audit Committee shall be responsible for oversight of all policies relating to the financial affairs of the University in accordance with the Board's Finance and Audit Committee Charter, attached as Appendix "A".

The Academic Policy ~~and Student Affairs~~ Committee shall be responsible for oversight of all policies relating to ~~the~~ academic ~~and student~~ affairs of the University. It shall review and consider policies relating to new and existing degree programs, instruction ~~and,~~ research, ~~and all matters relating to student affairs.~~ It shall review and consider policies relating to the recruitment and retention of faculty members, including tenure, academic freedom and academic responsibility, codes of conduct and appropriate penalties for violations of University rules pertaining to academic dishonesty, and student admissions, and make recommendations to the Board on these and other matters referred to it by the Board.

~~The Administration and Athletics Committee shall consider and recommend to the Board the fixing of the compensation and other conditions of employment of the President, conduct periodic~~

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~~evaluations of the President for consideration and adoption by the Board, constitute a presidential search committee of the Board to make recommendations to the Board upon the occurrence of a vacancy in the presidency, make recommendations to the Board for the establishment of the University's personnel program, and other matters of University administration as assigned by the Board. The Committee shall assist the University in raising awareness among Board members and in the community about the Athletic Program, and shall assist the President and other staff in the advancement of the Athletics Program.~~

~~The Governmental Relations Committee shall be responsible for assisting the President and the Provost and appropriate governmental relations staff in developing and implementing a plan to advance the University's interests at the federal, state and local levels of government.~~

Strategic Priority Workgroups. The Chair of the Board may establish such Strategic Priority Workgroups as he/she deems necessary to conduct the business of the Board and the University. The Chair of the Board, in consultation with the President, appoints the members and selects the Chairperson of the Workgroups. Strategic Priority Workgroups' actions are reported as recommendations for consideration and action by the full Board. The Strategic Priority Workgroups shall meet as often as the Chairperson of the workgroup shall determine. Minutes shall be taken and distributed to all Trustees. A majority of the Strategic Priority Workgroup voting members shall constitute a quorum for transaction of business.

ARTICLE IV AMENDMENT OF OPERATING PROCEDURES

These Operating procedures may be altered, amended or repealed by a two thirds vote of all members of the Board at any regular meeting, when notice of the proposed amendment or repeal is provided in the meeting notice.

ARTICLE V APPEARANCES BEFORE THE BOARD and COMMITTEES OF THE BOARD

Individuals or group representatives who desire to appear before the Board to initiate a subject within the Board's jurisdiction must submit their requests in writing at least seven (7) working days prior to the start of the meeting of the Board at The Florida International University Board of Trustees, 11200 S.W. 8 Street, PC 548, Miami, Florida 33199 at 11200 S.W. 8 Street, PC 528, Miami, Florida 33199, for the matter to be included in the agenda. The Corporate Secretary, in consultation with the Chair, will determine whether the item will be heard and when the item will be heard. Each Trustee will be provided with an opportunity to review the list of individuals who are on the agenda to appear before the Board, as well as the names of any who were not placed on the agenda.

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The Board may place time limits on presentations or decline to hear any matter determined by it to be outside its jurisdiction or unrelated to a particular agenda item, or not practicable for a particular meeting.

The Chair may recognize any individual or representative of groups to address the Board.

In order to proceed with the essential business of the Board in an orderly manner, any individual or group representative who attempts to disrupt a Board meeting will be subject to appropriate action pursuant to law.

Individuals or representatives of groups who desire to appear before a Committee of the Board regarding any item being considered on a meeting agenda of the Committee must submit their requests to the Corporate Secretary, The Florida International University Board of Trustees, 11200 S.W. 8 Street, PC 548, Miami, Florida 33199, specifying the agenda item about which they wish to speak. Such a request, along with any supporting documentation, must be submitted at least three (3) working days prior to the start of the Committee meeting. The President, in consultation with the Committee Chair, will determine whether the item will be heard and when it will be heard. The Committee Chair may place time limits on any presentation. The Committee Chair may decline to hear any matter determined by the President and Committee Chair not to relate to a particular agenda item or that is outside the Committee's jurisdiction, or because it is not practicable for a particular meeting.

ARTICLE VI CODE OF ETHICS

Code of Ethics—Conflict of Interest

Trustees stand in a fiduciary relationship to the University. Therefore, Trustees shall act in good faith, with due regard to the interests of the University, and shall comply with the fiduciary principles and law set forth in the Code of Ethics for Public Officers and Employees, Chapter 112, Part III, Florida Statutes. Trustees shall comport themselves in accord with the statutory Code of Ethics and the Conflict of Interest Policy attached to this Operating Procedures as Appendix "B". Each Trustee shall annually complete and sign a disclosure form as required by said policy.

ARTICLE VII ACADEMIC FREEDOM

Statement of Board Policy on Academic Freedom

Florida International University is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. The University therefore supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion and

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publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.

The University shall protect faculty and students in their responsible exercise of the freedom to teach and to learn.

It is the policy of the Florida International University to support and encourage full freedom within the law, of inquiry, discourse, teaching, research, and publication for all faculty. Members of the faculty are expected to recognize that accuracy, forthrightness and dignity benefit their association with the University and their position as men and women of learning. They should not represent themselves, without authorization, as spokespersons for the University.

The University shall not penalize or discipline members of their faculties because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

ARTICLE VIII MISCELLANEOUS PROVISIONS

Limitation of Liability and Indemnification

The Board shall be a corporation primarily acting as an instrumentality or agency of the state pursuant to Section 768.28(2), Florida Statutes for purposes of sovereign immunity. The University Board shall, to the extent legally permissible, indemnify, ~~and~~ defend and hold harmless each of its Trustees, ~~officers, employees, volunteers and other agents~~ against all liabilities and expenses incurred in the connection with the disposition or defense of any action, suit or other proceeding, whether civil or criminal, in which such person may be involved by reason of University service, except with respect to any matter in which such person shall have been adjudicated in any proceeding not to have acted in good faith; and further provided that no settlement shall be entered into without the prior consultation and approval of a duly authorized representative of the Board.

Service of Process

Service of process may be made on the Corporate Secretary or his or her designee.

Fiscal Year

The fiscal year of the Board shall commence on July 1 of each year and end on June 30.

Sunshine Laws

Public access to Board records will be governed by the provisions of the Public Records Law, Chapter 119, Florida Statutes. Board Committee and Workgroup meetings shall be governed by the provisions of the Open Meetings Law, Chapter 286, Florida Statutes.

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Corporate Seal

The corporation shall have a seal on which shall be inscribed "The Florida International University Board." The Corporate seal shall be used only in connection with the transaction of business of the Board and of the University. The Corporate Secretary may affix the seal on any document signed on behalf of the corporation. Permission may be granted by the Corporate Secretary for use of the seal in the decoration of any University building or in other special circumstances. The Corporate seal of the Board shall be consistent with the following form and design:



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Appendix "A"

THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

FINANCE and AUDIT COMMITTEE CHARTER

PURPOSE

This charter sets forth the operations and responsibilities of the Finance and Audit Committee the ("Finance Committee") of the Florida International University (the "University"). The Finance Committee's primary function is to assist the University's Board of Trustees (the "Finance Board") in fulfilling its oversight responsibilities by reviewing procedures in place to assess and minimize significant risks, overseeing the quality and integrity of financial reporting practices (including the underlying system of internal controls, policies and procedures, regulatory compliance programs, and ethical code of conduct), and overseeing the overall audit process.

The Finance Committee's role is one of oversight, not preparation or operation. Its members rely on the representations of Senior Management, General Counsel, the Office of Internal Audit and the Auditor General, other committees of the Board and other professional consultants. The Finance Committee promotes open communication among and between Senior Management, the Office of Internal Audit, the Auditor General, and the Board.

COMPOSITION AND MEMBER QUALIFICATIONS

- The Finance Committee consists of at least four members, all of whom are voting Trustees of the University.
- Members shall possess general accounting, business and financial knowledge, including the ability to read and understand fundamental financial statements. At least one member shall have accounting or financial expertise, as defined by the Board.
- Members shall be independent and objective in the discharge of their responsibilities. They are to be free of any financial, family, or other material personal relationship, including relationships with members of University management, University auditors and other professional consultants.
- A simple majority of the Finance Committee membership will constitute a quorum.
- It is the responsibility of the Finance Committee Chair to approve each meeting's agenda and to update the Board on the significant matters discussed by the Finance Committee.

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GENERAL ACTIVITIES AND RESPONSIBILITIES

The Finance Committee shall:

- Meet four times each year.
- Provide the Board with regular updates of Finance Committee activities and make recommendations to the Board for matters within the Finance Committee's area of responsibility.
- Review the Finance Committee's charter periodically and recommend any proposed revisions for the Board's approval.
- Meet separately with:
 - the Office of Internal Audit without the presence of management;
 - Senior Management, without the presence of the Office of Internal Auditto discuss any matters the Finance Committee or these individuals believe should be discussed privately. This should be performed at least two times annually, at the conclusion of a regularly scheduled Finance Committee meeting.
- Ensure that the Office of Internal Audit understands that they are ultimately responsible to the Finance Committee and the Board and they should communicate directly with the Finance Committee Chair when deemed prudent and necessary.
- Have the authority to conduct investigations into any matters within the Finance Committee's scope of responsibilities, set forth below. During such investigations, the Finance Committee shall have unrestricted access to the University's independent auditors and anyone employed by the University, and to all relevant information. The Finance Committee may retain, at the University's expense, independent counsel, accountants and other professional consultants to assist with such investigations. The results of any such investigations must be reported to the Board by the Finance Committee Chair.

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SPECIFIC RESPONSIBILITIES: INTERNAL CONTROLS AND RISK ASSESSMENT

The Finance Committee shall consider and review with Senior Management, the Office of Internal Audit, and other relevant offices or committees

- The effectiveness of the University's process for identifying significant financial, operational, reputational, strategic and regulatory risks or exposures and management's plans and efforts to monitor and control such risks.
- The effectiveness of the University's internal controls, including the status and adequacy of information systems and security and other relevant matters.
- The University's oversight and monitoring of its subsidiaries, affiliates and joint ventures.
- The University's insurance coverage and the process used to manage any uninsured risks.

SPECIFIC RESPONSIBILITIES: COMPLIANCE WITH LAWS AND REGULATIONS

The Finance Committee shall:

- Ascertain whether the University has an effective process for determining risks and exposure from asserted and unasserted litigation and other claims of noncompliance with laws and regulations.
- Review and discuss with Senior Management, General Counsel, University Compliance Officer and the Director of Internal Audit:
 - significant results of compliance audits;
 - any significant matters of litigation or contingencies that may materially affect the University's financial statements; and
 - any legal, tax or regulatory matters that may have a material impact on University operations, financial statements, policies and programs.

SPECIFIC RESPONSIBILITIES: FINANCIAL REPORTING

The Finance Committee shall:

- Consult annually with the Office of Internal Audit regarding the integrity of the University's financial reporting processes and related internal controls, including (but not limited to) the

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depth of experience and sufficiency of Finance and the Office of the Office of Internal Audit staff.

- Review and approve significant, non-mandated changes to accounting policies and practices.
- Advise Senior Management, based upon the Finance Committee's review, whether the Finance Committee believes that the annual audited financial statements (including the footnotes) contain any material misstatements or omissions.
- Review with Senior Management at the completion of the annual financial statement audit:
 - the University's annual financial statements and related footnotes, including their degree of clarity;
 - the Auditor General's opinion regarding the financial statements;
 - any significant changes required to the state auditors audit plan;
 - any difficulties or disputes with management encountered during the audit, including an overall assessment of management cooperation;
 - the University's accounting principles, including the consistency, appropriateness and quality (not just acceptability) thereof, with particular emphasis on sensitive accounting estimates and accruals;
 - the University's overall level of compliance with governmental regulations;
 - reports concerning internal controls, including significant findings and recommendations and management's response;
 - other matters that should be communicated to the Finance Committee under generally accepted generally accepted auditing standards; and
 - any other financial filings required by law or regulation.

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SPECIFIC RESPONSIBILITIES: THE OFFICE OF INTERNAL AUDIT

The Finance Committee shall:

- Evaluate the Office of Internal Audit's role and scope of activities.
- Participation in the process of the appointment and dismissal of the Director of Internal Audit.
- Review and approve the Office of Internal Audit's annual audit plan (and any subsequent changes thereto), considering the University-wide risk assessment and the degree of coordination with the Auditor General's Office for an effective, efficient, non-redundant use of audit resources.
- Review and discuss with management and the Office of Internal Audit:
 - significant findings and recommendations, including management's response and timeframe for corrective action;
 - the degree of implementation of past audit recommendations; and
 - any difficulties encountered in the course of the audit activities such as restrictions on the scope of work or access to information.
- Assess the staffing of the Office of Internal Audit, including the annual budget.
- Review and approve modifications to the Office of Internal Audit.
- Review the organizational reporting lines related to the Office of Internal Audit, particularly related to confirming and assuring the continued independence of the Office of Internal Audit and its staff.

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SPECIFIC RESPONSIBILITIES: COMPLIANCE WITH POLICIES AND STANDARDS

The Finance Committee shall review with the Office of Internal Audit, the University Compliance Officer, and:

- The University's monitoring of compliance with University policies, including (but not limited to) polices regarding the conduct of research.
- The results of the University's monitoring and enforcement of compliance with University standards of ethical conduct and conflict of interest policies.

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The Finance Committee has the responsibilities and the powers set forth in this Charter. It is not the responsibility of the Finance Committee to conduct audits or other examinations and investigations, nor to provide assurance regarding compliance with laws, regulations, internal policies and codes of conduct, nor the completeness, accuracy or conformity with generally accepted accounting standards of the University's financial statements generally accepted

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Appendix "B"

THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES CONFLICT-OF-INTEREST POLICY

1. **Scope.** The following statement of policy applies to each member of the Board.
2. **Fiduciary Responsibilities.** Section 8 of Article II of the Constitution of the State of Florida states: "A public office is a public trust." Board members of Florida International University serve the public trust and have a clear obligation to fulfill their responsibilities in a manner consistent with this fact. All decisions of the Board are to be made solely on the basis of a desire to advance the best interests of the institution and the public good.

Board members are generally involved in the affairs of other institutions and organizations. Effective boards will include individuals who have relationships and affiliations that may raise questions about perceived conflicts of interest. Although many such potential conflicts are and will be deemed inconsequential, each Trustee has the responsibility to comply with the Code of Ethics for Public Officers and Employees which is contained in Chapter 112, Part III (Sections 112.311 – 112.326) of the Florida Statutes.

3. **The Code of Ethics for Public Officers and Employees.** The Code of Ethics provides definitions and sets forth the various contexts in which conflicts arise. As defined in the Code,

a "conflict of interest" arises in a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

Particular attention is required when public officers are in situations involving:

- solicitation and acceptance of gifts;
- favors or compensation;
- contracts and transactions with the University;
- unauthorized compensation;
- misuse of public position or confidential information;
- conflicting employment or consulting contractual relationships; and
- employment of relatives.

Thus, each Trustee has a continuing obligation to:

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- (a) be familiar with the Florida Statutes regarding ethics and conflicts of interest and the terms of this Policy;
- (b) disclose to the Board Chair any possible personal, familial, or business relationships that might reasonably give rise to a conflict involving the University; and
- (c) acknowledge by his or her execution of the attached "Conflict of Interest Disclosure Form" that he or she is in compliance with the letter and spirit of this Policy and applicable laws.

4. Disclosure. All Trustees shall list on the attached Conflict of Interest Disclosure Form, at least once a year, those relationships

- (a) that they or members of their family maintain with organizations that do business with the University, or
- (b) that could be construed to affect their independent, unbiased judgment in light of their decision-making authority and responsibility.

If a Trustee is uncertain as to whether to list a particular relationship, the Board chair and the General Counsel of the University should be consulted. Information shared or gathered as a result of such consultations (including information provided on the attached form) shall not be released except

- in accordance with applicable public records laws, or
- when the institution's best interests would be served by disclosure, or
- as required by court order.

Any such required disclosure will be made only after informing the affected Trustee.

5. Definitions:

The following definitions apply to this policy:

Business Relationship – A business relationship is one in which a Trustee, or a Trustee's spouse or child serves as an officer, director, or proprietor of, or has a material interest in, an organization that does business with Florida International University.

Material Interest - a direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity constitutes a material interest.

Attached is The Florida International University Conflict of Interest Disclosure Form which each Trustee must file with the Secretary of the Board on or before July 1st of each year, unless a change necessitating an amendment occurs prior to July 1st of the following year.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
CONFLICT OF INTEREST DISCLOSURE FORM**

This Conflict of Interest Disclosure Form is intended to protect both the Board and the University, by affording the University ample opportunity to forestall any potential conflicts and assure that all Board decisions are above reproach.

To allow the Board and the University to monitor and promptly address any potential conflicts, please (i) identify below any relationships, financial or personal, that may constitute conflicts or potential conflicts of interest, or (ii) confirm that no such conflicts or potential conflicts are known to exist:

The following represent interests or relationships that are or may be in conflict with my position as Trustee of the University:

1. Personal, familial or business relationships that might reasonably give rise to a conflict involving the University.

2. Outside employment or service (any outside employment or provision of outside services by you or any member of your family that may be in conflict with your position as a Trustee of the University).

2. Outside interests, financial and other (any interests or position which you or any member of your family hold in any outside concern from which the University obtains goods or services, or which provides services competing with the University):

3. Any other potential issues or conflicts:

OR

_____ As of today's date, I have no financial, professional, or personal relationships that reasonably hold the potential for a conflict of interest involving my service as a University Trustee.

I am familiar with The Florida International University Board of Trustees Conflict of Interest Policy pursuant to which this Disclosure Form is filed. I have disclosed all potential conflicts of interests of which I am aware, and I agree to promptly file a further Disclosure Form if any additional matters subject to disclosure arise before my next annual Disclosure Form is due.

Signature _____

Date _____

Please FAX or mail this form to Board Secretary, Board of Trustees Office, Florida International University, 11200 SW 8 Street, PC 548, Miami, Fl. 33199, Tel. 305-348-6495, Fax. 348-6426.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

**SUBJECT: FLORIDA INTERNATIONAL UNIVERSITY FOUNDATION INC. BYLAWS AS
AMENDED AND RESTATED ON THE 30TH DAY OF MAY 2007**

PROPOSED BOARD ACTION:

Adopt the following Resolution:

WHEREAS, pursuant to F.A.C. 6C8-6.100 (2) (c), the Florida International University Board of Trustees (the BOT) must approve any amendments to the FIU Foundation, Inc. Bylaws before their becoming effective;

AND WHEREAS, the Florida International University Foundation, Inc.'s Board of Directors (the BOD) has approved the amendments, which are attached hereto as Exhibit "N";

THEREFORE BE IT RESOLVED, that the BOT hereby approves the attached Amended Foundation Bylaws and authorizes the Executive Director of the Foundation to take all actions necessary pertaining to these Amended Bylaws.

BACKGROUND INFORMATION:

LEGAL AUTHORITY:

Section 6C8-6.100 (2) (c) of the Florida Administrative Code, states in relevant part:

(c) Provide that any amendments to the Articles of Incorporation or Bylaws be submitted by the President of the University to the Board of Trustees for approval prior to becoming effective.

Section 1 ARTICLE 8 of the Florida International University Foundation Bylaws, states in relevant part:

(1) These Bylaws may be altered, amended, rescinded, or repealed at any regular or special meeting of the voting Directors by the affirmative vote of two-thirds of all the Directors. Any amendment to the Bylaws, approved by the Board of Directors, shall be submitted by the University President to the Board of Trustees for approval prior to its effective date.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “N”: FLORIDA INTERNATIONAL UNIVERSITY FOUNDATION INC BYLAWS AS AMENDED AND RESTATED ON THE 30TH DAY OF MAY 2007.

FACILITATOR/PRESENTER:

- LARRY KAHN

FLORIDA INTERNATIONAL UNIVERSITY FOUNDATION INC.
A Florida Not For Profit Corporation
(The "Foundation")

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BYLAWS

As Amended and Restated the 30th day of May 2007.

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ARTICLE 1. BOARD OF DIRECTORS.

Section 1. Governance. In accordance with Article 5 of the Articles of Incorporation of the Foundation, the affairs of the Foundation shall be managed by and under the direction of the Board of Directors (the "Board") and by various Officers and committees thereof as powers may be delegated to such Officers and committees by these Bylaws or by Resolution of the Directors. Members of the Board shall be the sole voting members of the Foundation and shall be called "Directors."

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It is the policy of the Foundation to protect the confidentiality of personal or financial information about donors, prospective donors, or volunteers.

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Section 2. Number and Qualifications of Directors. The Directors shall include three categories of members:

(i) Elected Members. The Directors shall elect from the nominations of the Recruitment Committee, or from nominations made from the floor, a total of not less than twenty-eight (28) and not more than fifty (50) members in accordance with the nomination and election procedures specified by these Bylaws. Each Director shall have demonstrated outstanding qualities of leadership and managerial ability and a serious personal intention to promote the advancement of higher education and Florida International University ("the University") through dedicated service to the Foundation. Each Director should set an example of charitable interest in the University and the Foundation which alumni and other friends of the University may emulate. To that end, each elected member of the Board shall contribute to the Foundation, at a minimum, an annual membership fee, the amount of which shall be recommended by the Executive Committee and approved by the Board at the Annual Meeting, and which shall be paid to the Foundation by each Director during the first quarter of each fiscal year of membership. In addition, each Director shall either make a donation, or get others to make donations, annually in the amount established by the Board at its Annual Meeting. Directors shall be expected to participate in University functions and events whenever reasonable and practicable and act as an emissary to promote and advance the goals of the University.

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(ii) Officers. The Directors shall elect a Chairperson of the Board ("Chairperson"), Vice Chairperson, Secretary and Treasurer from among its membership. The Chairperson may appoint an Assistant Secretary and Assistant Treasurer to provide administrative support.

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(iii) Designated Ex Officio Members. The Directors shall include among their members the persons who hold the following offices during the time they hold such offices: the President of the University, or his designee, a Faculty representative from the Faculty Senate recommended by the President after consultation with the Faculty Senate Chairperson, the President of the Student

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Exhibit "N"

Government Council who is not serving on the Board of Trustees, the President of the Alumni Association, the Chairperson of the Florida International University Council of 100, and others who may be designated by the Directors from time to time. The Chairperson of the University Board of Trustees may appoint a representative to the Board and the Executive Committee. Ex Officio members shall have the right to vote and shall be counted towards quorum.

Section 3. Terms of Service. A newly elected Director, who has not previously been a Director, shall be elected to serve for one initial Board calendar year, or part thereof. Following the initial year, he/she may be elected for a two year term, followed by two three year terms before having to rotate off the Board for a minimum of one year. Current Directors shall be considered newly elected Directors when their current term is concluded and shall be eligible to serve for nine (9) years before having to rotate off the Board for one (1) year. Terms of service shall begin immediately after election.

Section 4. Election. The Board shall elect new members to fill expiring and vacant terms at the Annual Meeting of the Directors to be held in May or June of each year. Directors may elect additional members at any other regular or special meeting of the Directors, as provided in these Bylaws. Nominations for Directors shall be made by the Recruitment Committee, as described in Article 3 of the Bylaws.

Section 5. Vacancies. Vacancies occurring during a term may be filled by the Directors at any regular or special meeting of the Directors, as provided in Section 4 of Article 1 of these Bylaws.

Section 6. Meetings. Regular meetings of the Board shall be held at least three times a year. One such meeting shall be held in May or June of each year and such meeting shall be the Annual Meeting of the Directors when new Directors and Officers shall be elected and take office, subject to other provisions of these Bylaws. Notice to the public of Regular meetings, Committee meetings, and Special meetings of the Board will be given by posting on the Foundation's website at <http://foundation.fiu.edu/> and faxing such notice and agenda to a newspaper of general circulation not less than seven (7) days before the meeting and will include a statement of the general subject matters to be considered. Notice to each Director shall be emailed or faxed to each Director not less than seven (7) days prior to each meeting, along with all materials needed for the meeting. Special meetings may be called by the Chairperson, the President of the University or his designee, or by any three (3) Directors with at least seven (7) days written notice provided to all of the Directors. The agenda for special meetings shall be limited to matters listed in the written notice of the special meeting.

Emergency Meetings: An emergency meeting of the Board may be called by the Chairperson or the Vice Chairperson in the Chairperson's absence, upon no less than forty-eight (48) hours notice whenever, in the opinion of the Chairperson or Vice Chairperson, an issue requires immediate Board action. Whenever such emergency meeting is called, the Chairperson will notify the Secretary. The Secretary will immediately serve either verbal or written notice upon each member of the Board, and shall provide notice to the public, by any procedure that is fair under the circumstances, stating the date, hour and place of the meeting and the purpose for which the meeting has been called. No other business will be transacted at the meeting unless additional emergency matters are agreed to by a majority of those Board members in attendance. The minutes of each emergency meeting will show the manner and method by which notice of such emergency meeting was given to each member of the Board and to the public.

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Executive Session: The Legislature has provided limited exemptions from the Sunshine law for certain meetings because of the confidential material that must be discussed. When the Board decides to avail itself of any such exemption, it will do so by convening an executive session of the Board.

A. Pending Litigation:

Meetings to discuss pending litigation in which the Board is presently a party before a court or administrative agency may be held in executive session outside the Sunshine, provided the following procedures and conditions are met.

1. Counsel for the Board must advise the Board at a public meeting that he or she desires an executive session and must state the basis therefor.

2. Only Board members, the Board's attorney(s) and the President of the University may attend a closed executive session to discuss pending litigation. Staff members or consultants are not permitted to attend. The Board must give advance public notice, pursuant to its procedures, of the time and date of the executive session, and must identify the names of the persons who will be attending the closed session.

3. The session must commence with an open meeting at which the Chairperson or his/her designee shall announce the commencement of the meeting, the estimated length of the closed executive session, and the names of the persons attending. At that point, the meeting is closed to all except those whose names have been announced. The executive session may then commence. At the conclusion of the executive session, the meeting must be reopened to the public and the person chairing the meeting shall announce the termination of the closed executive session.

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4. A certified court reporter must record the entire executive session. The reporter must record the times of commencement and termination of the executive session; all discussions and proceedings; the names of all persons present at any time; and the names of all persons speaking. No portion of any executive session may be held off the record. The Board must have the court reporter's notes fully transcribed, and the transcript filed with its records custodian. The transcript is exempt from Florida's public records law, and is not to be disclosed until the litigation concludes. Upon the conclusion of the litigation, the transcript becomes part of the public record.

5. The subject matter of the closed session must be confined to settlement negotiations or strategy sessions related to litigation expenditures. The Board may not go beyond these strict parameters. No final action, no vote, and no decisive action may be taken during the closed session. Any final decision to settle a lawsuit, for a certain amount of money, or under certain conditions, is a decision that must be voted upon in a public meeting.

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Section 7. Quorum. A quorum of the Directors shall be one-third of the voting Directors holding office at the time of the vote. A quorum must be present to transact the business of the Foundation at a meeting.

Section 8. Voting. Each Director shall have one vote. When a quorum is present at the meeting, all questions shall be decided by majority vote of the voting Directors present, except as otherwise provided in these Bylaws.

Section 9. Proxies. Proxies, general or special, shall not be accepted for any purpose in the meetings of the Directors or committees.

Section 10. Telephonic Meetings. Meetings of the Directors and of committees may be conducted by conference telephone or similar communications facilities, in the same manner as if the meeting were held in person, if the Chairperson or the Chairperson of the Committee determines it is appropriate and is in full compliance with all requirements of the Sunshine Law. The notice of any meeting conducted by means of telephone or similar communication facilities will state where and how members of the public may gain access to the meeting.

Section 11. Resignation or Removal. A Director may resign at any time by giving written notice to the Chairperson, the Executive Director of the Foundation or the Secretary of the Foundation. Any such resignation shall take effect at the time specified therein or, if no time is specified therein, upon its acceptance by the Board. Any Director who is not present for three (3) regular meetings of the Board during a fiscal year, or who fails to pay the annual established membership fee or who fails to give or obtain the donation established by the Board by the end of the fiscal year shall be placed on probation. The Recruitment Committee, in consultation with the Chairperson and the Executive Director of the Foundation, shall determine whether to remove the Director from the Board or continue his/her probationary period. In addition any Director may be removed from office by a two-thirds vote of all of the Directors, effective as of the date of such vote.

ARTICLE 2. OFFICERS.

Section 1. Titles. The Officers of the Foundation, who also serve as Officers of the Board of the Foundation, shall be: a Chairperson, a Vice Chairperson, a Secretary, a Treasurer, and such other officers as the Board may determine.

Section 2. Election. The Chairperson, Vice Chairperson, Treasurer and Secretary shall be elected at the Annual Meeting of the Directors from nominations submitted to the Directors by the Recruitment Committee, or from nominations from the floor. No Officer may hold more than one Foundation office concurrently.

Section 3. Term of Service. Each Officer shall be elected for a term of one year and shall be eligible to succeed himself/herself for no more than two (2) additional terms.

Section 4. Vacancies. In case any vacancy occurs in an elected office, an election shall be held at the first regular or special meeting of the Directors after such vacancy occurs and nominations may be

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received directly from the floor to fill such vacant positions. Notice of such vacancy and scheduled election must be given in the ~~same manner as notice for regular or special meetings.~~

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Section 5. Resignation and Removal. An Officer of the Foundation may resign at any time by giving written notice to the Board, the Chairperson or the Secretary of the Foundation. Any such resignation shall take effect at the time specified therein or, if no time is specified therein, upon its acceptance by the Board. Any Officer may be removed from office by a two-thirds vote of all of the Directors, effective as of the date of such vote.

Section 6. Powers and Duties.

(i) Chairperson of the Board. The Chairperson shall be the chief executive officer of the Foundation's corporation, preside at all meetings of the Board and Executive Committee, and perform all other duties as may from time to time be assigned by the Directors or the Executive Committee. Among the Chairperson's powers and duties, without limitation, are to appoint the members and Chairpersons of all Standing Committees established by the Directors, except when members or Chairpersons may be designated by these Bylaws; name Special Committees and appoint their members and Chairpersons; appoint, a person to serve as Registered Agent for the Foundation; represent the Foundation at official functions of the University and elsewhere as he/she may determine proper; and present a report of the activities of the Foundation and the conduct of his/her office at the Annual Meeting which occurs when his/her term of office expires. The Chairperson shall report to the Board and the University President.

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(ii) Vice Chairperson. The Vice Chairperson shall be responsible for assisting the Chairperson in any way so designated by the Chairperson and shall serve as temporary Chairperson in the Chairperson's absence. He/she shall perform such other duties as may from time to time be assigned to him/her by the Chairperson, the Directors or the Executive Committee.

(iii) Secretary. The Secretary shall be responsible for the maintenance and management of the Foundation's activities as may be required by the Chairperson, the Directors or the Executive Committee. He/she shall have charge of the Foundation's corporate records and corporate seal; record the minutes of all meetings of the Directors, Executive Committee and other committees; give and serve notice of meetings as required by these Bylaws; and perform such other duties as may be assigned to him/her by the Chairperson, the Board, or the Executive Committee. The Secretary may delegate part of his/her duties to an Assistant Secretary as set forth in Article 5 below.

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(iv) Treasurer. The Treasurer shall ~~serve as Chairperson for the Finance and Audit Committee;~~ approve all day-to-day disbursements by the Foundation; have custody of all of the funds and financial records of the Foundation; disburse funds upon instruction of the Directors or the Executive Committee; keep full and accurate accounts of all funds, together with the report of the annual audit; present a financial report for the Foundation at each meeting of the Directors and an annual financial report at the Annual Meeting; file all financial reports required by Federal and Florida law, regulation, rule or established procedure; and perform such other duties as may be assigned to him/her by the Chairperson, the Board, or the Executive Committee. The Treasurer may delegate part of his/her duties to an Assistant Treasurer as set forth in Article 5 below.

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ARTICLE 3. COMMITTEES.

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Section 1. Designation and Appointment of Committees. Committees of the Board shall either be Standing Committees, as designated by these Bylaws, or Special Committees, as established by the Chairperson. Standing Committees or Special Committees shall have the power to establish Sub-Committees. The Chairperson of the Foundation shall appoint the members of all committees and designate their chairpersons, except as otherwise specified by these Bylaws. A majority of the members of Standing Committees, Special Committees and of any sub-committees must be Directors. All members of the committees shall have voting rights. One-third of the voting members of any Committee, except the Executive Committee as provided for below in these bylaws, shall constitute a quorum and a majority vote of the voting members of the Committee present, after a quorum has been declared, shall be required to enact business of the Committee. The actions of any committee shall be subject to review and approval by the Executive Committee, and to confirmation by the Board at its next ensuing meeting, except when the power to act is specifically granted to a committee by these Bylaws or by action of the Directors or Executive Committee. Each committee shall keep approved minutes and submit them to the Directors for review. Committees shall present an annual plan at the first meeting of the Board for the Foundation's calendar year.

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Section 2. Standing Committees. The Directors shall have the following Standing Committees:

(i) Executive Committee. The Executive Committee of the Directors of the Foundation shall have and may exercise all powers and authority of the Board when the Directors are not in session, subject only to such restrictions or limitations as the Directors may from time to time specify, except that the Executive Committee shall have no authority to alter, amend, or repeal the Articles of Incorporation or Bylaws of the Foundation, to remove Directors or Officers or to elect Directors or Officers. The Executive Committee shall meet at the call of the Chairperson of the Directors. A majority of the voting members of the Executive Committee shall constitute a quorum and a majority vote of the voting members of the Committee present, after a quorum has been declared, shall be required to enact business of the Executive Committee. When urgency precludes a formal meeting, matters may be handled by telephone in accordance with provisions of these Bylaws and the requirements of Florida law regarding meetings of the Directors. All actions of the Executive Committee shall be reported to the Directors at the next ensuing meeting of the Board, or when deemed sufficiently important by the Chairperson and the University President, such actions shall be reported to the Directors within thirty (30) days after such action is taken, or at a meeting of the Directors if a meeting is held within that period of time. All actions of the Executive Committee shall be ratified by the Board and shall be included in the minutes of the Board. Members of the Executive Committee shall be the Chairperson, Vice Chairperson, Treasurer and Secretary of the Foundation, the President of the University or his designee, the Chairpersons of each standing committee, and two (2) additional members as may be designated by the Chairperson.

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Deleted: (ii) Academic Committee. The Academic Committee shall prepare and carry out an annual plan of activities for systemically promoting the University's goals, plans, activities and impact of the University and in promoting knowledge and understanding about the University and its components within the South Florida community. The Committee shall prepare an annual plan for grants, scholarships and awards, including a proposed budget, for approval by the Directors; establish general criteria for evaluating and awarding grants, scholarships and awards; review recommendations of the Provost for grants, scholarships and awards; and present approved recommendations to the Directors for final action. The Academic Committee shall work closely with the Provost of the University and the President of the University on achievement of the academic goals and program of the University.

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(ii) Development Committee. The Development Committee shall review, approve and recommend to the Directors all major fundraising initiatives and campaigns undertaken by the Foundation or the University and each of its components; carry out a regular fundraising program; prepare policies and strategies for the solicitation, receipt, acknowledgment, stewardship and recognition of financial support; and prepare standards for gift recognition including, without limitation, endowed chairs, endowed professorships, endowed lectureships, endowed scholarships, the naming of colleges, schools, centers, buildings, areas and other significant facilities and activities of the University, recognizing, however, that only the Board of Trustees has the ability to recommend that state buildings and facilities be named after donors. The Development Committee

shall coordinate all fundraising activities of the University, including those conducted by auxiliary groups which wish to use the Foundation's Certificate of Registration from the State of Florida or the University's trademarks. The Development Committee shall have up to ten (10) members, including one (1) Ex Officio member as defined in Article 1. Section 2(iii), of these Bylaws.

(iii) Finance and Audit Committee. The Finance and Audit Committee shall be responsible for the preparation and periodic review of the Foundation's annual budget, which shall be prepared before the beginning of the University's fiscal year, approved by the Directors and recommended by the University President to the Board of Trustees each year no later than sixty (60) days following the beginning of the Foundation's fiscal year. The Board of Trustees must approve the Foundation budget before it can be enacted. It shall approve or reject gifts or bequests which impose unusual conditions on the Foundation or the University, subject to review and approval by the Executive Committee and the Directors. It shall monitor the work of the Foundation's Assistant Treasurer and shall review and report to the Board on the Foundation's Financial Statements and ensure that all financial reports are filed in a timely manner. The Finance and Audit Committee shall recommend to the Board investment policies relating to endowment funds, annuity funds, and short-term investments, charitable remainder trusts, engagement or termination of investment counselors and custodians and the basis of such engagement. It shall also appraise the performance of investment counselors and custodians and make periodic reports to the Board on investment performance and other important matters. It shall cause an audit to be made by an independent certified public accountant of the books of the Foundation as soon as possible after the close of the fiscal year of the Foundation, and to have the results reported to the Executive Director of the Foundation immediately, and to the full Board at their next meeting thereafter. The annual audit report shall be submitted by the University President to the Board of Trustees for review no later than the end of the fourth month following the close of the organization's fiscal year. The annual audit report shall also be submitted to the Auditor General and to the Board of Governors no later than nine (9) months after the close of the Foundation's fiscal year. The audit shall be conducted in accordance with rules promulgated by the Board of Trustees and with the policies adopted by the Auditor General. The Finance and Audit Committee also shall ensure that the financial records of the Foundation are maintained in accordance with generally accepted accounting principles, that consistent and reliable financial practices are followed and that the current financial status of the Foundation is reported to the Executive Committee and the Directors regularly. The Finance and Audit Committee shall comply with all requirements set forth in the Audit Charter attached hereto as Exhibit "A" to these Bylaws and incorporated by reference herein. The Finance and Audit Committee shall have up to ten (10) members including one Ex Officio Member as defined in Article 1. Section 2 (iii) of these Bylaws.

(iv) Recruitment Committee. The Recruitment Committee shall receive recommendations for nominees to the Board and as Officers, evaluate such recommendations, and present nominations for open positions to the Board at least seven (7) days prior to the Annual Meeting, or any meeting where new Directors will be chosen. The Recruitment Committee shall advise new Directors of the responsibilities of membership; nominate individuals for special recognition as members of the Foundation; and monitor the attendance, participation and activity of Foundation members and Directors. The Recruitment Committee shall have up to ten (10) members, including one Ex Officio Member as defined in Article 1. Section 2 (iii) of these Bylaws.

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~~(v) University and Community Relations Committee. The University and Community Relations Committee shall coordinate with, and render assistance to the Vice President for External Relations or the Chairperson's designee in building awareness and support for FIU within the community by advocating for the University with external constituencies and assisting with university events and activities. The University and Community Relations Committee shall have up to ten (10) members, including one Ex Officio Member as defined in Article 1, Section 2 (iii) of these Bylaws.~~

Section 3. Special Committees. The Chairperson of the Directors may establish Special Committees from time to time to assist the Directors in carrying out the purposes of the Foundation. The Chairperson shall report the establishment of all Special Committees and the names of their chairpersons and members to the Executive Committee and the Directors at the next ensuing regular meetings of the Executive Committee and Directors.

ARTICLE 4. SPECIAL MEMBERS OF THE FOUNDATION.

Section 1. Purpose of Special Members. The Directors may from time to time, acting by majority vote, establish special categories of membership in the Foundation for the purpose of honoring persons for contributions, service or achievement. The qualifications for special membership for each category shall be determined by the Directors as they deem necessary for the benefit of the Foundation and the University. Special members shall have no vote in meetings of the Foundation's members or Directors except as specifically provided in these bylaws.

Section 2. Special Member Categories. The Foundation shall have the following special member categories for honorary and recognition purposes:

(i) Chairperson Emeritus. This category honors the Chief Executive Officers of the Foundation who have rendered extraordinary service to the Foundation. The Directors may elect a former Chairperson, after his/her term of office shall have expired, as Chairperson Emeritus of the Foundation. The Chairperson Emeritus shall be elected by a two-thirds vote of the Directors.

(ii) Director Emeritus. The Directors may elect a former Director, after his/her term of office shall have expired, as a Director Emeritus to honor those who have given distinguished service as members of the Board. The Director Emeritus shall be elected by a two-thirds vote of the Directors.

ARTICLE 5. EXECUTIVE AND ADMINISTRATIVE SUPPORT

There shall be an Executive Director of the Foundation. The President of the University shall approve and recommend to the Board a person to serve as Executive Director of the Foundation. After duly considering the recommendation of the University President, the Board shall appoint, by majority vote, the Executive Director of the Foundation, whose primary responsibilities are to manage the corporate affairs of the Foundation on a day-to-day basis, in accordance with policies established by the Directors, and to carry out the functions and duties of the position as prescribed by the Directors in consultation with the University President. The Executive Director shall report to the Board and the University President.

~~Deleted: (vii) Alumni Committee. The Alumni Committee shall coordinate with, and render assistance to, the FIU Alumni Association on fundraising issues and other activities and programs of mutual interest. The Committee shall assist in planning and implementing programs to generate revenue for alumni programs which, as example, may include a dues program for membership in the FIU Alumni Association, affinity card agreements, discount programs, and corporate underwriting of alumni affairs or events. ¶~~

~~Deleted: (viii) Athletics Committee. The Athletics Committee shall coordinate the efforts of the Foundation and render assistance to the FIU Department of Athletics in support of university athletic programs by keeping well informed in all areas of university athletics through periodic reports from the Director of Athletics, attendance at athletic contests, engaging in oversight and monitoring of the athletics program including NCAA, conference and scholastic requirements, serving an advocacy role for the promotion of university athletics within the larger community, and making recommendations to the Board of Directors pertaining to any of these areas as needed. ¶~~

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~~Deleted: Section 3. Past Chairpersons. All past Chairpersons shall be members of the Board for a period of ten (10) years after leaving the Chairperson position ... [5]~~

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There may be an Assistant Secretary and an Assistant Treasurer to whom the Secretary or Treasurer may delegate part of their duties. The Assistant Secretary and Assistant Treasurer shall report to the Secretary and Treasurer respectively. ~~Neither the Executive Director of the Foundation, the Assistant Secretary nor the Assistant Treasurer shall be considered members or officers of the Foundation nor shall they have voting rights.~~

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ARTICLE 6. FUNDS.

Section 1. Fund Categories. The assets of the Foundation shall be held in various Funds as established in these Bylaws or as the Directors shall designate, with as many subfunds and accounts within these groupings as shall be necessary or desirable to achieve the purposes of the Foundation and to comply with the terms of gifts to the Foundation. The Foundation's Finance and Audit Committee shall review these fund categories at least annually and will recommend changes needed to the Executive Committee and the Directors. "Funds" include General Funds, Designated Funds (including Building Funds), Endowment Funds and other special fund categories.

Section 2. General Funds. General Funds are funds which may be used for the general purposes of the Foundation, including administration of the Foundation's affairs, or funds with restrictions which do not seriously inhibit their use for general Foundation purposes. All donations to the Foundation shall be credited to the General Funds when received, including all principal and income from properties donated to, disposed of, or held by the Foundation, unless the terms of the gift shall require the Foundation to credit such donations or the income of principal from such properties to a specific Designated Fund, as described in the Bylaws, or to a specific use or purpose inconsistent with the general unrestricted use by the Foundation of such donation or the income therefrom.

Section 3. Designated Funds. Designated Funds of the Foundation will be established for each major academic and administrative unit of the University to receive donations to the Foundation which are designated for such purposes. Additional Designated Funds for other specific purposes may be established by the Executive Committee or Directors. The principal of all designated Donations shall be credited to such Designated Fund. Interest income from designated funds shall be credited to the Foundation's General Funds to offset additional university fundraising and support activities unless the terms of the gift specify otherwise.

Section 4. Building Funds. The Board may, from time to time, establish Building Funds for specifically designated capital projects. They shall be administered as Designated Funds.

Section 5. Endowment Funds. Endowment Funds, or Permanently Restricted net assets, are contributions including state matching that must be held and invested in perpetuity as stipulated by the Donor. Only the earnings generated by these investments may be expended and only in accordance with the donor's intent and the gift agreement. All endowment funds are pooled and invested as directed by the Board. Investment earnings/losses are distributed to each endowment on a yearly basis based on its pro-rated share of earnings/losses generated by the permanently restricted net assets. Unless stipulated by the donor, earnings shall not be permanently restricted. The Board will determine the percentage of yearly earnings to be distributed for spending and the percentage to be held in reserve as added principal. The added principal is available for future spending and although it is temporarily restricted, it may be used to calculate the endowment's

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average balance from which future distributions are based. Losses attributable to permanently restricted net assets must first reduce any added principal held in reserve prior to reducing the corpus of the endowment. Any permanently restricted net asset which has been reduced by losses must be reinstated to its original corpus before any future investment earnings are distributed for spending. No corpus including state matching may be reduced for spending. An administration fee, as approved by the Board, may be charged to endowments. This fee will be covered by the endowment's investment earnings, but may not reduce an endowment's corpus.

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Section 6. Ownership and Use of Funds.

(i) All Funds described herein shall be the property of the Foundation and shall be owned by the Foundation as defined in and limited by its Articles of Incorporation, Bylaws, and applicable Florida and Federal law and regulations. In such capacity, the Foundation shall have the ultimate authority and control over all property in the Funds, and the income derived therefrom, for the general purposes of the Foundation.

(ii) The assets and income of any Fund may be commingled with those of other unrestricted funds of the Foundation, or may be invested in units of a common investment fund which may be established or utilized by the Foundation, unless otherwise restricted by the terms of gift. The Foundation shall not have an obligation to commingle the assets for investment purposes and may, in its discretion, retain any assets received or hold the assets of a Fund as a separate unit for investment purposes. Any investment or reinvestment of assets shall be made only in such investments as are appropriate for a prudent fiduciary.

(iii) Specific expenses necessary or desirable for the proper administration of each Fund and subfund shall be charged to that Fund or subfund. General operational and administrative expenses shall be charged to each Fund or subfund in accordance with a formula approved by the Directors unless inconsistent with the terms of the gift or otherwise legally improper. Such charges shall be paid into the General Funds where they may be disbursed to pay such expenses. In the event such charges are inconsistent with the terms of the gift or otherwise legally improper, the Directors shall determine which Funds may be used to pay for such expenses.

(iv) These provisions shall not limit in any way the power and ability of the Directors to accept special gifts from donors which may be used for purposes specified by the donors, if such purposes fall within the Foundation's broad general purposes, and which may be subject to such ownership, income and distribution characteristics and restrictions as the Directors of the Foundation and the donors of such gifts may agree, but no characteristic or restriction shall jeopardize the Foundation's tax exempt status or its corporate charter. The Directors intend that all donations will be administratively grouped as a part of one or more of the Funds specified above or as may be established.

(v) Upon the voluntary or involuntary dissolution of the Foundation, or decertification of the Foundation by the Board of Trustees, the Directors shall, after paying or providing for all debts and obligations of the Foundation, transfer the assets of the Foundation to the University, subject to the conditions, restrictions and limitations to which the assets were subject when they were assets of the Foundation.

Exhibit "N"

Section 7. Checks and Depositories. Except as may otherwise be specified in these Bylaws, the Directors shall provide by Resolution which Officers, Directors, or their designees are authorized to draw checks on the Funds of the Foundation and may impose any reasonable terms, conditions or limitation on such authority. Checks or drafts on the Funds of the Foundation shall be signed by any two of the Officers, Directors, or their designees authorized to do so by the Directors or by these Bylaws. Funds of the Foundation shall be deposited to the credit of the Foundation only in institutions approved by the Directors by resolution and only in financial institutions insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

Section 8. Fiscal Year. The fiscal year of the Foundation shall be consistent with the fiscal year of the University.

ARTICLE 7. CODE OF ETHICS.

Code of Ethics – Conflict of Interest

Directors stand in a fiduciary relationship to the University and the Foundation. Therefore, Directors shall act in good faith, with due regard to the interests of the University and the Foundation, and shall comply with the fiduciary principles and law set forth in the Code of Ethics for Public Officers and Employees, Chapter 112, Part III, Florida Statutes. Directors shall comport themselves in accord with the statutory Code of Ethics and the Conflict of Interest Policy attached to these Bylaws as Appendix "B". Each Director shall annually complete and sign a disclosure form as required by said policy.

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ARTICLE 8. MISCELLANEOUS PROVISIONS

Indemnification

The Board shall, to the extent legally permissible, indemnify and defend each of its Directors, officers, employees, volunteers and other agents against all liabilities and expenses incurred in the connection with the disposition or defense of any action, suit or other proceeding, whether civil or criminal, in which such person may be involved by reason of Foundation service, except with respect to any matter in which such person shall have been adjudicated in any proceeding not to have acted in good faith; and further provided that no settlement shall be entered into without the prior consultation and approval of a duly authorized representative of the Board.

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Service of Process

Service of process may be made on the Office of the University's General Counsel.

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Fiscal Year

The fiscal year of the Foundation shall commence on July 1 of each year and end on June 30.

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Sunshine Laws

Public access to Board records will be governed by the provisions of the Public Records Law, Chapter 119, Florida Statutes. Board meetings shall be governed by the provisions of the Open Meetings Law, Chapter 286, Florida Statutes.

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ARTICLE 9. AMENDMENTS.

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Exhibit "N"

Section 1. Amendments to Bylaws. These Bylaws may be altered, amended, rescinded, or repealed at any regular or special meeting of the voting Directors by the affirmative vote of two-thirds of the voting Directors present. Any amendment to the Bylaws, approved by the Board, shall be submitted by the University President to the Board of Trustees for approval prior to its effective date.

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Section 2. Amendments to Articles of Incorporation. Articles of Incorporation of the Foundation may be altered or amended at any regular or special meeting of the Board by resolution approved by the affirmative vote of two-thirds of the voting Directors present, subject to approval by the Secretary of State of Florida as required by law and subject to any approval which may be required by the Board of Trustees. Written notice of any proposed amendment of the Articles of Incorporation shall be mailed to each Director not less than fifteen (15) days prior to any meeting at which such proposed amendment is to be considered.

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Section 3. Requirements of Florida Law. All amendments to the Bylaws and Articles of Incorporation of the Foundation shall comply with Florida law and appropriate state rules and policies.

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Deleted: The President of the University shall have the following powers and duties: (1) Monitor and control the use of university resources by the Foundation; (2) Control the use of the university name by the Foundation; (3) Monitor compliance of the Foundation with state and federal laws; (4) Recommend to the Board of Trustees an annual budget; (5) Review and approve expenditure plans at least quarterly; (6) Approve salary supplements and other compensation or benefits paid to university faculty and staff from Foundation assets; and salaries, benefits, and other compensation paid to employees of the Foundation, consistent with Board of Trustees' policies. Determination of compensation of athletic personnel from Foundation assets may be made at the discretion of the University President and may not be delegated; (7) Approve contribution of funds or supplements to support intercollegiate athletics.¶

ARTICLE 10. OFFICE.

The office of the Foundation shall be located at the University.

ARTICLE 11. EMPLOYEES OF THE FOUNDATION

Any person employed by the Foundation shall not be considered to be an employee of the State of Florida by virtue of such employment. Any employee of the State of Florida who is assigned to work on Foundation matters shall not be considered an employee of the Foundation.

ARTICLE 12. SEAL.

The corporate seal of the Foundation shall bear the words "FLORIDA INTERNATIONAL UNIVERSITY FOUNDATION, INC." and "MIAMI, FLORIDA" and the date "1969". The corporate seal shall be used only in connection with the transaction of business of the Board and of the University. The Secretary may affix the seal on any document signed on behalf of the corporation. Permission may be granted by the Secretary for use of the seal in the decoration of any University building or in other special circumstances. The seal of the Board shall be consistent with the following form and design:

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ARTICLE 13. PARLIAMENTARY PROCEDURE.

Where not addressed by these Bylaws, the Articles of Incorporation, or Florida law, all matters of procedure shall be governed by Roberts Rules of Order (latest edition).

Exhibit "N"

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A Director shall be eligible to serve any number of consecutive terms.

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Written notice of each meeting shall be mailed by the Secretary or the Secretary's designee, to each Director not less than fifteen (15) days prior to the meeting. The secretary must provide written notice to all Directors of any changes to the meeting schedule at least fifteen (15) days prior to the date of the originally scheduled meeting day or of the new meeting date, whichever date occurs earlier.

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Section 13. Waivers. Any Director may waive notice of any meeting or action. When a quorum is present at a regular meeting of the Directors, a majority of all Directors present may waive notice and procedural requirements of these Bylaws.

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The Committee shall be responsible for advising the University in the selection of external agencies to assist in the formulation and execution of marketing plans and monitor the effectiveness of such plans and agencies. The Committee also shall advise with event planning and promote the university through attendance at events and assist in the design of a marketing budget for recommendation to the Finance Committee.

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Section 3. Past Chairpersons. All past Chairpersons shall be members of the Board for a period of ten (10) years after leaving the Chairperson position with the right to vote, and he/she shall be accorded all the privileges of a Board member. The Past Chairpersons shall not be counted as elected Board members under Section 2(i) of these Bylaws.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

28 JUNE 2007

SUBJECT: COMMITTEE REPORTS

PROPOSED BOARD ACTION:

None. Discussion Items.

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

EXHIBITS/SUPPORTING DOCUMENTS:

- GOVERNMENTAL RELATIONS
OVERVIEW

FACILITATOR/PRESENTER:

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

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Governmental Relations Overview

The Florida International University

BOARD OF TRUSTEES

June 28, 2007





Governmental Relations Priorities

Federal	State	Local
1. SUS Hurricane Mitigation Alliance	1. Enrollment Growth	1. Medical Partnership
2. ARC – Environmental Management/Energy	2. College of Medicine	2. Wall of Wind
3. Bio-Nano	3. Faculty/Staff Salaries	3. Master Plan Approval
	4. Fixed Capital Outlay	4. Metro-Rail Route
	5. Undergraduate Enhancement	
	6. Health & Life Sciences	
	7. Urban Economic Development	
	8. Hurricane/Wall of Wind	





FEDERAL RELATIONS





Federal: FY'07 Review

Goal	Objective	Results
FIU Earmarks 13 requests Totaling \$44.5 M; 7 priorities Totaling \$30.5 M	Bio/Nano (\$4 M)	\$1.2 Million (earmark)
	WHIX (\$3 M)	\$1.0 Million (earmark)
	FIU/SOUTHCOM Security Exchange Analysis (\$1 M)	\$1.0 Million (earmark)
	SUS Hurricane Mitigation (\$7 M)	\$2.5 Million Senate earmark not included in Continuing Resolution Discretionary NOAA allocation pending
	Western Hemisphere Energy Cooperation (\$10 M authorized)	Congress did not earmark DOE
	TRANSPO (\$1.5 M)	Congress did not earmark DOT
	ARC- Environmental Mgmt. (\$4 M)	\$4 Million—commitment received from DOE
	TOTAL—\$30.5 Million requested	TOTAL: \$3.2 million earmarks \$4 million committed by DOE ~\$500k million pending from NOAA





Federal: FY'08 Priorities

GOALS/OBJECTIVES

15 Percent Increase in Earmarked Sponsored Research

FIU FY 2008 Projects

\$5 M—SUS Hurricane Mitigation Alliance

\$2.7 M—Graduate Education & Research for Forensic Scientists

\$3 M—Bio-Nano Research

\$1.5 M—Minority/Small Bsn. Institute

\$3 M—Western Hemisphere Exchange (WHIX)

\$1.5 M—Transportation (TIPS)

TACTICS/PLANS

Conduct GR/Sponsored Research internal review of earmark requests: Invite presentations - November 27

Submit recommendations to the Provost and President

Seek legislative champions and lobby- BOD, BOT, FIU leaders, SGA

SUS Hurricane Mitigation—Rep. Debbie Wasserman Schultz

Forensic—Rep. Lincoln Diaz-Balart

Bio-Nano—Rep. Kendrick Meek

Small Business—Rep. Alcee L. Hastings

WHIX—Rep. Ilena Ros-Lehtinen

TIPS—Rep. Mario Diaz-Balart





STATE RELATIONS

2007 Session Report





2007 Session Highlights

SESSION GRAND TOTAL: \$120,961,448

- **\$41,266,300** New Operational E & G Revenue (Not including PECO)
- **\$5.47 M** Full Medical School Funding
- **\$9.2 M** Enrollment Growth (Not including tuition)
- **\$12.2 M** FIU Specials (Not including Medical School funding)
- **\$79 M** PECO
- **\$2 M** Challenge Grant Match
- **\$2.65 M** Courtelis Facilities Match





2007 Session Highlights

New Operational E & G Revenue Comparison*

University	\$ Increase	State \$ Increase**
FIU	+9.57%	+11.71%
UCF	+7.27%	+8.73%
UF	+5.57%	+6.26%
FSU	+4.96%	+7.68%

*Not including Colleges of Medicine, Challenge Grants, PECO and Courtelis Facilities Match

**Does not include student fees





State: 2007 Legislative Session Priorities

<p align="center"><u>GOALS/OBJECTIVES:</u> <u>Top SUS Issues</u></p>	<p align="center"><u>RESULTS</u></p>
<p><u>Enrollment Growth Funding:</u> <i>Achieve at least 60% of Enrollment Funding</i> \$21.9M GR—BOG LBR (for unfunded & planned) \$13.9M GR—Governor’s Rec. (for planned only)</p>	<p>\$9.2M GR (70% of Governor's request) FIU Finance Forecast--\$8.48M GR (68% of new planned enrollment)</p>
<p><u>Faculty/Staff Salaries:</u> <i>Include Universities in State Pay Package</i></p>	<p>\$1,000 bonus November 1, 2007</p>
<p><u>Fixed Capital Outlay Projects</u> (FIU):</p> <ul style="list-style-type: none"> •\$7M—Utilities/Infrastructure/ Capital Renewal/Roofs •\$29M—Science/Classroom Complex—UP •\$4.6M—Graduate Classroom Building—UP •\$1.1M—Chiller Plant •\$19 M—Health Science Laboratory Clinic •TOTAL—\$60.7M (final BOG request) 	<ul style="list-style-type: none"> \$7M—Utilities/Infrastructure/ Capital Renewal/Roofs •\$29M—Science/Classroom Complex—UP •\$4.6M—Graduate Classroom Building—UP •\$1.1M—Chiller Plant •\$19 M—Health Science Laboratory Clinic •\$15 M---Hurricane Building •\$3.1M –Maintenance/Renovation, Remodeling •\$78.9M— TOTAL PECO (Largest PECO appropriation in FIU history)





State: 2007 Legislative Session Priorities

<u>GOALS/OBJECTIVES:</u> <u>Top FIU Issues</u>	<u>RESULTS</u>
\$5.47 M—College of Medicine Funding	\$ 5.47M recurring – Full Funding
\$4 M—Health & Life Sciences	\$4M recurring
In-State/Out-Of-State Mix	Reparation for loss of out of state tuition; FIU share \$258,000
Student Degree Tracking System	\$750,000 non-recurring
Wall of Wind	\$2M + \$400,000 recurring
Technology Fee	Did not pass





LOCAL RELATIONS





Local: 2006-2007 Priorities

GOALS/OBJECTIVES

Medical School Support

IHRC Wall of Wind Phase III, Homestead

Metro-rail Termination Route

Campus Development Plan

TACTICS/PLAN/RESULTS

Coordinate with Sr. VP, External Relations,
Local governmental relations firm
Discussions initiated with Mayor Alvarez

Use local governmental relations firm to secure Miami-Dade County approval
Establish and implement plan for regular contact with Commissioners
Facilitate new FIU/Miami-Dade County MOU
Received \$2 million Wall of Wind Legislative appropriation
Received \$400,000 recurring Hurricane Mitigation Legislative appropriation

Coordinate with Metropolitan Center; Steve Sauls appointed to Citizens and
Business Advisory Committee

University Park plan approved; Biscayne Bay Campus discussions initiated
with City of North Miami leadership. Campus tours completed with Mayor
Alvarez, Commissioner Martinez, and scheduled with Commissioner Diaz.





Local: 2007-2008 Priorities

GOALS/OBJECTIVES

Build closer ties with Miami-Dade County local governments for long range results:

- Metro-Rail Route terminating at UP
- BBC Campus Development Agreement/Access
- FIU Jackson Partnership
- Stadium Expansion
- Medical School Support

TACTICS/PLAN

- Add dedicated local staff to governmental relations team
- Participate in proposed staff level working group with offices of the Mayor/Manager
- Participate on Citizens & Business Advisory Committee
- Coordinate activities with FIU Metropolitan Center
- Partner with BBC President, Legal Affairs
- Partner with College of Medicine
- Partner with FIU Athletics
- Facilitate one-on-one lunches/campus tours with President Maidique





HOW CAN BOT ASSIST GOVERNMENTAL RELATIONS?

- **Participate in 2008 FIU Day in Tallahassee—March 11**
- Advocate FIU issues when meeting with elected/appointed officials
- Travel to Tallahassee during Session, Washington, D.C., or attend local appointments
- Request update briefing when traveling to Tallahassee or Washington D.C.
- Make five calls or write six letters to elected officials
- Host reception(s)
- Provide feedback to Governmental Relations team





Champions

Federal	State	Local
<ul style="list-style-type: none">•Senator Martinez•Senator Nelson•Rep. Mario Diaz-Balart•Rep. Lincoln Diaz-Balart•Rep. Ros-Lehtinen•Rep. Hastings•Rep. Meek•Rep. Wasserman Schultz	<ul style="list-style-type: none">•Governor Charlie Crist•Speaker Marco Rubio•Rep. David Rivera•Rep. Anitere Flores•Senator Alex Diaz de la Portilla•Senator Rudy Garcia•Senator Gwen Margolis•Rep. Dan Gelber•Rep. Julio Robaina•Rep. Juan Zapata•Rep. Carlos Lopez-Cantera•Rep. Rene Garcia•Senator Jeff Atwater	<ul style="list-style-type: none">•Mayor Alvarez•Chairman Barreiro•Commissioner Diaz•Commissioner Martinez•Commissioner Gimenez•Commissioner Sosa•Commissioner Seijas•Commissioner Heyman•Commissioner Souto



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

28 JUNE 2007

SUBJECT: ELECTION OF OFFICERS

PROPOSED BOARD ACTION:

ELECTION OF OFFICERS

BACKGROUND INFORMATION:

Florida International University Board of Trustees Operating Procedures (approved 19 September 2005) states in relevant part:

The officers of the Board are the Chair, Vice-Chair, Treasurer, and the Executive Officer and Corporate Secretary. The Chair and Vice-Chair shall be selected by the Board and shall serve for a two-year term to begin immediately upon selection. Thereafter, the Board shall select the Chair and Vice Chair at the last regularly scheduled meeting of the fiscal year for a two year term to begin September 1. The Chair and Vice-Chair shall be eligible for reselection for one additional consecutive term. The Treasurer shall be appointed by the Chair. The University President shall serve as Executive Officer and Corporate Secretary of the Board.

EXHIBITS/SUPPORTING DOCUMENTS: ▪ NONE

FACILITATOR/PRESENTER: ▪ CHAIRMAN DAVID PARKER

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