

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**



**BOARD MEETING
MINUTES
16 NOVEMBER 2007**

I. Call to Order

Chairman David Parker convened the meeting of The Florida International University Board of Trustees at 9:06 a.m., on Friday, 16 November 2007, at University Park Campus, College of Business Complex Special Events Ballroom, Miami, Florida.

The following attendance was recorded:

Present:

David Parker	Kirk Landon
Jorge Arrizurieta	Albert Maury
Betsy Atkins	Claudia Puig
Albert Dotson	Rosa Sugrañes
Patricia Frost	Modesto Maidique
Armando Guerra	
Bruce Hauptli	
Marbely Hernandez	

Excused:

Miriam López
Larry Kahn,
*Chairman FIU Foundation
Board of Directors*

II. Chairman's Remarks:

Chairman Parker welcomed all Trustees and University faculty and staff. He also recognized Foundation Director Joe Caruncho, noting that he would represent the Foundation Board of Director's in Chairman Kahn's absence.

Chairman Parker congratulated the University's College of Business Executive Dean Joyce Elam and her faculty and staff for their hard work, noting that the University's Executive MBA ranked among the best programs in the world and that the College of Business placed among Princeton Review's "Best 290 Business Schools for 2008." He also congratulated Dean Elam for receiving the 2007 ATHENA Award from Miami-Dade County for her efforts in giving back to the community and helping women achieve professionally. He thanked the University's College of Business staff for its hard work in making the meeting possible.

On behalf of the Board, Chairman Parker congratulated President Maidique on the “Best in Class” campaign, noting that the campaign initially began with a spotlight of this year’s valedictorians who chose to attend FIU and was expanded to include FIU faculty and researchers, scholar-athletes, student scholars and alumni.

Chairman Parker noted that a ceremony was held in October to commemorate the naming of University House, the official residence of the University’s president, to the Ronald W. Reagan Presidential House in honor of the nation’s 40th president.

III. FIU Foundation Report

Foundation Vice Chair Joe Caruncho reported on fundraising efforts and provided an update on Foundation investments as of 30 September 2007. He also reported that the 2006-2007 Financial Audit of the FIU Foundation, Inc. disclosed no instances of non-compliance or other matters that were required to be reported.

IV. Requests to Address the Board:

There were no requests to address the Board

V. Florida Board of Governors Update

President Maidique provided an update on the Florida Board of Governors’ issues.

VI. Items for Board Consideration:

A. Action Items

1. Consent Agenda:

Chairman Parker announced that there was one addition to the consent agenda. He noted that the item was reviewed by the Academic Policy Committee. The Resolution was amended to reflect the addition of the endorsement of an honorary degree recipient (item “G”). He asked for comments on any 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:

- A. **MINUTES 9.11.07** (EXHIBIT “A”)
- B. **TENURE AS A CONDITION OF EMPLOYMENT NOMINATIONS** (EXHIBIT “B”)
- C. **NEW DEGREE PROGRAM CRITERIA AND GUIDELINES POLICY** (EXHIBIT “C”)
- D. **NEW DEGREE PROGRAM PLANNING AND APPROVAL POLICY** (EXHIBIT “D”)
- E. **PROGRAM TERMINATION POLICY** (EXHIBIT “E”)
- F. **FIU DIRECT SUPPORT ORGANIZATION FINANCIAL AUDITS, 2006-2007**
 - a) FIU FOUNDATION, INC. (EXHIBIT “F”)
 - b) FIU RESEARCH FOUNDATION, INC.* (EXHIBIT “G”)
 - c) FIU ATHLETICS FINANCE CORP.* (EXHIBIT “H”)

**Subject to respective Board approval*
- G. **HONORARY DEGREE RECIPIENT** (EXHIBIT “M”)

2. FIU Faculty Practice Plan

a. Bylaws

Finance and Audit Committee Chair Kirk Landon introduced the Faculty Practice Plan bylaws and bank account for Board consideration and approval. Founding Dean and Senior VP for Medical Affairs John Rock presented the FIU Faculty Practice Plan Bylaws and Bank Account, noting that in order to undertake faculty practice activities, the Board was asked to establish the Florida International University College of Medicine Health Care Network Faculty Group Practice.

After discussion, the Board adopted the following Resolution:

WHEREAS, in order to provide educationally oriented clinical practice settings and opportunities that are essential in the training of medical students; and

WHEREAS, these clinical practice activities by faculty generate income through fees collected and these fees must be regulated and processes developed for the orderly collection and distribution of such fees; and

WHEREAS, Florida universities, pursuant to Board of Regents Rule 6C-9.017 adopted by the Board of Governors in January, 2003, have been authorized to establish not-for-profit corporations for the handling of such fees; and

WHEREAS, the Florida International University College of Medicine Health Care Network Faculty Group Practice meets all of the requirements set forth in Rule 6C-9.017 for a Faculty Practice Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Florida International University Board of Trustees hereby (i) approves the formation of the Florida International University College of Medicine Health Care Network Faculty Group Practice (the "Corporation"); (ii) approves the Bylaws of the Corporation, in the form attached as Exhibit "I" and as amended by the Board; and (iii) instructs the President to submit the Bylaws for approval at the next regularly scheduled Board of Governors meeting and to take all steps necessary to carry out the purpose of this Resolution.

b. Bank Account

Dean Rock presented the FIU College of Medicine Health Care Network Faculty Group Practice Bank Account, noting that Bank of America was designated as the depository at which the not-for-profit corporation (the Florida International University College of Medicine Health Care Network Faculty Group Practice) may deposit the Corporation's funds.

After discussion, the Board adopted the following Resolution:

WHEREAS, the Florida International University College of Medicine Health Care Network Faculty Group Practice (the "Corporation") must designate the depositories at which its funds may be deposited and the signatories for accounts;

THEREFORE BE IT RESOLVED, that the following banking institution is hereby designated as the depository for the Corporation's funds;

- Bank of America, a national banking association located in Miami, Florida ("Bank"); and

BE IT FURTHER RESOLVED, that the Senior Vice President for Medical Affairs and Dean of the College of Medicine, the Chief Financial Officer, and their respective designees, are each individually authorized to take all actions necessary to open or close bank accounts at the designated depository; and

BE IT FURTHER RESOLVED, that any of the following persons are authorized to sign any and all checks, drafts and orders against any funds or accounts at any time of the Corporation at the Bank of America within the limits established by the Board of Trustees and the University President. However, all expenditures authorizations, regardless of type of transaction, will require the approval of any two of the individuals listed below, one of which shall be a University officer.

- Provost
- University Chief Financial Officer
- Executive Associate Dean of Finance and Administration for the University's College of Medicine
- President of the Board of the Corporation
- Assistant Vice President of Support Organizations

3. University Tuition Fees Regulation – Amendment Spring 2007-2008

Committee Chair Kirk Landon presented the University Tuition Fees Regulation – Amendment Spring 2007-2008 for Board consideration and approval, noting that the increase was necessitated as a result of the 27 September 2007 Board of Governors Meeting, where the Florida Board of Governors voted to raise Undergraduate Tuition effective Spring 2008, by five percent (5%).

After discussion, the Board adopted 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, at the September 27, 2007 Board of Governors Meeting, the Florida Board of Governors voted to raise Undergraduate Tuition effective Spring 2008, by five percent (5%);

AND WHEREAS, the Legislature has required that by November 21, 2007, each state university must submit a plan to the Board of Governors "specifying the amount and percent of the funds generated by the 5-percent tuition increase in the Spring 2008 term which will be used for need-based financial aid for Florida residents;"

THEREFORE, BE IT RESOLVED, that the BOT approves the revised Tuition Fees Schedule FIU-1101 regulation attached as Exhibit “J” which reflects the increase in the Spring 2008 tuition and fees; and

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 from the Board of Governors and the regulation-making process; and

BE IT FURTHER RESOLVED, that the BOT delegates authority to the University President to submit the Plan related to the need-based financial aid for Florida residents attached as Exhibit “K” to the Board of Governors for approval and to approve any subsequent amendments that are based on comments to the Plan received from the Board of Governors, and to report to the BOT at its next regularly scheduled meeting.

4. President’s Management Review, 2006-2007

Compensation Workgroup Chair Betsy Atkins introduced the President’s Management Review, 2006-2007 for Board consideration and approval. President Maidique presented a report on his accomplishments for 2006-2007. Workgroup Chair Atkins presented a report of the November 2007 Compensation Workgroup meeting, noting the Workgroup’s assessment of President Maidique’s accomplishments for FY06-07 relative to his overall performance and the Board approved goals.

Trustee Bruce Hauptli made a motion to grant a performance rating of “good” to President Maidique. Trustee Kirk Landon seconded the motion, but the motion received no additional support and therefore did not carry.

After discussion, the Board adopted the following Resolution:

WHEREAS, the Florida International University Board of Trustees (the BOT) has been charged by the Florida Board of Governors to annually evaluate the University President; and

WHEREAS, the BOT conducted the performance evaluation of President Modesto A. Maidique for the 2006-2007 fiscal year; and

WHEREAS, the BOT must submit the evaluation to the Florida Board of Governors for review;

THEREFORE, BE IT RESOLVED, that the BOT grants a “SUPERIOR” Performance rating to President Modesto A. Maidique in his leadership of Florida International University during fiscal year 2006-2007, including the achievement of the employment equity program goals as established by F.S. 1012.95 and the accountability goals established pursuant to F.S. 1008.46; and

BE IT FURTHER RESOLVED, that the BOT authorizes the Senior Vice President for Administration to submit the evaluation of the President to the Florida Board of Governors; and

BE IT FURTHER RESOLVED, that the Senior Vice President for Administration is authorized to take all actions necessary to give effect to this Resolution.

5. University Goals & President’s Objectives, 2007-2008

Workgroup Chair Atkins introduced the University Goals & President’s Objectives, 2007-2008 for Board consideration and approval. President Maidique presented the University’s Goals & President’s Objectives Report for 2007-2008. Workgroup Chair Atkins noted that the Workgroup amended the University Goals and President’s Objectives to include two (2) additional goals for FY07-08 within the objective of Academic & Research Excellence.

After discussion, the Board adopted the following Resolution:

BE IT RESOLVED, that the Florida International University Board of Trustees (the BOT) approves the University Goals for the 2007-2008 fiscal year as presented by President Maidique and amended by the Compensation Workgroup, attached hereto as Exhibit “L;” and

BE IT FURTHER RESOLVED, that the BOT approves the President’s Objectives as presented by President Maidique and amended by the Compensation Workgroup. These approved objectives will be one component of the President’s Performance Review by the Board for 2007-2008.

6. Committee Status Reports

Finance and Audit Committee Chair Kirk Landon and Academic Policy Committee Chair Patricia Frost reported on items heard by their respective Committees. External Relations Workgroup Co-Chair Claudia Puig provided a Governmental Relations update, reporting on the priorities for the 2008 Florida Legislative Session. She also reported on the University’s federal priorities. 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:

Trustee Bruce Hauptli, Co-Chair of the United Way Campaign, added that he encouraged all Trustees and members of the audience to contribute to the United Way campaign.

VIII. Adjournment:

Since there was no other business, the meeting of the Florida International University Board of Trustees was adjourned on Friday, 16 November 2007, at 11:27 a.m.

MB
11.27.07

<i>Trustee Requests</i>	<i>Follow-up</i>	<i>Completion Date</i>
1. <i>Trustee Kirk Landon requested that the University research and analyze best practices for defining the executive performance ratings.</i>	<i>CFO & Sr. VP Vivian Sanchez</i>	

David Parker
Chairman
FIU Board of Trustees

Modesto A. Maidique
Corporate Secretary
FIU Board of Trustees

Attachments: Exhibits "A," "B," "C," "D," "E," "F," "G," "H," "I," "J," "K," "L," & "M"