

THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY COMMITTEE

THURSDAY, 13 MARCH 2008
11:30AM
VIA CONFERENCE CALL

MEMBERSHIP

PATRICIA FROST, *CHAIR*
ALBERT DOTSON, *VICE CHAIR*
BRUCE HAUPTLI
MARBELY HERNANDEZ
CLAUDIA PUIG
ROSA SUGRAÑES

AGENDA

- | | |
|---|----------------|
| I. CALL TO ORDER | PATRICIA FROST |
| II. APPROVAL OF MINUTES | PATRICIA FROST |
| III. CHAIR'S REMARKS | PATRICIA FROST |
| IV. ITEMS FOR COMMITTEE REVIEW | |
| A. ACTION ITEMS | |
| 1. TENURE AS A CONDITION OF EMPLOYMENT
NOMINATION | RONALD BERKMAN |
| 2. STUDENT LOAN PRACTICES CODE OF CONDUCT | CORINNE WEBB |
| 3. APPROVAL OF FLORIDA INTERNATIONAL UNIVERSITY
RESEARCH FOUNDATION, INC. BYLAWS | GEORGE WALKER |
| 4. CAPITAL IMPROVEMENT FEE PROJECT LIST | ROSA JONES |
| B. REPORTS (<i>NO ACTION REQUIRED</i>) | |
| 5. ACADEMIC AFFAIRS | |
| A. ENROLLMENT SERVICES REPORT | RONALD BERKMAN |
| B. UNDERGRADUATE REPORT | RONALD BERKMAN |
| C. GRADUATE REPORT | RONALD BERKMAN |

6. STUDENT AFFAIRS

- STUDENT AFFAIRS REPORT

RONALD BERKMAN

V. OTHER BUSINESS (*IF ANY*)

PATRICIA FROST

VI. ADJOURNMENT

PATRICIA FROST

Conference Call information:

- Please call (888) 343-1273, promptly at 11:30 am on Thursday, 13 March 2008.
- If you are disconnected, please redial the conference call number.
- If you have any problems with the above, contact the BOT office at 305.348.6495

**NEXT ACADEMIC POLICY COMMITTEE MEETING
IS SCHEDULED FOR
JUNE 26, 2008**

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY COMMITTEE**

13 MARCH 2008

SUBJECT: ACADEMIC POLICY COMMITTEE MEETING MINUTES, 15 NOVEMBER 2007

PROPOSED COMMITTEE ACTION:

Adopt the following Resolution:

RESOLVED that the minutes of the meeting of the Florida International University Board of Trustees' Academic Policy Committee held on 15 November 2007, attached to this Resolution as Exhibit "A," are hereby approved.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "A": 15 NOVEMBER 2007
ACADEMIC POLICY COMMITTEE MEETING
MINUTES.

FACILITATOR/PRESENTER:

- COMMITTEE CHAIR PATRICIA FROST

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**



**ACADEMIC POLICY COMMITTEE
MINUTES
15 NOVEMBER 2007**

I. Call to Order

The Florida International University Board of Trustees Academic Policy Committee meeting was called to order by Committee Chair Patricia Frost at 11:40 a.m. on Thursday, 15 November 2007, in the University Park Campus Graham Center Ballrooms in Miami, Florida.

The following attendance was recorded:

Present

Patricia Frost, *Chair*
Albert Dotson, *Vice Chair*
Bruce Hauptli
Marbely Hernandez

Excused

Claudia Puig
Rosa Sugrañes

II. Approval of Minutes

Committee Chair Patricia Frost asked if there were any additions or corrections to the minutes of the 10 September 2007, Academic Policy Committee meeting. Hearing none, the Committee adopted the following:

RESOLVED that the minutes of the meeting of the Florida International University Board of Trustees' Academic Policy Committee held on 10 September 2007, attached to this Resolution as Exhibit "A," are hereby approved.

III. Chair's Remarks

Committee Chair Frost welcomed Trustees and staff to the meeting and thanked them for their service and hard work. She also welcomed recently appointed deans Dr. Amir Mirmiran, Interim Dean for the College of Engineering; Dr. Kenneth Furton, Dean of Arts & Sciences; and Laura Probst, Dean of Libraries. She thanked University faculty members for their work and support during the search and screen process. Laura Probst provided an overview of her academic background in Music and Library Sciences and then explained her vision for the University Libraries.

Committee Chair Frost noted that the Liaison Committee on Medical Education (LCME) was scheduled to conduct the preliminary accreditation site visit of the University's College of Medicine on the 19th and 20th of November 2007. She also noted that the University's College of Medicine signed an operating agreement with Jackson Health System to establish teaching programs for FIU medical students at Jackson North Medical Center. She congratulated the University's College of Medicine faculty and staff for what they had accomplished in such a short time.

IV. Items for Committee Review

A. Action Items

1. Tenure as a Condition for Employment Nominations

Provost Ronald Berkman presented the Tenure as a Condition of Employment Nominees for Committee Review. He noted that the five (5) candidates selected to be awarded Tenure as a Condition of Employment were new hires and were to receive tenure based on tenured positions held at other institutions and the caliber of their work.

After discussion, the Committee recommended the following Resolution for Board approval:

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

WHEREAS, the University President is recommending the granting of Tenure as a Condition of Employment for five (5) nominees listed in Exhibit "B";

THEREFORE, BE IT RESOLVED, that the Florida International University Board of Trustees approves the granting of Tenure as a Condition of Employment to the five individuals listed in Exhibit "B" based on the recommendations of the university president.

2. New Degree Program Criteria and Guidelines Policy

Vice President for Academic Affairs Douglas Wartzok presented the new Degree Program Criteria and Guidelines Policy for Committee Review, noting that the purpose of this policy is to define the hierarchical structure, related criteria and guidelines for new programs.

After discussion, the Committee recommended the following Resolution for Board approval:

THEREFORE, BE IT RESOLVED, that the Florida International University Board of Trustees (the BOT) hereby approves, in the form attached hereto as Exhibit "C," the request to establish criteria and guidelines related to academic programs and offerings; and

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

3. New Degree Program Planning and Approval Policy

VP Wartzok presented the New Degree Program Planning and Approval Policy for Committee review, noting that the purpose of this policy was to specify the standards required for University program authorization.

After discussion, the Committee recommended the following Resolution for Board approval:

THEREFORE, BE IT RESOLVED, that the Florida International University Board of Trustees (the BOT) hereby approves, in the form attached hereto as Exhibit "D," the request for the adoption of a new degree program planning and approval policy; and

THEREFORE, BE IT FURTHER RESOLVED, that the BOT hereby approves, in the form attached hereto as Exhibit "D," the request for the adoption of the common SUS degree proposal format for all new degree programs; and

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

4. Program Termination Policy

Provost Berkman presented the Program Termination Policy for Committee review, noting that the purpose of this policy is to specify the standards required for University program termination.

After discussion, the Committee recommended the following Resolution for Board approval:

THEREFORE, BE IT RESOLVED that the Florida International University Board of Trustees (the BOT) hereby approves, in the form attached hereto as Exhibit "E," the request for the adoption of a new policy specifying the standards required for terminating university programs (these include degree programs, departments or divisions of instruction, schools or colleges, or other program units); and

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

5. Honorary Degree Recipient

Provost Berkman presented the Honorary Degree Recipient for Committee review, noting that the recommendation consisted of one (1) candidate to receive a doctoral degree, *honoris causa*, from the university.

After discussion, the Committee recommended the following Resolution for Board approval:

THEREFORE, BE IT RESOLVED that the Florida International University Board of Trustees endorses Dr. Manuel Viamonte as recipient of a doctoral degree *honoris causa* from Florida International University and whose academic and professional profile is attached to the Resolution as Exhibit "F".

B. Reports

6. Academic Affairs Reports

Provost Berkman noted that the University's agreement with the Miami-Dade Health department relocated the department's headquarters to FIU – University Park and would promote the integration of medicine with public health and other disciplines. He added that the agreement would enhance learning and research opportunities within the University and provide Department of Health clients with a unique and dynamic research and learning environment.

Provost Berkman provided an update on University enrollment statistics for the Fall 2007 semester and on Financial Aid.

7. Student Affairs Report

Committee Chair Frost requested that the Student Affairs Report provided in the agendas be accepted as written. There were no objections.

V. Other Business

No other business was raised.

VI. Adjournment

With no other business, Committee Chair Frost adjourned the meeting at 12:41 p.m.

Attached: Exhibit "A," "B," "C," "D," "E" & "F"

*MB/mg
11/27/07*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY COMMITTEE**

13 MARCH 2008

SUBJECT: TENURE AS CONDITION OF EMPLOYMENT NOMINATION

PROPOSED COMMITTEE ACTION:

Recommend Board adoption of the following Resolution:

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

WHEREAS, the University President is recommending the granting of Tenure as a Condition of Employment for the nominee listed in Exhibit “B”;

THEREFORE BE IT RESOLVED, that the Florida International University Board of Trustees (“the BOT”) approves the granting of Tenure as a Condition of Employment to the individual listed in Exhibit “B” 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 provision 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 nominee had tenure at his previous institution.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “B”: TENURE AS A CONDITION OF EMPLOYMENT NOMINEE
- ATTACHMENT 1: TENURE AS A CONDITION OF EMPLOYMENT NOMINEE’S BIO

FACILITATOR/PRESENTER:

- RONALD BERKMAN

**Florida International University
2007 - 2008 Tenure Nomination
(Tenure as a condition of employment)**

	PROPOSED		TENURE
NAME	RANK	DEPARTMENT	CIP CODE
COLLEGE OF ENGINEERING & COMPUTING			
Jiuhua G. Chen	Associate Professor	Mechanical & Material	141901

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Jiuhua G. Chen, Ph.D.

***Associate Professor, Dept. of Mechanical & Materials Engineering,
College of Engineering and Computing***

Dr. Jiuhua G. Chen graduated with a Ph.D. in Physics from the Japan Graduate University for Advanced Studies in April, 1994; he also has a M.S. Degree in Condensed Matter and Physics, and a B.S. in Physics from Jilin University, China.

Prior to his appointment at FIU, Dr. Chen was a faculty member at Mineral Physics Institute of the State University of New York at Stony Brook. He has more than 120 publications including books, journal papers, meeting proceedings, reports and invited presentations in the areas of material synthesis, phase transformation, mechanical properties and crystallography. His research has been supported by National Science Foundation, Department of Energy, Department of Defense and other sources for a total of nearly \$4M including \$1M at FIU for the forthcoming three years.

Some of his research results have been published in premier, high impact journals such as Nature and Physical Review Letters. Some publications were featured by mass media, e.g. “New Phase Transition May Explain Deep Earthquakes” by Scientific American; “Understanding the Deep Quakes” by American Association for the Advancement of Science; “Explain Why no Earthquakes Start in Earth's Lower Mantle” by National Science Foundation. His biography has been consecutively included in Marquis *Who's Who in America*®, Marquis *Who's Who in World*®, and *Who's Who in Science and Engineering*® since 2002.

Dr. Chen supervised 14 undergraduate/graduate students at Stony Brook. He served there as the Deputy Director of the Mineral Physics Institute and Associate Dean of Admissions.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY COMMITTEE**

13 MARCH 2008

SUBJECT: ADOPTION OF STUDENT LOAN PRACTICES CODE OF CONDUCT

PROPOSED COMMITTEE ACTION:

Recommend Board Adoption of the following Resolution:

WHEREAS, as a result of a collaborative effort between the Florida Board of Governors, the state universities and the Florida Attorney General's Office, guidelines were developed to ensure the integrity of the financial aid process and to avoid the potential for conflicts of interest in connection with student loan practices at state universities; and

WHEREAS, these guidelines, consisting of a Student Loan Practices Code of Conduct, were developed for adoption by the Florida Board of Governors and each state university Board of Trustees; and

WHEREAS, the Florida Board of Governors adopted the Student Loan Practices Code of Conduct in December of 2007 to be effective immediately and has requested that each state university Board of Trustees adopt this Code as soon as practicable;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Florida International University ("the BOT") as follows:

The BOT hereby adopts the Student Loan Practices Code of Conduct as the official guidelines for the University's financial aid operations, in the form attached as Exhibit "C" hereto.

BACKGROUND INFORMATION:

The Florida Board of Governors has requested that each state university Board of Trustees adopt a Student Loan Practices Code of Conduct that ensures that the selection of student lending institutions is fair and ethical. The Code of Conduct contains four guiding principles in order to avoid potential conflicts of interest: 1) University employees should receive no personal benefit, 2) University employees should not serve on lender advisory boards for remuneration, 3) the University should not provide any advantage to a Lending Institution and 4) the University should make appropriate use of any Preferred Lender Lists.

LEGAL AUTHORITY:

Section 7, Art. IX, Florida Constitution

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “C”: CODE OF CONDUCT

FACILITATOR/PRESENTER:

- CORINNE WEBB

CODE OF CONDUCT

The Board of Governors of the State University System recognizes that ensuring the integrity of the student financial aid process is critical to providing fair and affordable access to higher education in Florida. Therefore, the Board has formalized the following guiding principles that shall be effective immediately and must be adopted by each University's Board of Trustees as soon as practicable. These guidelines are designed to avoid any potential for a conflict of interest between the University, its students or their parents in the student financial aid process. Accordingly, each University shall take all reasonable steps to adhere to the following principles in the University's financial aid operations:

1. University employees should receive no personal benefit.

No officer, trustee or employee of the University shall accept anything of more than nominal value on his or her behalf or on behalf of another person or entity from any Lending Institution.¹ For example, cash, stocks, gifts, entertainment, expense-paid trips, etc. should never be accepted from a Lending Institution. Likewise, an individual should never receive payment or reimbursement from a Lending Institution for lodging, meals or travel to conferences or training seminars. However, an officer, trustee or employee of the University may: (a) conduct non-University business with any Lending Institution and, subject to state law, receive value in connection with such non-University business, so long as such value is not intended to influence the officer, trustee or employee in conducting University business; (b) conduct University business and, subject to state law, receive value on behalf of the University that is unrelated to the student loan activities of the Lending Institution; (c) attend conferences and meetings of tax-exempt organizations that are funded or sponsored by more than one entity and, subject to state law, receive materials, refreshments, and other things of like value provided at such professional conferences and meetings; and, (d) hold membership

¹ Lending Institution is any entity (other than an institution of higher education or a governmental entity such as the U.S. or Florida Department of Education) involved in the making, holding, consolidating or processing of any student loans.

in, serve on the board of or participate in the activities of any tax-exempt organization and, subject to state law, receive travel reimbursements and other things of like value from the tax-exempt organization for such activities.

2. University employees should not serve on lender advisory boards for remuneration.

No officer, trustee or employee of the University who makes financial aid decisions for the University or who is employed in, supervises or otherwise has responsibility or authority over the University's financial aid office shall receive any remuneration for serving as a member or participant of an student loan advisory board of a Lending Institution or any reimbursement of expenses for such service. Any officer, trustee or employee of the University who serves as a member or participant of a Lending Institution board shall recuse himself or herself from any board discussions regarding the University's financial aid operations.

3. The University should not provide any advantage to a Lending Institution.

The University shall not accept anything of value from any Lending Institution in exchange for any advantage or consideration provided to the Lending Institution related to its student loan activities, including but not limited to revenue-sharing, printing costs or below-cost computer hardware or software.² Likewise, the University shall not allow any Lending Institution to: (a) staff the University's financial aid office at any time; or (b) communicate with the University's students or their parents in such a manner as to create the impression that the Lending Institution is an employee or agent of the University in connection with the University's student financial aid operations, including through the use of mascots, logos, etc. Finally, the University shall not enter into any agreement with a Lending Institution to provide alternative (*i.e.*, non-federal or "opportunity") student loan programs if the provision of such alternative loan programs prejudices other students or parents.³

² The University may accept any assistance that is authorized by 34 C.F.R. 682.200(b)(5)(i) (definition of "Lender").

³ The University may offer loans to its international students, at fair market rates, when such students would otherwise be unable to secure a domestic loan.

4. The University should make appropriate use of any Preferred Lender Lists.

If the University decides to promulgate a list or lists of preferred or recommended lenders for student loans or similar ranking or designation ("Preferred Lender List"), the selection of Lending Institutions for inclusion on the Preferred Lender List shall be based on the best interests of the University's students and their parents without regard to the financial interests of the University.⁴ In addition, any Preferred Lender List shall clearly explain:

- Students and their parents are free to select the Lending Institution of their choice and will suffer no penalty imposed by the University from using a Lending Institution that is not a "preferred lender";
- Students and their parents are not required to use any of the "preferred lenders";
- Where to find information on other Lending Institutions for student loans;
- The University will promptly certify any loan from any Lending Institution selected by a borrower, in accordance with U.S. Department of Education regulations;
- The process the University utilized to select "preferred lenders," including but not limited to the criteria used and the relative importance of such criteria;
- Where to find information on the competitive interest rates, terms, and conditions of federal loans;
- Where to find information on the interest rate, loan servicing or other benefits offered by "preferred lenders"; and,
- Where to find information on any agreements by "preferred lenders" to sell their loans to other Lending Institutions.

Each University shall review any Preferred Lender List on an annual basis to determine that the information appearing on the list is accurate and that any website links are still viable.

⁴ The University also shall not place a Lending Institution on a Preferred Lender List for a particular type of student loan in exchange for benefits provided to the University, its students or their parents in connection with a different type of student loan.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY COMMITTEE**

13 MARCH 2008

**SUBJECT: APPROVAL OF FLORIDA INTERNATIONAL UNIVERSITY RESEARCH
FOUNDATION, INC. BYLAWS AS AMENDED ON NOVEMBER 28, 2007**

PROPOSED COMMITTEE ACTION:

Recommend Board Adoption of 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 Florida International University Research Foundation, Inc. (“Research Foundation”) Bylaws before their becoming effective; and

WHEREAS, on November 28, 2007, the Florida International University Research Foundation, Inc.’s Board of Directors approved amendments to the Research Foundation’s Bylaws, which are attached hereto as Exhibit “D”;

THEREFORE BE IT RESOLVED, that the BOT hereby approves the attached Amended Research Foundation Bylaws and authorizes the Chairperson of the Research Foundation to take all actions necessary pertaining to these Amended Bylaws and to confirm the Research Foundation’s Articles of Incorporation to these amended Bylaws.

BACKGROUND INFORMATION:

LEGAL AUTHORITY:

Section 6c8-6.100 (2) (c) of the Florida Administrative Code, relating to direct-support organizations of the University, 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.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT “D”: FLORIDA INTERNATIONAL UNIVERSITY RESEARCH FOUNDATION, INC. BYLAWS AS AMENDED ON THE 28TH DAY OF NOVEMBER 2007.

FACILITATOR/PRESENTER:

- GEORGE WALKER

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BYLAWS

Florida International University Research Foundation, Inc.

(A Not-For-Profit Corporation)

ARTICLE I Board of Directors

Section 1. Purpose. The purpose of the Florida International University Research Foundation ("Research Foundation") shall be exclusively scientific and educational. This includes the promotion and encouragement of, and assistance to, the research and training activities of faculty, staff, and students of Florida International University through income from contracts, grants, and other sources, including, but not limited to, income derived from or related to the development and commercialization of University work products. The corporation shall provide means by which discoveries, inventions, processes, and work products of faculty, staff, and students of the University may be patented, developed, applied, and utilized in order that the results of such research shall be made available to the public and that funds be made available from such discoveries, inventions, processes, and work products for further research at Florida International University.

~~Section 2. Term of Office. The President of Florida International University, the Provost/Vice President for Academic Affairs, the Vice President for Research and Graduate Studies, the Vice President for Advancement, the Vice President for Business and Finance, the Dean of the College of Engineering, and the Dean of the College of Arts and Sciences, shall serve as Directors for such time as each respective individual continues to serve as President, Provost/Vice President, Vice President for Research and Graduate Studies, Vice President for~~

~~Advancement, Vice President for Business and Finance, Dean of the College of Engineering, and Dean of the College of Arts and Sciences chooses to designate a person to serve as a director in his or her stead, that designee shall be identified annually prior to the regular meeting of the Board of Directors, and the designee will serve at the pleasure of the respective President, Vice President or Dean. The appointee of the Chairman of the Board of Regents of the State of Florida shall serve at the pleasure of the Chairman. The elected Directors shall serve a three-year term and shall be eligible for re-election.~~

Section 2. Governance. The business affairs of the Research 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 Board. Members of the Board shall be the sole voting members of the Research Foundation and shall be called "Directors."

~~Section 3. Powers and Duties of the Board of Directors. The property, affairs, activities, and concerns of the corporation shall be vested in the Board. All management functions shall be exercised by the Board of Directors, subject to delegation by the Board to the officers and the Executive Committee. The corporation may open offices in foreign countries or outside the area where it is primarily domiciled in the event that this is required in connection with a University research project and is deemed necessary by the Board.~~

Section 3. Membership. ~~Section 1. Membership. The Board of Directors shall consist of nine (9) voting members; if the Chairman of the Board of Regents of the State of Florida chooses to appoint a member, the Board of Directors shall consist of (10) voting members.~~ The Board shall consist of no fewer than ten (10) and no more than twenty (20) voting members. The President of Florida International University ("FIU"), or his/her designee,

~~the Executive Vice President/Provost, and the Vice President for Research and Graduate Studies, the Vice President for Advancement, the Vice President for Business and Finance, the Dean of the College of Engineering, and the Dean of the College of Arts and Sciences, or their respective designees, shall be the members of the Board of Directors. There will be two members of the Board of Directors nominated by the President of Florida International University and elected by the Board, who shall serve a three-year term. These members shall be elected by a majority of the other members of the Board of Directors at the regular annual meeting.~~ and the Dean of the College of Medicine shall be known as Appointed Directors (the "Appointed Directors") of the Board for as long as they hold those offices. In addition, there shall be two representatives of the faculty of FIU, based on their strategic and exceptional contributions to the University's research objectives, and one FIU alumni representative. There shall be one representative of the Deans chosen on a rotating basis for a two (2) year term. The faculty, alumni and dean Board members will be nominated by the Nominating Committee and chosen by the President of FIU.

All other members of the Board shall be nominated and elected pursuant to the provisions set forth in Article I, Section 4 and shall be known as the "Elected Directors". The Elected Directors shall be members of the Miami-Dade County business community and other members having qualifications specified from time to time by the Nominating Committee and consistent with the strategic objectives of the Research Foundation.

~~Section 4. Meetings. A regular meeting of the Board shall be held in the month of November or December of each year at the date and time set by the Board of Directors. Notice of the meeting, signed by the Secretary, shall be mailed to the last recorded address of each~~

~~Director at least ten days before the time appointed for the meeting. Special meetings of the Board may be called by the President or Secretary of this Corporation, or two or more Directors or by the President of Florida International University in his capacity as University President. Notice of any special meeting of the Board of Directors shall be given at least ten days prior thereto by personal delivery or sent by U.S. Mail to each Director at his or her address as shown by the records of the corporation. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Meetings of the Board of Directors may be held by means of telephone conferences or similar communications equipment by means of which all members participating in the meeting can hear each other. Participating in a meeting by telephone or similar communications equipment shall constitute presence in person at the meeting except where a member participates in a meeting for the sole purpose of objecting to the transaction of any business on the ground that the meeting has not been lawfully called or convened. Business to be transacted at the meeting need not be specified in the notice or waiver, unless specifically required by law or by these Bylaws. The President of Florida International University or the designee of the President of the University shall preside at meetings of the Board of Directors; in the absence of the President of the University, the President of the University may appoint any Director to preside.~~

Section 4. Election. Elected Directors shall be selected to fill expiring and vacant terms at the Annual Meeting of the Board. Elected Directors may also be elected at any other regular or special meeting of the Board. Nominations for Elected Directors shall be made by the Nominating Committee as described in Article V, Section 2 (iii) of these Bylaws.

~~Section 5. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board. If a quorum is not present, a majority of those present may adjourn the meeting from time to time without further notice.~~

Section 5. Vacancies of Elected Directors. Vacancies occurring during a term of an Elected Director may be filled by the Board at any regular or special meeting of the Board. The Elected Directors so chosen shall hold such office until the next regular Annual Meeting of the Board at which time his or her successor shall be elected.

~~Section 6. Manner of Acting. The act of the majority of the Directors present at the meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.~~

Section 6. Vacancies of Appointed Directors. In the case of a vacancy of an Appointed Director, the person who is acting as the President or his/her designee, the Executive Vice President/Provost, the Vice President for Research, and the Dean of the College of Medicine shall fill the vacancy until the permanent appointment is made at which time the person appointed to hold the position shall be named as the new Appointed Director for that position. Any vacancy among the Elected Directors may be filled by a majority vote of the remaining members of the Board. The term of office of a director chosen to fill a vacancy shall expire at the latter of the next annual meeting of the Board or at such time as a successor shall be duly elected and qualified.

~~Section 7. Vacancies. Whenever any vacancy occurs on the Board of Directors by death, resignation or otherwise, it shall be filled without undue delay. In the case of the President of the University, the Provost/Vice President, and the Vice Presidents, and the Deans, the person who is~~

~~acting as the President, the Provost/Vice President, or Vice President, or Dean will fill the vacancy. In the case of the Director elected by the Board, the vacancy shall be filled by a majority vote of the remaining members of the Board at a special meeting which shall be called for that purpose; the person so chosen shall hold such office until the next regular annual meeting at which time his or her successor shall be elected. In the case of the Director appointed by the Chairman of the Board of Regents, the Chairman may select a successor. If the Chairman of the Board of Regents chooses not to appoint a successor, the Chairman shall so inform the Board of Directors in writing.~~

Section 7. Resignation or Removal. A Director may resign at any time by giving written notice to the Chairperson or to the Secretary of the Board. 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 Elected Director who is not present for three (3) consecutive regular meetings of the Board, and whose absences are not excused by the Chairperson, shall be deemed to have submitted his/her resignation, subject to reinstatement by a majority vote of the other Directors. 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.

~~Section 8. Order of Business. The order of business shall be as follows at all meetings of the Board of Directors and Executive Committee;~~

- ~~(a) Calling of the roll~~
- ~~(b) Proof of notice of meeting or waiver of notice.~~
- ~~(c) Reading of the minutes.~~
- ~~(d) Receiving communications.~~
- ~~(e) Election of officers, and Directors, if necessary.~~
- ~~(f) Reports of officers.~~
- ~~(g) Report of committees.~~
- ~~(h) Unfinished business.~~
- ~~(i) New business.~~

~~Any question as to the priority of business shall be decided by the Chair without debate. This order of business may be altered or suspended at any meeting by a majority vote of the members present.~~

Section 8. Term of Office. The President of FIU or his/her designee, the Executive Vice President/Provost, the Vice President for Research and the Dean of the College of Medicine, shall serve as Directors for such time as each respective individual continues to serve as President, Executive Vice President/Provost, Vice President for Research or Dean of the College of Medicine. The Faculty, Alumni and Dean representatives shall serve for a term of two (2) years and be eligible to serve for an additional two (2) year term. The Elected Directors shall serve a three-year term and shall be eligible for re-election for no more than two (2) additional three-year terms.

~~Section 9. Informal Action by Directors. Any action required or permitted to be taken at any meeting of the Board of Directors or of any committee thereof may be taken without a meeting, if all members of the Board or committee, as the case may be, consent thereto in writing, and the writing or writings are filed with the minutes of the proceedings of the Board or committee. The action taken shall be deemed effective when the last director signs the consent, unless the consent specifies otherwise.~~

Section 9. Powers and Duties of the Board of Directors. The property, affairs, activities, and concerns of the corporation shall be vested in the Board. All management functions shall be exercised by the Board and by various Officers and Committees thereof as powers may be delegated to such Officers and Committees by these Bylaws or by action of the Board. The corporation may open offices in foreign countries or outside the area where it is primarily

domiciled in the event that this is required in connection with a University research project and is deemed necessary by the Board.

ARTICLE II

Officers

~~Section 1. Number. The officers of this corporation shall be a President, a Secretary, and a Treasurer.~~

~~Section 2. Method of Election of Officers. The President of this corporation shall be the President of Florida International University. The Board of Directors shall elect all other officers at its regular annual meeting, and the officers shall serve for a term of one year. A majority of a quorum present shall be necessary to constitute an election.~~

~~Section 3. Vacancies. All vacancies in any office shall be filled by the Board of Directors without undue delay at its regular annual meeting or at a meeting specifically called for that purpose.~~

~~Section 4. Compensation of Officers. The officers shall receive no special salary or compensation for being officers of this corporation other than their usual salaries as employees of Florida International University.~~

ARTICLE II

Meetings

Section 1. Meetings. Regular meetings of the Board shall be held at least two times a year. One such meeting shall be held in November of each year and such meeting shall be the Annual Meeting of the Board when new Directors and Officers shall be elected and take office, subject to other provisions of these Bylaws. Written notice of each meeting shall be faxed or emailed by the Secretary, to each Director at the last recorded University address, fax number or email address of each Director not less than seven (7) calendar days prior to

the meeting. The Secretary must provide written notice, by fax or email, to all Directors of any changes to the meeting schedule at least seven (7) calendar days prior to the date of the originally scheduled meeting day or of the new meeting date, whichever date occurs earlier. Special Meetings may be called by the Chairperson, the President of the University in his capacity as University President, or by any two (2) Directors with at least seven (7) calendar days written notice provided to all of the Directors by fax or email. The agenda for Special Meetings shall be limited to matters listed in the written notice of the Special Meeting. Notice to the public of all meetings of the Board shall be given by posting on the Office of Research website at <http://fiurf.fiu.edu> and faxing such notice and agenda to a newspaper of general circulation not less than seven (7) days prior to each meeting, and will include a statement of the general subject matters to be considered.

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.

Section 2. Quorum. A quorum of the Directors shall be a majority of the voting Directors in office at the time of the vote. A quorum must be present (in person or via telephone) to transact any business of the Research Foundation at a meeting.

Section 3. Voting. Each Director shall have one vote. When a quorum is present (in person or via telephone) at the meeting, all questions shall be decided by majority vote of the voting Directors present, except as otherwise provided in these Bylaws, by law or by the Articles of Incorporation.

Section 4. Proxies. Proxies, general or special, shall not be accepted for any purpose in Board or Committee meetings.

Section 5. Telephone Meetings. Board and Committee meetings may be conducted by telephone conference or similar communications facilities if the Chairperson of the Board or the Chairperson of the Committee determines it is appropriate and if all persons participating in such meetings are able to hear each other as if the meeting were held in person. All telephone meetings must be 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.

ARTICLE III
Duties of Officers

~~Section 1. President. The President shall be a Director, and a member of the Executive Committee and a member ex officio, with the right to vote, of all committees. At the regular annual meeting of the Board of Directors and as such other times as the President deems proper, he or she communicate to the Board of Directors such matters and make such suggestions as may in the President's his/her opinion tend to promote the business and affairs of the prosperity and usefulness of the corporation. The President shall act as the Chief Executive Officer of this corporation and shall do and perform such other duties as may be assigned to the President him/her by the Board of Directors. The President is authorized to execute in the name of the Florida International University Research Foundation, Inc., with the Secretary attesting, all certificates, contracts, deeds, notes and other documents or legal instruments authorized or issued by the Board of Directors.~~

~~Section 2. Secretary. The Secretary shall keep full and accurate minutes of all the meetings of the Board of Directors and Executive Committee in a book provided for that purpose and shall transmit all notices required by the Bylaws of this corporation. The Secretary shall have custody of the corporate seal of this corporation. The Secretary may sign documents with the President in the name of this corporation and, when required, shall affix thereto the seal of the corporation. The Secretary shall charge of all official records of this corporation, which shall be at all reasonable times open to the inspection of any Director, and the Secretary shall in general perform all duties incident to the management of the office of Secretary for the Board of Directors. The Secretary shall exercise such authority to collect revenues and make routine expenditures delegated by the Board of Directors, the Executive Committee, or the President.~~

~~Section 4. Treasurer. The Treasurer shall receive and keep the funds of the Research Foundation this corporation and pay out the same only in accordance with the guidelines established by the Board of Directors. The Treasurer shall ensure that consistent and reliable financial practices are followed. The duties of the Treasurer shall include, but not be limited to, the following:~~

~~(a) The deposit of all monies, checks, and other credits to the account of this corporation in such bank or banks or other depositories as the Board of Directors may designate; to review all receipts and vouchers for payment made to and all vouchers and checks made by this corporation; to regularly maintain a full and accurate account of all monies received and paid out on accounts administered by this corporation; and to render to the Board of Directors an account and statement of all the Treasurer's transaction at the annual transactions at each meeting of the Board and at such other times as the Board may determine.;~~

~~(b) To prepare with the President an annual budget for the coming year to be considered approved by the Board of Directors at the last meeting held before the end of the fiscal year. Said budget shall be submitted to the President of Florida International FIU for approval and transmittal to the Florida Board of Regents no later than sixty (60) days after July 1 of each~~

~~(c) To prepare a quarterly expenditure plan to be reviewed and approved quarterly by the President of Florida International University or his or her designee who shall be a Vice President or other senior officer of FIU the University reporting directly to the President. The plan shall separately delineate planned actions which result in a commitment of FIU University resources or which represent significant commitment of the resource of the corporation.~~

~~(d) To cause an annual independent audit of the corporation's books and records to be made for transmittal directly to the Board of Directors.~~

~~(e) The Treasurer shall at all reasonable times exhibit his or her books and accounts to any Director of this corporation and shall in general perform all duties incident to the management of the office of Treasurer for the Board of Directors.~~

~~Section 4. Bond. The officers of this corporation shall, if required by the Board of Directors, give to the corporation such security for the faithful discharge of their duties as the Board may direct.~~

~~Section 5. Checks. Checks or drafts on the funds of this corporation shall be signed by any two of the officers or Directors authorized to do so by the Board of Directors. The signatures may be accomplished through a mechanical signature machine under procedures approved by the Board of Directors.~~

ARTICLE III **Officers**

Section 1. Number. The officers of this corporation shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer. They also shall serve as officers of the Board of Directors. The chairperson of the Research Foundation and the Board shall be the President of FIU or his/her designee. All other officers of the Research Foundation and the Board shall be nominated by the Nominating Committee and elected by the Board.

Section 2. Method of Election of Officers. Officers shall be elected at the Annual Meeting of the Board, from nominations submitted to the Directors by the Nominating Committee or from nominations from the floor. No Officer may hold more than one Research Foundation office concurrently. Officers shall

serve for a term of one year and shall be eligible to succeed himself/herself for no more than two (2) additional terms. A quorum must be present (in person or via telephone) to transact any business of the Research Foundation at a meeting.

Section 3. Vacancies. In case any vacancy occurs in an elected office, an election shall be held at the first Regular or Special Meeting of the Board after such vacancy occurs and nominations may be received directly from the floor to fill such vacant positions. Notice of such vacancy and scheduled election must be given in the prior written notice for the regular or special meeting at which such election shall take place.

Section 4. Compensation. Neither the Officers nor the Directors shall receive compensation for being officers or members of the Board other than their usual salaries as employees of FIU, for those members who also are employed by FIU.

Section 5. Resignation and Removal. An Officer of the Research Foundation may resign at any time by giving written notice to the Board, the Chairperson or the Secretary of the Research 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.

ARTICLE IV

~~Administration Policies~~

~~Section 1. Operating Budget. The Treasurer with the President of this corporation shall be responsible for the preparation of an annual operating budget, which must be approved by the~~

~~Board of Directors and the President of Florida International University and reviewed by the Board of Regents. The Treasurer of this corporation shall also prepare a quarterly expenditure plan to be reviewed and approved on a quarterly basis by the President of Florida International University or his or her designee who shall be a Vice President or other senior officer of the University reporting directly to the President.~~

~~Section 2. Audit. The Treasurer of this corporation shall arrange for the auditing, at least annually, of the books, records, and accounts of this corporation. The annual audit shall include a management letter, which shall include management's responses. The annual audit shall be conducted by an independent certified public accountant in accordance with Generally Accepted Auditing Standards and the Government Auditing Standards (latest revision), issued by the Comptroller General of the United States, and shall include an audit of the balance sheet; the statement of revenues, expenses, and changes in fund balance and the statement of cash flows. All of these financial statements shall be prepared in conformity with general accepted accounting principles. The Board of Directors shall see that the audit, management letter and responses thereto shall be submitted annually to the President of Florida International University for submission to the Board of Regents for review as required by law.~~

~~Section 3. Use of University Resources and Name. Any use by the corporation of Florida International University resources or the University's name shall be approved by the President of Florida International University or the President's designee.~~

~~Section 4. Employees. No one employee of this corporation shall be considered to be an employee of the State of Florida solely by virtue of employment.~~

~~Section 5. Public Access to Records. Public access to this corporation's records shall be governed by Section 240.299, Florida Statutes (1966 supp.), and Article X of these Bylaws.~~

ARTICLE IV
Duties of Officers

Section 1. Chairperson of the Board. The Chairperson of the Board shall be a Director and a member of the Executive Committee. He/She shall preside at all meetings of the Board and of the Executive Committee. He/She shall communicate to the Board such matters and make such suggestions as may in his/her opinion tend to promote the business and affairs of the Research Foundation. The Chairperson is authorized to execute in the name of the Research Foundation, with the Secretary attesting, all certificates, contracts, deeds, notes and other documents or legal instruments authorized or issued by the Board. Among the Chairperson's powers and duties, without limitation, are the power to appoint the members and Chairpersons of all Standing Committees established by the Board, except when members or Chairpersons are designated by these Bylaws; to name Special Committees and appoint their members and Chairpersons; from time to time, to represent the Research Foundation at official functions of the University and elsewhere as he/she may determine proper; and to present a report of the activities of the Research Foundation and the conduct of his/her office at each Annual Meeting. The Chairperson shall report to the Board and the President, in his capacity as President of the University, on all matters pertaining to the Research Foundation.

Section 2. 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 Board or the Executive Committee.

Section 3. Secretary. The Secretary shall keep full and accurate minutes of all meetings of the Board, all meetings of the Executive Committee and all Committee meetings in a book provided for that purpose and shall transmit all notices required by the Bylaws of the Research Foundation. The Secretary shall have custody of the corporate seal of this corporation. The Secretary may attest to documents with the Chairperson in the name of this corporation and, when required, shall affix thereto the seal of the corporation. The Secretary shall have charge of all official records of this corporation, which shall be at all reasonable times open for the inspection of any Director, and the Secretary shall in general perform all duties incident to the management of the office of Secretary for the Board. The Secretary shall perform such other duties as may be assigned to him/her by the Chairperson, the Board or the Executive Committee.

Section 4. Treasurer. The Treasurer shall serve as Chairperson for the Finance and Audit Committee. He/She shall receive and keep the funds of the Research Foundation and pay out the same only in accordance with the guidelines established by the Board. The Treasurer shall ensure that consistent and reliable financial practices are followed. The duties of the Treasurer shall include, but not be limited to, the following:

(i) The deposit of all cash monies, checks, and other credits to the account of this corporation in such bank or banks or other depositories as the Board may designate; to review all receipts and vouchers for payment made to

and all vouchers and checks made by this corporation; to regularly maintain a full and accurate account of all funds received and paid out on accounts administered by this corporation; and to render to the Board an account and statement of all the Treasurer's transactions at each meeting of the Board and at such other times as the Board may determine;

(ii) To prepare with the Chairperson an annual budget for the coming year to be approved by the Board at the last meeting held before the end of the fiscal year. The budget shall separately delineate planned actions which result in a commitment of FIU resources or which represent significant commitment of the resources of the Research Foundation. Said budget shall be submitted to the President of FIU for approval and recommendation to the FIU Board of Trustees each year no later than thirty (30) days following the beginning of the Research Foundation's fiscal year;

(iii) To cause an annual audit to be made by an independent certified public accountant of the corporation's books and records as soon as possible after the close of the fiscal year of the Research Foundation and to have the results reported to the Chairperson of the Research Foundation immediately and to the full Board at its next meeting thereafter. The annual audit report shall be submitted by the President of FIU to the Board of Trustees for review no later than the end of the fourth month following the close of the Research Foundation's fiscal year. The annual audit report also shall be submitted to the Auditor General and to the Board of Governors no later than nine (9) months after the close of the Research Foundation's fiscal year. The audit

shall be conducted in accordance with rules promulgated by the Board of Trustees of FIU and with policies adopted by the Auditor General; and

(iv) The treasurer shall at all reasonable times exhibit his or her books and accounts to any Director of this corporation and shall in general perform all duties incident to the management of the office of Treasurer for the Board.

Section 5. Checks. Checks or drafts on the funds of this corporation shall be signed by any two of the Officers or Directors authorized to do so by the Board, or by any two University employees authorized to do so by the Chief Financial Officer of the University, and approved by the Board of Directors.

ARTICLE V Indemnification

~~This corporation shall, to the extent legally permissible, indemnify and defend each of its directors, officers, employees, or other agents against all liabilities and expense, and expense, including, where applicable, amounts paid in satisfaction of judgments in compromise of actions, suits, claims or other proceedings, as fines or penalties, or as counsel fees, actually and reasonable paid or incurred in connection with the defense or disposition of any action, suit or other proceeding, whether civil or criminal, in which such person may be involved by reason of corporate employment or Board service, except with respect to any matter as to which such person shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interest of the corporation; provided that any payment by the way of settlement, compromise, or consent decree shall be indemnified there under only to the extent that it shall be determined by the Board to have been made in the best interest of the corporation; and further provided that no settlement hereunder shall be entered into without the prior consultation and approval of a duly authorized representative of the Board.~~

~~Any person believing himself to indemnification or defense under this article, in order to qualify for indemnification or defense hereunder, notify the President immediately upon the occurrence giving rise to said entitlement.~~

ARTICLE V **Committees**

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. The Chairperson shall appoint the members of all Committees and designate their chairpersons, except as otherwise specified by these Bylaws. All members of the Committees shall have equal voting rights. Two 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 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 Board or the Executive Committee. Each Committee shall keep approved minutes and submit them to the Board for review and to the Secretary for record-keeping.

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

(i) Executive Committee. The Board may elect at its Annual Meeting an Executive Committee consisting of three Directors, which committee shall

have such powers as may be delegated to it by the Board. Three members of the Executive Committee shall constitute a quorum. A majority of the Executive Committee shall be sufficient to exercise all of its powers. The Executive Committee of the Board shall have and may exercise all powers and authority of the Board when the Board is not in session, subject only to such restrictions or limitations as the Board 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. All actions of the Executive Committee shall be reported in writing to the Board at the next ensuing meeting of the Board. All actions of the Executive Committee shall be ratified and included in the minutes of the Board.

(ii) Finance and Audit Committee. The Finance Committee shall consist of up to five members appointed by the Chairperson subject to the approval of the Board, of which three members also must be Directors. The Committee shall advise the Board and the Chairperson on all financial matters related to this corporation, including annual budgeting, equity holding, fund/investment management, securities liquidation, license agreements, insurance needs, audits and financial statements, taxes, and other issues relating to the financial stability of the corporation. The Finance Committee may also be called upon for advice in the consideration of major expenditures and capital outlays. The Finance Committee shall be responsible for the preparation and periodic review of the Research Foundation's annual budget in compliance with the provisions set forth in Article IV, Section 4 (ii), and it shall

review the yearly audit done by the outside auditors. It shall cause a financial audit of its accounts and records to be conducted by an independent certified public accountant after the close of each fiscal year. The audit report shall be submitted by the President of the University to the Board of Trustees no later than the end of the fourth month following the close of the organization's fiscal year. It shall monitor the work of the Research Foundation's Treasurer and shall review and report to the Board on the Research Foundation's financial statements. It shall ensure that all financial reports are filed in a timely manner. To prepare a quarterly expenditure plan to be reviewed and approved quarterly by the President of FIU or his or her designee who shall be a Vice President or other senior officer of FIU reporting directly to the President. The plan shall separately delineate planned actions which result in a commitment of FIU resources or which represent significant commitment of the resources of the Research Foundation.

(iii) Nominating and Development Committee. The Nominating and Development Committee shall consist of up to three members appointed by the Chairperson, subject to the approval of the Board, and shall receive recommendations for nominees to the Board and to act as Officers. It shall evaluate such recommendations, and present nominations for open positions to the Board, as well as a slate of officers, at least fifteen (15) days prior to the Annual Meeting or at any other properly noticed meeting if a vacancy occurs.

Section 3. Other Standing Committees. At the first meeting of the Board, or as soon thereafter as is practical, the Chairperson shall, subject to the approval of the Board, appoint such other Standing Committees as he/she may

deem necessary and advisable to assist in the conduct of the Research Foundation's affairs.

Section 4. Special Committees. The Chairperson may, from time to time, establish Special Committees to assist the Board in carrying out the purposes of the Research Foundation. The Chairperson shall report the establishment of all Special Committees which he/she has authorized, and the names of their Chairpersons and members to the Executive Committee and the Board at the next ensuing regular meeting of the Executive Committee and the Board.

Section 5. Committee Quorum. A majority of any Committee of the Research Foundation shall constitute a quorum for the transaction of business, except as otherwise noted in these Bylaws. All other terms and conditions set forth in these Bylaws pertaining to Board meetings shall also apply to Standing and Special Committee meetings.

~~ARTICLE VI~~ **~~Committees~~**

~~Section 1. Executive Committee. The Board of Directors may elect at its annual meeting an Executive Committee consisting of three Directors, which committee shall have such powers as may be delegated to it by the Board of Directors. A majority of the Executive Committee shall be sufficient to exercise all of its powers. If the Chairman of the Board of Regents of the State of Florida appoints a Director, that Director shall be a member of the Executive Committee. The President of Florida International University who is also the President of this Corporation shall also be a member of the Executive Committee. Meetings of the Executive Committee may be held by means of telephone conferences or similar communicating equipment by means of which all members of the committee participating in the can hear each other. Participating in a meeting~~

~~by telephone or similar communication equipment shall constitute presence in person at the meeting except where a member participates in a meeting for the sole purpose of objecting to the transaction of any business of the ground that the meeting has not been lawfully called or convened. Proxies, general or special, shall not be accepted for any purpose in any meeting of the Executive Committee~~

~~Section 2. Finance Committee. The Finance Committee shall consist of up to five members appointed by the President of this corporation, subject to the approval of the Board of Directors. The committee shall advise the Board of Directors and the President of this corporation on all financial matters related to this corporation, including annual budgeting, equity holding, fund management, securities liquidation, license agreements, insurance needs, audits and financial statements, taxes, and other issues relating to the financial stability of the corporation. The Committee may also be called upon for advice in the consideration of major expenditures and capital outlays.~~

~~Section 3. Other Standing Committees. At the first meeting of the Board of Directors or as soon thereafter as is practical, the President shall, subject to the approval of the Board of Directors, appoint such other standing committees as the President may deem necessary and advisable to assist in the conduct of this corporation's affairs.~~

~~Section 4. Special Committees. The President may, at any time, appoint other committees on any subject for which there are no standing committees.~~

~~Section 5. Committee Quorum. A majority of any committee of this corporation shall constitute a quorum for the transaction of business, unless any committee shall by a majority of its entire membership decide otherwise.~~

~~Section 6. Committee Vacancies. The various committees shall have the power to fill vacancies in their membership.~~

ARTICLE VI
Indemnification

This corporation shall, to the extent legally permissible, indemnify and defend each of its directors, officers, employees, or other agents against all liabilities and expense, including, where applicable, amounts paid in satisfaction of judgments in compromise of actions, suits, claims or other proceedings, as fines or penalties, or as counsel fees, actual and reasonable paid or incurred in connection with the defense or disposition of any action, suit or other proceeding, whether civil or criminal, in which such person may be involved by reason of employment by the Research Foundation or by Board service, except with respect to any matter as to which such person shall have been adjudicated in any proceeding not to have acted in good faith, or not to have acted in the reasonable belief that such action was in the best interest of the corporation; provided that any payment by the way of settlement, compromise, or consent decree shall be indemnified there under only to the extent that it shall be determined by the Board to have been made in the best interest of the corporation; and further provided that no settlement hereunder shall be entered into without the prior consultation and approval of a duly authorized representative of the Board. Any person believing himself to be entitled to indemnification or defense under this article, in order to qualify for indemnification or defense hereunder, shall notify the Chairperson immediately upon the occurrence giving rise to said entitlement.

ARTICLE VII
Seal

~~The seal of this corporation shall be as more particularly shown in the following impression:~~

The seal of this corporation shall bear the words "Florida International University Research Foundation, Inc.," as more particularly shown in the following impression:

ARTICLE VIII
Amendments

~~The Bylaws of this corporation may be amended by a two-thirds vote of the Directors of this corporation at any duly organized meeting. All amendments must be approved by the Florida Board of Regents, upon recommendation of the President of Florida International University~~

Section 1. Amendment to Bylaws. The Bylaws of this corporation may be altered, amended, rescinded or repealed by a two-thirds vote of the Board at any Regular or Special meeting of the Board. All amendments must be approved by the Board of Trustees of FIU, upon recommendation by the President of FIU prior to their effective date.

Section 2. Amendments to the Articles of Incorporation. The Articles of Incorporation of the Research Foundation may be altered or amended at any regular or special meeting of the Board by resolution approved by the affirmative vote of a majority 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 of FIU. Written notice of any proposed amendment of the Articles of Incorporation shall be

mailed to each Director not fewer than fifteen (15) days prior to any meeting at which such proposed amendment is to be considered.

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

~~ARTICLE IX~~
~~Fiscal Year~~

~~The fiscal year of this corporation shall commence on July 1 of each year and end on June 30.~~

ARTICLE IX
Miscellaneous

Section 1. Use of University Resources and Name. Any use by the Research Foundation of FIU resources or FIU's name shall be approved by the President of FIU.

Section 2. Employees. No employee of this corporation shall be considered to be an employee of the state of Florida or the Florida International University Board of Trustees solely by virtue of his/her employment by the Research Foundation. Any employee of the state of Florida or the Florida International University Board of Trustees who is assigned to work on Research Foundation matters shall not be considered an employee of the Research Foundation.

Section 3. Checks and Depositories. Except as may otherwise be specified in these Bylaws, the Board shall provide, by Resolution, which Officers or Directors are authorized to draw checks on the accounts of the Research Foundation and may impose any reasonable terms, conditions or

limitation on such authority. Checks or drafts of the Research Foundation shall be signed by any two of the Officers or Directors, authorized to do so by the Board or by these Bylaws. Funds of the Research Foundation shall be deposited to the credit of the Research Foundation only in institutions approved by the Board by resolution and only in financial institutions insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

Section 4. Fiscal Year. The fiscal year of the Foundation shall be consistent with the fiscal year of the University.

Section 5. Service of Process. Service of process shall be made on the office of the University's General Counsel.

Section 6. 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.

ARTICLE X

Confidentiality of Documents

~~This corporation shall make public financial information of the corporation including expenditures, documentation regarding completed business transactions and information about investment and management of corporation assets. The corporation will not, however, release personal, business or financial information about a donor, prospective donor, contractor or volunteer.~~

ARTICLE X
Code of Ethics

Directors stand in a fiduciary relationship to the University and the Research 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.

ARTICLE XI
Miscellaneous

~~The President of Florida International University shall monitor this corporation's compliance with state and federal laws, and the rules of the Florida Board of Regents.~~

ARTICLE XI
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).

ARTICLE XII
Powers of the President of the University

The President of the University shall have the following powers and duties: (1) Monitor and control the use of university resources by the Research Foundation; (2) Control the use of the university name by the Research

Foundation; (3) Monitor compliance of the Research Foundation with state and federal laws; (4) Recommend to the Board of Trustees of FIU 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 the Research Foundation assets; and salaries, benefits, and other compensation paid to employees of the Research Foundation, consistent with the policies of the FIU Board of Trustees.

**THE FIU RESEARCH FOUNDATION, INC.
CONFLICT-OF-INTEREST POLICY**

1. Scope. The following statement of policy applies to each member of the FIU Research Foundation, Inc. Board of Directors ("Foundation Board") and all subsequent Committees.

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 and Committee members of Foundation Board serve the public trust and have a clear obligation to fulfill their responsibilities in a manner consistent with this fact. All decisions of the Foundation Board and Committees are to be made solely on the basis of a desire to advance the best interests of the institution and the public good.

Foundation Board and Committee members are generally involved in the affairs of other institutions and organizations. Effective boards and committees 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 Foundation Board member 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 Foundation;
- unauthorized compensation;
- misuse of public position or confidential information;
- conflicting employment or consulting contractual relationships; and
- employment of relatives.

Thus, each Foundation Board and Committee member has a continuing obligation to:

- (a) be familiar with the Florida Statutes regarding ethics and conflicts of interest and the terms of this Policy;
- (b) disclose to the Foundation Board and/or Committee Chair any possible personal, familial, or business relationships that might reasonably give rise to a conflict involving the Foundation; 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.

Exhibit "D"

4. Disclosure. All Foundation Board and Committee members 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 Foundation, or
- (b) that could be construed to affect their independent, unbiased judgment in light of their decision-making authority and responsibility.

If a Foundation Board or Committee member is uncertain as to whether to list a particular relationship, the Foundation Board and/or Committee 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 Foundation Board or Committee member.

5. Definitions:

The following definitions apply to this policy:

Business Relationship – A business relationship is one in which a Foundation Board or Committee or a Foundation Board or Committee's spouse or child serves as an officer, director, or proprietor of, or has a material interest in, an organization that does business with FIU Research Foundation, Inc. or 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 FIU Research Foundation, Inc. Conflict of Interest Disclosure Form which each Foundation Board and Committee member must file with the FIU Research Foundation Corporate Secretary on or before July 1st of each year, unless a change necessitating an amendment occurs prior to July 1st of the following year.

**FIU RESEARCH FOUNDATION, INC.
CONFLICT OF INTEREST DISCLOSURE FORM**

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

To allow the Foundation Board and Committees, and the FIU Research Foundation 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 Foundation Board or Committee member of the FIU Research Foundation:

1. Personal, familial or business relationships that might reasonably give rise to a conflict involving the FIU Research Foundation or 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 Foundation Board or Committee member of the FIU Research Foundation.

3. 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 Foundation Board or University obtains goods or services, or which provides services competing with the FIU Research Foundation or University):

4. 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 Foundation Board or Committee member.

Exhibit "D"

I am familiar with The FIU Research Foundation, Inc. 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 _____

Print Name _____

Please FAX or mail this form to the FIU Research Foundation, Inc. Corporate Secretary, University Park, MARC 430, Florida International University, 11200 SW 8 Street,, Miami, Fl. 33199, Tel. 305-348-2494, Fax. 348-6389.

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY COMMITTEE**

13 MARCH 2008

**SUBJECT: CAPITAL IMPROVEMENT FEE TRUST FUND (CITF) LEGISLATIVE BUDGET
REQUEST, 2008-2009**

PROPOSED COMMITTEE ACTION:

Recommend Board Adoption of the following Resolution:

WHEREAS, the Board of Governors, on January 24, 2008, approved an allocation from the Capital Improvement Fee Trust Fund (CITF) for inclusion in the 2008-09 Legislative Budget Request (LBR); and

WHEREAS, the FIU portion of the CITF is \$17,703,456 and the Chair of the Board of Trustees must submit to the Board of Governors a list of projects to be funded by the CITF for inclusion in the 2008-09 Legislative Budget Request by February 29, 2008; and

WHEREAS, the list of projects to be funded by the CITF must be approved by each university's Board of Trustees at the first meeting held after the submittal due date of February 29, 2008 but no later than April 15, 2008;

THEREFORE, BE IT RESOLVED that the Florida International University Board of Trustees (the BOT) approves the Florida International University 2008-09 Capital Improvement Fee Trust Fund (CITF) Legislative Budget Request, proposed project list attached to this Resolution as Exhibit "E" and prepared pursuant to Sections 1010.62; 1010.86, 1013.74, Florida Statutes; and

BE IT FURTHER RESOLVED that the BOT authorizes the University President to amend the 2008-2009 Capital Improvement Fee Trust Fund (CITF) 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:

LEGAL AUTHORITY:

1010.86 F.S. establishes the authority for administration of the Capital Improvement Fee Trust Fund. Section **1010.62 F.S.** establishes the authority for revenue bonds and debt for the Capital Improvement Fee Trust Fund.

EXPLANATION FOR PROPOSED BOARD ACTION:

The Board of Governors allocates, on a periodic basis, funds collected for the **Capital Improvement Fee Trust Fund (CITF)**. CITF funds are collected from student fees. The last distribution was in 2005-06 and FIU received \$12,663,527 at that time.

At the January 24, 2008 meeting, the Board of Governors approved an allocation from the CITF for 2008-09 which had not been expected until 2009-10. The 2008-09 allocation for FIU is \$17,703,546.

The Board of Governors requested that the Chair of the Board of Trustees for each University forward a list of projects by February 29, 2008. Project list approval by each University's Board of Trustees must be obtained no later than April 15, 2008.

The CITF Project List includes a series of projects that address priority university needs. The list is developed in consultation with the Student Government Association.

EXHIBITS/SUPPORTING DOCUMENTS:

- EXHIBIT "E": SUMMARY OF CAPITAL IMPROVEMENT FEE PROJECT LIST
- ATTACHMENT 2 : TRANSMITTAL LETTER

FACILITATOR/PRESENTER:

- ROSA JONES

STATE UNIVERSITY SYSTEM
Summary of Capital Improvement Fee Projects for 2008-2009
2008-2009 Fixed Capital Outlay (FCO) Legislative Budget Request

Florida International University

Project Name	Total Project Cost
Pharmed Arena	
- Expansion and Renovation of the East Wing to include a New Lobby, Reception Area and Restrooms	5,000,000
Student Meeting and Recreation Areas	
- Biscayne Bay Campus Improvements including the Wolfe University Center Second Floor Renovation, New Playing Field and Courts	1,500,000
- Graham Center Expansion	5,703,456
- Stadium/Student Meeting Rooms	5,500,000
Total	\$ 17,703,456

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Florida International University

Board of Trustees

February 29, 2008

Mark B. Rosenberg
Chancellor
State University System of Florida
325 W. Gaines Street
Tallahassee, FL 32399

Dear Dr. Rosenberg

The purpose of this letter is to transmit the Florida International University Capital Improvement Fee Trust Fund (CITF) Project List for inclusion in the 2008-09 Legislative Budget Request. The enclosed CITF Project List will be presented for approval at the Board of Trustees Meeting on March 14, 2008.

The projects included on the list address priority University needs. The list has been developed in consultation with the Student Government Association.

We applaud your efforts and those of the Board of Governors in advancing the CITF funding in 2008-09. We look forward to working with you on a successful legislative session.

Sincerely,

A handwritten signature in black ink, appearing to read "DRP", followed by a horizontal flourish.

Mr. David R. Parker
Chairman, FIU Board of Trustees
Enclosure

CC: FIU Board of Trustees
Dr. Mitch Maidique, FIU President

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY COMMITTEE**

13 MARCH 2008

SUBJECT: ACADEMIC AFFAIRS REPORTS

PROPOSED COMMITTEE ACTION:

None. Discussion Item.

REPORTS

- A. ENROLLMENT SERVICES REPORT
- B. UNDERGRADUATE REPORT
- C. UNIVERSITY GRADUATE SCHOOL REPORT

EXHIBITS/SUPPORTING DOCUMENTS:

- ENROLLMENT SERVICES REPORT
- UNDERGRADUATE REPORT
- UNIVERSITY GRADUATE SCHOOL REPORT

FACILITATOR/PRESENTER:

- RONALD BERKMAN

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Academic Policy and Student Affairs Report

Enrollment Services Update

February 2008

I. University Enrollment

As of February, the university has enrolled 37,092 students this semester representing a 609 student decline (-1.6%) over the 37,701 students in spring 2007. Overall, the university has generated 24,579 FTEs this year representing 97.7% of the original BOG target of 25,161 FTEs (see chart below). Given the lack of full funding from the state, a concerted and planned effort has been taken to stay within 95% of targeted FTEs and not to over-enroll wherever possible. Based on early budget projections for next year, a similar approach will likely be required in order to provide students a quality education within limited financial resources.

2007/08						
	BOG Target	Summer	Fall	Spring	Total	% BOG
Lower	8,685	1,582	3,773	3,255	8,610	99.1%
Upper	12,480	2,453	4,674	4,753	11,880	95.2%
Grad I&II	3,996	879	1,616	1,594	4,089	102.3%
Total	25,161	4,914	10,063	9,602	24,579	97.7%

As of February 25, 2008

II. Undergraduate Admissions

In light of anticipated budget cuts, the university plans to introduce new freshman and transfer student admission policies which are projected to result in a decrease in FTICs and transfers by 2,000 students, from 8,900 new FTICs and transfer students to 6,900 new students. About one fourth of the reduction will be in FTICs and three-fourth in transfer students.

Should budget projections improve for next year, the university may be in a position to increase new student enrollments by admitting FTICs and additional transfer students in the spring semester. However, at this time, admission to the university is highly competitive and space is extremely limited.

III. Enhanced Student Services

The Office of University Registrar has made a considerable effort to expedite and enhance student services on two fronts: processing transcript requests and issuing diplomas. The unit selected these areas for service improvement because they were eager to provide students with these credentials in a seamless, efficient and effective manner. Through the development of an online application, the unit was able to gain considerable efficiencies in processing transcripts. Since July 1st, approximately 20,000 online transcript requests have been processed and mailed to students within two business days with over 95% of them processed within one business day. On the diploma front, in the past, it typically took ten weeks following commencement to post degrees and issue diplomas. Now, by means of re-engineering the process, early auditing of graduation milestones and ordering diplomas in advance, the unit has reduced processing time by six weeks. For Fall 2007, they posted degrees and send diplomas to the 2,739 graduates within four weeks following the December commencement exercises. Re-engineering processes and measuring outcomes have enhanced our service mission to students and helped build positive affinity with students and alumni.

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Florida International University
Board of Trustees
Academic Policy Committee
Undergraduate Education-Summary Report
February 2008

INTRODUCTION

The spring 2008 semester is well underway and students are taking advantage of expanded academic support services now available in the Green Library at University Park, in the new Center for Academic Success, composed of the University Learning Center (ULC) and the University Testing Center (UTC). These two units are now co-located on the first floor of the library, in an area that provides visibility and easy access to tutoring and other academic services that enhance student learning and success.

HIGHLIGHTS

Description of the New Facilities: In Spring 2007, Provost Berkman approved and funded a proposal to move the University Learning Center and the University Testing Center from the second floor of the Charles Perry (PC) building to the proposed location in the Green Library (GL). After the units occupying the chosen area in GL were reassigned to more suitable locations, the space was redesigned and renovated to meet the functional needs of the units that provide academic support, including tutoring and testing services, creating the new Center for Academic Success. The physical move took place during this past holiday break, to ensure that students had access to academic support services until the end of the fall semester and that there was no interruption in services at the beginning of the spring semester. In addition to being in a centrally-located area, the new Center for Academic Success occupies a much larger and attractive space. The combined, renovated space in GL measures 6,646 sq. ft.; this includes two large rooms, measuring 1,429 sq. ft., which Provost Berkman has assigned for the start-up efforts to create a University Writing Center. Furniture and additional equipment will be delivered shortly, and a dedication ceremony is being planned to inaugurate the Center for Academic Success. In the meantime, the Center is fully functional and being used by students.

Academic Support Services Provided in the Center for Academic Success:

Tutoring. The University Learning Center offers an extensive tutoring program to improve study skills and enhance learning, focusing primarily on Reading, Writing, and Mathematics. Working closely with academic units, the ULC has established programs that meet the specific needs of FIU students, including the highly successful *Reading to Learn* program developed by Dr. Patsy Self, coordinator of the ULC Reading program. Students who participate in this program learn how to read for a particular discipline, how to acquire knowledge in that field, and how to study to succeed in specific courses.

Similar programs in Math and Writing make it possible for faculty to refer their students to the ULC for tutoring and review outside the classroom. ULC professional staff members work collaboratively with faculty, track the use of services by students, and report participation and progress back to the faculty members who refer their students to the ULC. The larger location in the Green Library and extended hours make it possible for the ULC to develop additional programs in collaboration with academic units and offer more services to students. Before opening in January, a new partnership between the ULC and the Department of Mathematics was developed.. Tutors supported by Math are now housed in the ULC and are incorporated into the ULC tutoring program. From the first day of the spring semester, Math students have been flocking to the new ULC and have been taking advantage of the welcoming new environment that is conducive to learning. Similar partnerships are in place with several academic programs, for example Nursing, and others are being developed. The high demand for expanded services will require additional resources to fund more tutors and staff.

Testing. The University Testing Center offers a variety of exams for undergraduate and graduate students at FIU and the local south Florida community. Testing services are provided at both the University Park Campus and Biscayne Bay Campus. The Center administers college placement testing for freshmen (CPT). The CLAST—College-Level Academic Skills Test—is part of Florida’s system of education accountability that satisfies the mandates of Section 229.551 Florida Statutes is also administered, as well as the CAT-CLAST (computer-based CLAST). The CLAST is an achievement test that measures students’ attainment of the college-level communication and mathematics skills. Preparation for the CLAST is offered by the University Learning Center. The College-Level Examination Program® or CLEP provides students of any age with the opportunity to demonstrate college-level achievement through a program of exams in undergraduate college courses. There are 2,900 colleges, including FIU, that grant credit and/or advanced standing for CLEP exams. FIU has been identified as one of the national sites with the highest number of CLEP administrations. Also administered at FIU are several graduate school entrance exams, including the Law School Admission Test (LSAT). The Nurse Entrance Test (NET); the Florida Teacher Certification Exam (FTCE); the PRAXIS—another teacher preparation exam; and various other professional evaluations are offered at FIU. Proctoring services are also provided for individualized distance learning exams.

FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
ACADEMIC POLICY AND STUDENT AFFAIRS COMMITTEE

UNIVERSITY GRADUATE SCHOOL
MARCH 13, 2008

Florida International University is making significant progress in its goal to be a leading research University by 2015. To achieve this goal, however, the University must significantly increase the quality and quantity of doctoral students. One specific goal is to award 150 doctorates per year by 2015.

The University Graduate School will play a leadership role by helping reduce attrition rates in doctoral programs, and by increasing the number of stipends as well as raising the stipend financial levels. The Office of Research and the University Graduate School (RUGS) is conducting in-depth doctoral program reviews, paying particular attention to mentorship and retention efforts. All of our doctoral programs will receive advice from internal and/or external experts to improve their efforts, and attract more and better qualified applicants, with strong academic credentials.

The University Graduate School will also enhance the mentoring and writing training that graduate students receive through faculty mentoring workshops and the new Center for Excellence in Scholarly Writing that will open in the 2008-2009 academic year.

To increase our competitiveness in the financial arena, UGS' initiatives include:

- **Annualization:** Beginning in 2007-2008, all Ph.D. students holding 9-month regular, half-time, teaching assistantships have had their contracts extended to 12-months.
- **Enhanced Stipends:** We plan to increase stipends over a three-year period to \$27,000 per 12-month year for students in science/engineering/health sciences (i.e., technical) programs, and to 80% of that for students in other Ph.D. programs (see discussion below).
- **Increased funding for fellowships:** Effective Fall 2008, the stipend for the Presidential Fellowship will be increased from its current level of \$20,000 per year to \$25,000 per year. Presidential Fellowships are offered to our most promising applicants, and are an important recruiting tool. In Fall 2009 we plan to raise the stipends to \$30,000.
- **Increased Number of Awards:** This spring we increased the number of Dissertation Year Fellowship awards from 7 to 17. These fellowships are given to doctoral students in the final year of dissertation work so that they can concentrate on completing their dissertation work. The program shortens the length of time needed for a doctorate, and has proven successful in accelerating the time to degree timeline. In addition, we plan to significantly increase the number of graduate assistant teaching awards in Ph.D. programs in the next four (4) years.

Current Status of Graduate Enrollment and Doctoral Production

[Table 1](#) compares GRAD I and GRAD II FTE enrollment in each program during Spring 2007 and Spring 2008 (as of February 8, 2008.) Our figures show a drop in GRAD II enrollment of 3.3% when compared to the Spring 2007 GRAD II enrollment. In order for doctoral production to increase, it is crucial that our GRAD II numbers also increase. It is important to note that there are several ways by which the University classifies GRAD II credits earned by students. Most students begin earning GRAD II credit on achieving doctoral candidacy. However, students who enter a doctoral program but who already have completed a master's degree in the same area earn GRAD II credit as soon as they enroll. Moreover, students in a doctoral program who have completed 36 hours of study also earn GRAD II credit. These latter two paths are sometimes not initially included in data available before the end of the semester, which leads to an under-reporting of GRAD II credits. For instance, an analysis of GRAD II credit for Fall 2007 conducted by the UGS has shown that the 179 FTE reported was substantially below the correct amount of 201 FTE. This difference represented a 12.3% undercounting. Thus, we expect the numbers for Spring 2008 to be larger than the interim numbers listed below.

Table 1

College	Graduate I FTE's				Graduate II FTE's			
	Spring 2007	Spring 2008	Change	%	Spring 2007	Spring 2008	Change	%
Architecture & Arts	63.2	61.53	-1.67	-2.64%	0	0	0	0.00%
Arts & Sciences	155.5	157.16	1.66	1.07%	84.9	77.03	-7.87	-9.27%
Business	299.3	301.28	1.98	0.66%	8.9	10.44	1.54	17.30%
Nursing & Health Sci.	147.3	144.13	-3.17	-2.15%	2.7	11.78	9.08	336.30%
Social Work, Justice & Public Affairs	110.8	104.56	-6.24	-5.63%	5.5	5.44	-0.06	-1.09%
Education	170	169.97	-0.03	-0.02%	36.1	34.75	-1.35	-3.74%
Engineering	121.8	138.72	16.92	13.89%	50.7	44.13	-6.57	-12.96%
Hospitality Mgmt.	38.2	36.84	-1.36	-3.56%	0.2	0	-0.2	-100%
Journalism & Mass Comm.	22.1	15.59	-6.51	-29.46%	0.2	0.09	-0.11	-55.00%
Public Health	72.3	78.63	6.33	8.76%	10.2	9.16	-1.04	-10.20%
Total	1200.5	1208.41	7.91	0.66%	199.4	192.82	-6.58	-3.30%

In [Figure 1](#) we see that GRAD I enrollment is above the BOG funded number. Any enrollment above the BOG funded number is supported only by tuition, and receives no General Revenue support. In contrast, GRAD II shown in [Figure 2](#) is below the funded level, but above minimum 95% of the funded level. General Revenue support is not reduced if enrollment reaches 95% of the funded level.

Figure 1

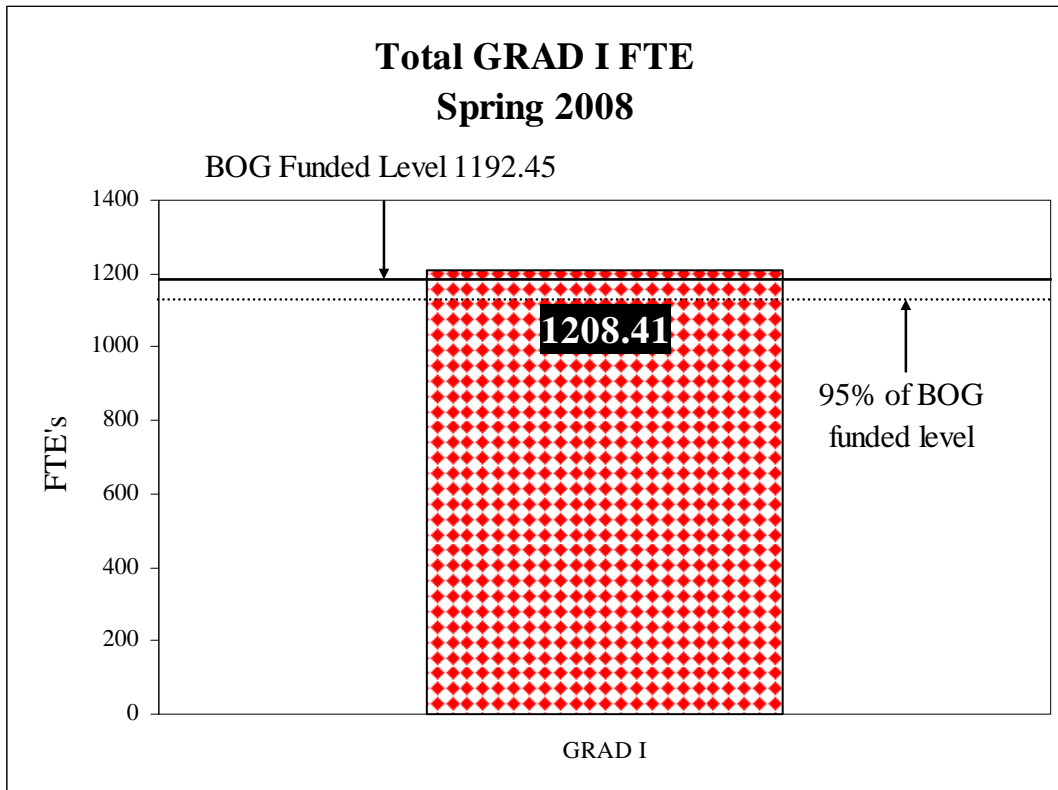
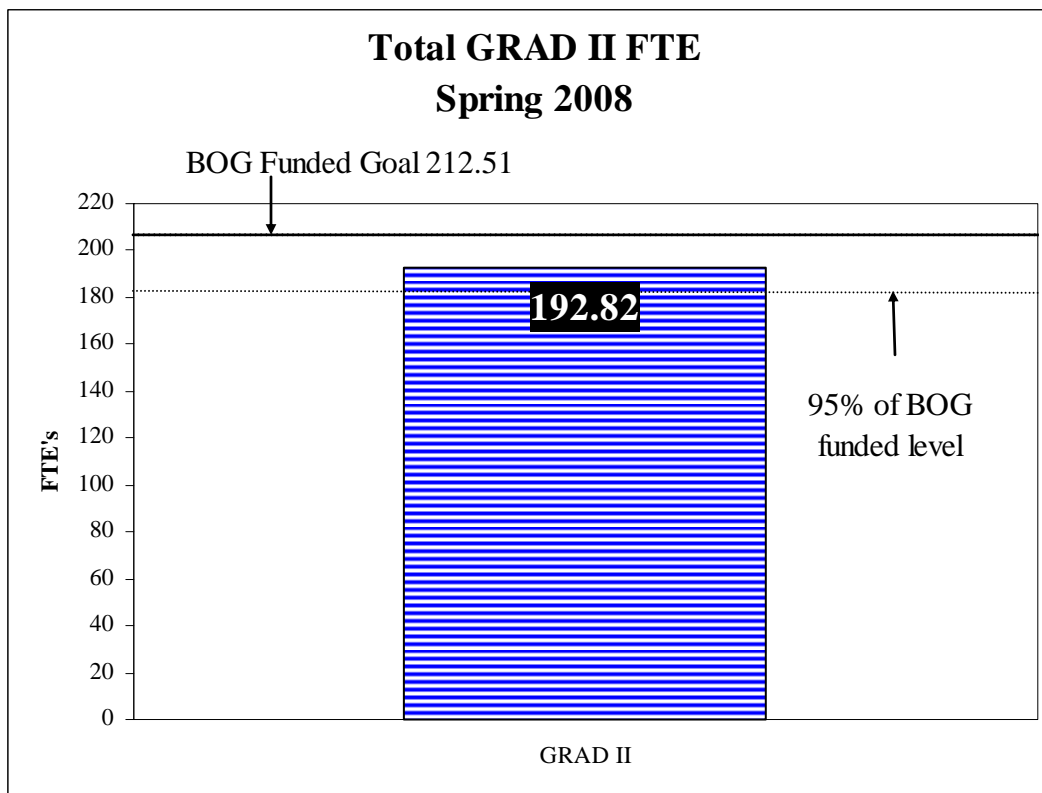


Figure 2



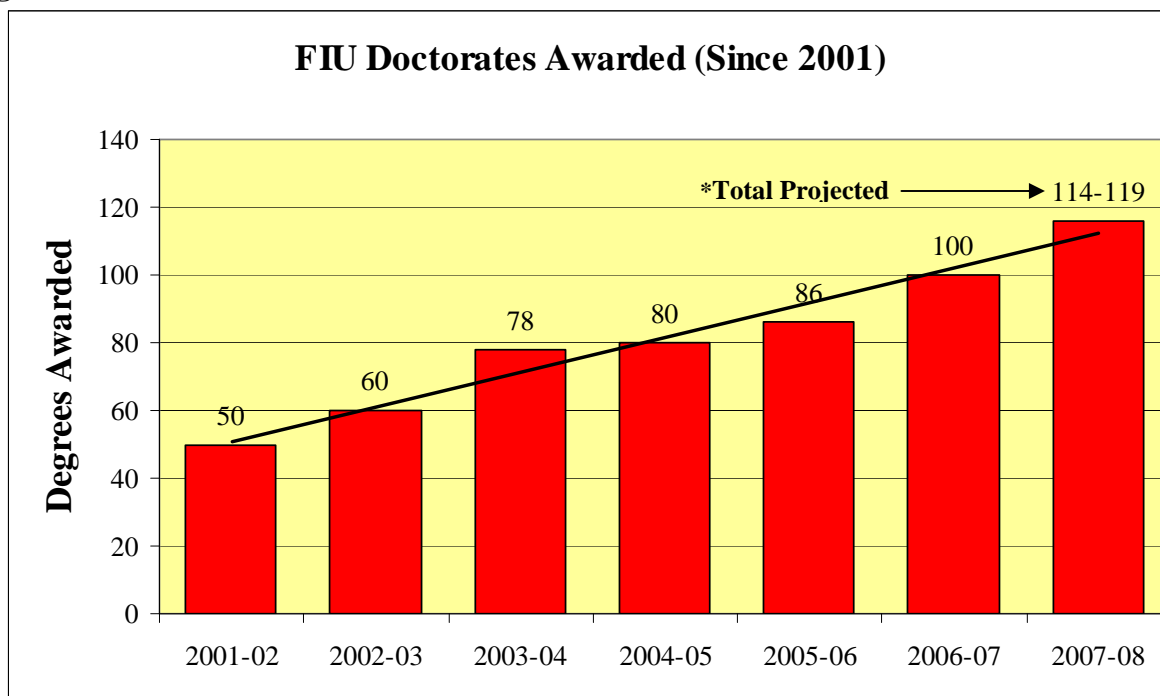
Doctoral Degree Production

The number of doctoral degrees awarded by the University has increased steadily since 2001-2002. In [Table 2](#) we show the number of doctoral degrees awarded by term. The results are shown graphically in [Figure 3](#). We note that the number of degrees awarded increased in both the Summer and Fall semesters of 2007-2008 when compared to the number awarded a year earlier during the same semesters. The total increase is 35%. Although difficult to predict, we expect an increase of 15 to 20% in doctoral production for the 2007-2008 academic year.

Table 2

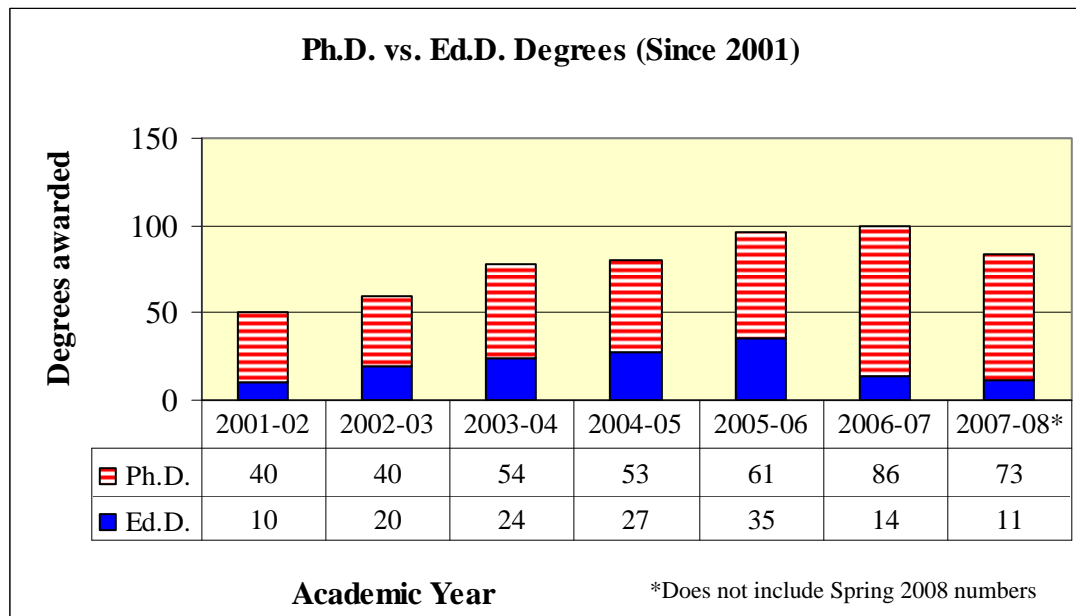
FIU Doctorates Awarded				
Academic Year	Summer	Fall	Spring	Total
2001-02	17	15	18	50
2002-03	18	19	23	60
2003-04	20	26	32	78
2004-05	21	28	31	80
2005-06	27	31	28	86
2006-07	30	32	38	100
2007-08	33	51	30-35*	114-119*
* Projected				

Figure 3



The number of doctoral degrees awarded by academic year in terms of Ed.D.'s and Ph.D.'s are shown in [Figure 4](#).

Figure 4



Annualization and Stipend Increases

Central to increasing our doctoral production is the improvement of the quality of our applicant pool. Currently, FIU's stipend level is not competitive. As previously mentioned, annualization of Ph.D. stipends has already begun. The program is limited to students in Ph.D. programs who hold 9-month teaching assistantships. Students holding research assistantships receive their summer salaries from the grants that support them. In Fall 2007, the deans of colleges and schools with doctoral programs were asked to provide lists of students eligible to receive annualized stipends. This survey identified 234 teaching assistantships that were not yet annualized, and thus qualified for annualization. The cost of annualization for an entire summer is **\$1,041,166** for stipends, and **\$364,572** for tuition waivers, totaling **\$1,405,738**, based on Fall 2007 enrollment figures. We note that students on annualized stipends will have standard teaching duties during the summer thus decreasing the University's dependence on adjuncts, and increasing the quality of instruction.

Because all students receiving assistantships for the summer are required to be enrolled for 6 credits, we expect to see an increase in both GRAD I and GRAD II enrollment. We expect annualization to be a useful recruiting tool, and feedback from our program directors and deans supports this.

The University is committed to raising graduate stipends for Ph.D. students to nationally competitive levels. With competitive stipends and an increase by 60 in the number of graduate teaching assistantships, we expect to meet the goal of 150 doctoral degrees awarded by 2015. These initiatives will require an additional investment of \$5.0MM.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY COMMITTEE**

13 MARCH 2008

SUBJECT: STUDENT AFFAIRS REPORT

PROPOSED COMMITTEE ACTION:

None. Discussion Item.

EXHIBITS/SUPPORTING DOCUMENTS:

▪ DIVISION OF STUDENT AFFAIRS REPORT

FACILITATOR/PRESENTER:

▪ RONALD BERKMAN

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Florida International University
Board of Trustees
Academic Policy Committee
Student Affairs – Summary Report
February 2008

INTRODUCTION

The Student Affairs staff and student employees were very appreciative of the extended break provided between fall and spring semesters. The break was refreshing and enhanced staff morale as the spring semester and the New Year were greeted with a renewed sense of purpose to promote a student learning community that is challenging and supportive. The 17th Annual Rev. Dr. Martin Luther King Commemorative Celebration held on Friday, February 18, provided a superb beginning to the new semester. This report will underscore programs and initiatives from the beginning of spring semester 2008 to the present.

SPECIAL PROGRAMS

Dr. Martin Luther King, Jr. Celebration

- **The MLK Commemorative Breakfast** continues to draw broad support from the south Florida community, as well as the campus community. The guest speaker, Dr. Ben Carson, graced the audience with a thought-provoking lecture that embraced the theme of the program: *Redeem the Dream*.
- **The MLK Essay** contest attracted high school seniors from both Miami-Dade and Broward counties. The three recipients each received tuition scholarships to attend FIU, \$1000 awards from Aramark and a \$500 book award from the University Bookstore. The recipients were: First place, Carolyn Ho, Coral Reef Sr. High; second place, Desmond Drayton, Miami Carol City Sr. High and third place, Jeremy Weinberg, Coral Reef Sr. High.
- **The Peace Award** was given to XXX, an FIU student who most exemplifies the ideals of the late Dr. Martin Luther King through community service.
- **The Serive Award** was given to Dr. Helen Ellison, Associate Vice President for Student Affairs.

Center for Leadership & Service

- **President's Community Service Honor Roll:** FIU was selected this year to be part of the 2007-2008 President's Community Service Honor Roll. The President's Higher Education Community Service Honor Roll, launched in 2006, recognizes colleges and universities nationwide that support innovative and effective community service and service-learning programs. The Honor Roll's

Presidential Award, given each year to select institutions, recognizes a college or university's commitment to volunteering, service-learning, and civic engagement. The Honor Roll is a program of the Corporation for National and Community Service, and is sponsored by the President's Council on Service and Civic Participation, the USA Freedom Corps, and the U.S. Departments of Education and Housing and Urban Development.

- **The 2008 Martin Luther King Day of Service** was an extraordinary success. Over 700 volunteers came together in Miami Dade County during the MLK weekend to serve the community as part of an eight project Day of Service. On Saturday January 19, 2008, over 120 FIU students joined the countywide effort. The FIU group volunteered with the Town Park Village Beautification & Gardening Project where they painted, planted trees, and restored a historic black neighborhood.
- **The 5th Annual Student Leadership Summit** took place on the Biscayne Bay Campus on Saturday, February 2, 2008. The Summit is a one-day conference for current student leaders. This year's theme was *Evolving into the Leader of Tomorrow*, and featured civic engagement scholar and author, Paul Loeb as the keynote speaker. The Summit provided students the opportunity to learn from the vast expertise of our faculty and administrators, to share their leadership experiences with each other and to establish a network of support and cooperation within the university. Two hundred and forty students participated. The summit is co-sponsored by the Center for Leadership & Service and the offices of Campus Life at UP and BBC.
- **The Center for Leadership & Service (CLS)** has partnered with Hands-On-Miami (HOM) to provide a leadership-training program for members of their Citizen Academy. The training focuses on the knowledge and skills necessary to be effective leaders of community-based volunteer projects. Twenty-five community members are enrolled in the training, which includes six two-hour seminars taking place on campus during the spring semester. CLS and HOM are hoping to continue the Citizen Academy each fall and spring term with plans for it to become a blueprint of university/community collaborations for other higher education institutions to follow.

Career Services

- **The IBM Corporation** awarded Career Services a gift of \$100,000 to support programs and services related to diversity and engineering.

- **Spring Career Fair 2008**, held February 5 & 6, brought 149 Employers to campus and 998 Students/Alumni passing through the doors of the Graham Center Ballrooms on the University Park campus over two days.

Category	2008 -Technical Day	2008 Non- Technical Day
Freshman	3 (0.61%)	7 (1.36%)
Sophomore	10 (2.06%)	14 (2.73%)
Junior	53 (10.93%)	68 (13.26)
Senior	120 (24.74%)	168 (32.75%)
Masters	103 (21.23%)	83 (16.18%)
Doctorial	16 (3.30%)	1 (0.19%)
Alumni	31 (6.39%)	73 (14.23%)
Not reported	149 (30.72%)	99 (19.30%)
Total	485	513

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