



**BOARD MEETING
MINUTES
12 JUNE 2009**

1. Call to Order and Chair's Remarks

Chairman David Parker convened the meeting of The Florida International University Board of Trustees at 9:02 a.m., on Friday, 12 June 2009, at University Park Campus, Graham Center Ballrooms, Miami, Florida.

The following attendance was recorded:

Present:

David Parker, Chair
Albert Dotson, Vice Chair
Cesar Alvarez
Jorge Arrizurieta
Thomas Breslin
Patricia Frost
Kirk Landon

Albert Maury
Claudia Puig
Anthony Rionda
Modesto Maidique

Excused:

Betsy Atkins
Miriam López

Chairman Parker welcomed all Trustees, University faculty and staff. Chairman Parker also welcomed Foundation Directors Gerald Grant and Larry Kahn.

On behalf of the Board of Trustees, the Chairman extended his gratitude to Arthur "AJ" Meyer for his leadership, commitment and dedication to the Board, to the University and to students. AJ noted that it was a great honor for him to have the privilege to serve the students of the University as well as an honor to serve as a member of the Board.

Chairman Parker noted that R. Alexander Acosta was newly-appointed as the second dean of the University's College of Law. The Chairman added that Dean-Designate Acosta would join the University next month. The Chairman thanked Founding Dean of the College of Law Leonard Strickman for his leadership, hard work and dedication.

Academic Policy Committee Chair Patricia Frost stated that on behalf of the Committee, she wished to recognize Dean Strickman's accomplishments and the success of the College of Law.

After discussion, the Board approved the following Resolution:

WHEREAS, the Florida International University Board of Trustees (the BOT) hereby wishes to recognize the Founding College of Law Dean Leonard Strickman; and

WHEREAS, Dean Leonard P. Strickman came to FIU in January 2001 as a professor and the Founding Dean of the College of Law; and

WHEREAS, under his stewardship, the College of Law opened its doors in August 2002 and received full accreditation by the American Bar Association in December 2006, the shortest time possible under ABA rules, and accreditation by the American Association of Law Schools in 2009;

WHEREAS, Dean Strickman has shaped the FIU College of Law through his leadership and commitment by hiring a world class faculty, admitting talented students, and guiding the construction of a beautiful College of Law building, and

WHEREAS, graduates of the FIU College of Law have passed the Florida Bar Exam at rates exceeding the statewide pass rate and at the most recent examination, in February 2009, FIU graduates passed at the highest rate in the State of Florida.

NOW, THEREFORE, BE IT RESOLVED that the BOT expresses its appreciation to Founding Dean of the College of Law Leonard Strickman and thanks him for his years of service and dedication.

Chairman Parker thanked all of the Trustees for their participation in the 1 June 2009 Board of Trustees Budget Workshop. He noted the importance of the meeting as it provided an interactive forum for Trustees to review and discuss the University's budget. As a follow-up to the Budget Workshop, Provost and Executive VP Douglas Wartzok presented a comparative analysis of the University's expenditures on Faculty and Higher Level Administration.

2. FIU Foundation Report

FIU Foundation Board of Directors Chairman Joseph L. Caruncho presented the Foundation Report, providing an update on the Foundation's finances, investments performance and fundraising efforts. On behalf of the Foundation Board of Directors, Chairman Caruncho, thanked Mr. Jose Valdes-Fauli for his hard work and invaluable contribution during 10 years of service on the Foundation Board. Chairman Caruncho added that in recognition of President Modesto A. Maidique's unyielding and steadfast dedication to the University, the students and the South Florida community, the Foundation Board recognized President Maidique with Director Emeritus status.

3. President's Report

President Maidique presented a report on the University's goals and accomplishments for FY2008-2009, delineating the overarching goals of Student Academic Performance, Academic Excellence, Advancement of the College of Medicine and Financial Stability. He also presented a summary of the University's accomplishment spanning his 23-year tenure as University President. During the presentation, he highlighted areas of unprecedented growth and advancement such as doctoral degree production, degree program growth, contracts and grants expenditures, and Carnegie Classification.

4. Public Appearances

- Jeremy Paulovkin, student, Religious Studies

Mr. Paulovkin addressed the Board, voicing his concerns regarding the proposed closure of the Religious Studies, (B.A.) program.

- Yanery Andreu, FIU Alumna

Ms. Andreu addressed the Board, voicing her concerns regarding the proposed closure of the Religious Studies, (B.A.) program.

- Nathan Katz, FIU Professor/Chairperson of Religious Studies department

Professor Katz addressed the Board, voicing his concerns regarding the proposed closure of the Religious Studies, (B.A.) program.

- Lorna Veraldi, UFF representative and FIU Associate Professor, Journalism and Broadcasting Assoc. Professor Veraldi addressed the Board, voicing her concerns regarding the University's expenditures on Faculty and Higher Level Administration.

- Deborah White, member of the community

Ms. White addressed the Board, voicing her concerns regarding the proposed closure of the Recreation and Sports Management (B.S. & M.S.) programs.

- Sara Tosado, FIU Adjunct Professor; FIU Alumna

Adjunct Professor Tosado addressed the Board, voicing her concerns regarding proposed closure of the Recreation and Sports Management (B.S. & M.S.) programs.

- Marla Alpizar, member of the community – Director of the Educational Department in the City of Hialeah

Ms. Alpizar addressed the Board, voicing her concerns regarding proposed closure of the Recreation and Sports Management (B.S. & M.S.) programs.

Chairman Parker thanked all for their comments and time taken to express their concerns. He noted that the Board is sensitive to the challenging financial situations across the nation and that a resolute commitment to the University's mission and core values was critical going forward.

5. Action Items – Consent Agenda

Chairman Parker noted that the Investment Policy Statement was amended to incorporate revisions by the University's Investment Committee. He also noted that the amendment was approved by the Finance and Audit Committee. The amended Investment Policy Statement was adopted and submitted as part of the consent agenda.

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

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

- BT1. Minutes, 31 March 2009
- BT2. Minutes, 25 April 2009
- AW1. FIU Athletics Finance Corporation Amended And Restated Articles of Incorporation and Amended Bylaws
- EW1. Honorary Alumni Recognition
- CW1. Performance Excellence Process Policy
- CW2. University Equity Reports
- FA3. Signature Authority – Authorization to Sign Checks For the FIU College of Medicine Health Care Network Faculty Group Practice, Inc.
- FA4. Donation of Woman’s Club Property from Wolfsonian, Inc. to the FIU Board of Trustees
- FA5. Investment Policy Statement
- AP1. Tenure Nominations
- AP2. Tenure as a Condition of Employment Nominations
- AP5. Golden Panther Enterprises Corporation

6. Action Items/ Status Reports, Board Committees

Compensation Workgroup

In the absence of Compensation Workgroup Chair Betsy Atkins, Trustee Albert Maury reported on items heard by the Workgroup.

CW3. University President-Designate Employment Agreement

Chairman Parker presented the University President-Designate Employment Agreement for Board consideration and approval, noting that he felt confident that the Board conducted a thorough and complete review of all matters pertaining to the President-Designate employment agreement and received the highest-quality advice and assistance available. Chairman Parker provided a summary of the key changes to the Board-approved term sheet and provided a review of the key elements comprising the President-Designate employment agreement.

On behalf of the Board, Chairman Parker thanked the FIU Foundation for its continuous support of the University. He noted that without its help, many of the initiatives that the University undertakes would not be possible.

After discussion, the Board approved the following Resolution:

WHEREAS, each board of trustees shall provide for the establishment of the personnel program for all the employees of the university, including the president, which may include

but is not limited to: compensation and other conditions of employment; and

WHEREAS, the Florida International University Board of Trustees' Presidential Search Committee approved the term sheet of the employment agreement for president of Florida International University on April 13, 2009; and

WHEREAS, the Florida International University Board of Trustees ("the BOT") selected Dr. Mark B. Rosenberg as the fifth President of Florida International University on April 25, 2009 and the selection was ratified by the Florida Board of Governors on May 7, 2009; and

WHEREAS, the BOT wishes to employ the President-Designate for a five year-term based on the term sheet, attached hereto as Exhibit "W"; and

WHEREAS, the BOT engaged the services of top experts in the field of Salary and Benefits for University Executives and the BOT has extensively studied the reports prepared by these top experts;

THEREFORE, BE IT RESOLVED, that the BOT approves the Employment Agreement for President-Designate Mark B. Rosenberg based on the attached term sheet and incorporated by reference herein and authorizes the Chairman of the Board to execute the Agreement on behalf of the BOT.

CW4. PROPOSED EXTENSION TO THE EMPLOYMENT AGREEMENT FOR PRESIDENT MODESTO A. MAIDIQUE

Chairman Parker presented the Proposed Extension to the Employment Agreement for President Modesto A. Maidique for Board consideration and approval. Chairman Parker noted that he was involved in joint discussions with President Modesto Maidique as well as with President-Designate Mark Rosenberg, adding that after much deliberation, all parties were in agreement that the transition should be approached and handled in a way where the least amount of disruption was caused to the University and the students. Therefore, he noted, it was deemed that the most appropriate date for the presidential transition would be Monday, August 3, 2009.

Trustees Jorge Arrizurieta and Thomas Breslin voted against the Proposed Extension to the Employment Agreement for President Modesto A. Maidique. Trustee Arrizurieta added that as incoming University President, Dr. Rosenberg should be afforded the professional courtesy and space necessary to effectively carry out his duties and responsibilities. Trustee Arrizurieta also noted that perhaps it would be prudent for Dr. Maidique to begin a 6-month sabbatical effective August 4, 2009.

Trustee Patricia Frost inquired as to the formation of a Presidential Transition Committee, which would ensure a transparent, smooth and effective transfer of authority. President Maidique stated that the Committee would be formed immediately, noting that the membership would involve multiple units and individuals.

After discussion, the Board approved the following Resolution:

WHEREAS, the Florida International University Board of Trustees (“the BOT”) is the public employer of all employees of the University; and

WHEREAS, the BOT is charged with entering into all agreements on behalf of the University; and

WHEREAS, the current term of the University President’s employment agreement, as amended, ends on June 30, 2009; and

WHEREAS, University President Modesto A. Maidique feels that to successfully conclude his tenure as President and to ensure a seamless presidential transition, an extension to his current agreement is necessitated;

THEREFORE BE IT RESOLVED that the Employment Agreement, as amended, between the BOT and University President Modesto A. Maidique, attached hereto as Exhibit “X” is hereby approved.

Finance and Audit Committee

Finance and Audit Committee Chair Kirk Landon reported on items heard by the Committee and introduced the Proposed 2009-2010 Operating Budget with the respective Resolutions and the Legislative Budget Request 2010-2011 – Fixed Capital Outlay for Board consideration and approval.

Trustee Landon recommended that the University administration consider, due to declining state revenues, a review of employee salaries as part of the multi-year plan to lower operational costs. He also recommended that the University’s Office of Student Affairs coordinate research efforts to evaluate and analyze the possible re-introduction of Cooperative Education (co-op) Programs to the University. He noted that while the Board was sensitive to the current financial crisis impacting the state and the nation, he also recommended that the University administration consider the viability of a strategic plan, which would integrate a non-deficit operation of the Athletics budget.

FA1-a. Proposed 2009-2010 Operating Budget

Chairman Parker requested to postpone the Board’s review of the Proposed 2009-2010 Operating Budget until later in the meeting. There were no objections.

FA1-b. University Tuition Fees Regulation FIU 1101-Amendment

Interim CFO John Miller and Assoc. VP for Strategic Development Liane Martinez presented the University Tuition Fees Regulation FIU-1101 for Board review, noting that the Tuition Fees Regulation FIU-1101 was being amended to reflect the changes in tuition and fees for the 2009-10 academic year as authorized by the Florida Board of Governors. Assoc. VP Martinez noted that there was an amendment to the Request for a Tuition Differential, adding that the amended Exhibit was distributed to all Trustees and reviewed by the Finance and Audit Committee.

After discussion, the Board approved the following Resolution:

WHEREAS, the Florida International University Board of Trustees (“the BOT”) is authorized to set tuition and fees for the University in accordance with the Board of Governors Regulations and guidelines, and the law;

THEREFORE, BE IT RESOLVED THAT, the BOT approves of the implementation of a differential out-of-state fee in the amount of \$0.00 for nonresident graduate students receiving full fellowships, effective Fall 2009;

BE IT FURTHER RESOLVED, that the BOT approves the 2009-2010 Academic Year tuition and fees as reflected in the amendments to the Tuition Fees Schedule Regulation FIU-1101 attached hereto as Exhibit “B” with the following changes: the Undergraduate Financial Aid Fee is changed from \$4.43 to \$4.42, and the Law Financial Aid Fee is changed from \$16.70 to \$16.69;

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

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

AND BE IT FURTHER RESOLVED THAT, the BOT approves the completed “Florida Board of Governors Budget, Finance and Business Operations Committee University Request for a Tuition Differential” form attached hereto as Exhibit “C” for BOG approval.

FA1-c. Activity and Service Fee Increase

Interim CFO Miller and Assoc. VP Martinez presented the Activity and Service Fee Increase for Board review, noting that the increase was proposed in accordance with BOG regulations and would be used to benefit the student body in general, as recommended by the Student Government Association, subject to the University President’s approval.

Trustee Anthony Rionda noted that the students felt that in order to preserve and expand existing critical services, the increases were well justified.

After discussion, the Board approved the following Resolution:

WHEREAS, the Florida International University Board of Trustees (“the BOT”) has the power to establish a Student Activity and Service (A&S) Fee for the University pursuant to Board of Governors’ Regulations 1.001 and 7.003 ; and

WHEREAS, the Activity and Service Fee Committee has approved an increase in the Activity and

Service Fee in the amount of \$1.08 per credit hour effective with the Fall term 2009 and their report is attached hereto as Exhibit "D"; and

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

THEREFORE BE IT RESOLVED that the BOT approves an Activity and Service Fee increase from the current \$10.52 per credit hour to \$11.60 per credit hour effective the Fall term of 2009; and

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

FA1-d. Application Fee and Admissions Deposit FIU-410 Amendment

Interim CFO Miller and Assoc. VP Martinez presented the Application Fee and Admissions Deposit FIU-410 Amendment for Board review, noting that the proposed amendment would reflect the fee that all applicants, including those applying as non-degree seeking students must pay and also to revise the basis for waiving the admission deposit.

After discussion, the Board approved the following Resolution:

WHEREAS, the Florida International University Board of Trustees ("the BOT") is authorized to set the fee for applying to FIU and to determine the circumstances under which FIU will waive the admissions deposit within the limits provided by the Board of Governors and the law;

THEREFORE, BE IT RESOLVED, that the BOT approves the amendments to the Application Fee and Admissions Deposit Regulation FIU-410 attached hereto as Exhibit "E";

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

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

FA1-e. Amendment of University Traffic and Parking Regulation

Interim CFO Miller and Assoc. VP Martinez presented the re-adoption of the Revised University Traffic and Parking Regulation for Board review, noting that the University Traffic and Parking Regulation was being amended to reflect a revised FIU Parking and Transportation Lost or Stolen Decal Affidavit, a revised Citation Appeal Form, an increase in the maximum cost per day for metered parking and to add Carpool as a designated parking area.

After discussion, the Board approved the following Resolution:

WHEREAS, the Florida International University Board of Trustees (“the BOT”) is authorized to establish Traffic and Parking fees and regulations within the limits provided by law; and

WHEREAS, the University Traffic and Parking Regulation FIU-1105 is revised primarily to include a revised FIU Parking and Transportation Lost or Stolen Decal Affidavit, and a revised Citation Appeal Form, an increase in the maximum cost per day for metered parking, and to add Carpool as a designated parking area and is being presented for adoption;

THEREFORE, BE IT RESOLVED, that the BOT adopts the following amended University Regulation, which is attached hereto as Exhibit “F”:

- FIU-1105 – University Traffic and Parking Regulation

BE IT FURTHER RESOLVED, that, as the Regulation includes information on fees, the University Administration will submit the University Traffic and Parking Regulations FIU-1105 to the Florida Board of Governors for approval; and

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

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

FA2. Fixed Capital Outlay (FCO) Legislative Budget Request, 2010-2011

Interim CFO Miller and Associate VP for Facilities Management John Cal presented the Fixed Capital Outlay Legislative Budget Request, 2010-2011, for Board review.

After discussion, the Board approved the following Resolution:

WHEREAS, the University must submit to the Board of Governors its Fixed Capital Outlay Legislative Budget Request for 2010-2011;

THEREFORE BE IT RESOLVED that the Florida International University Board of Trustees (“the BOT”) hereby approves the Florida International University 2010-2011 Fixed Capital Outlay (“FCO”) Legislative Budget Request consisting of the 5-year capital improvement plan (“CIP”) for Public Education Capital Outlay (“PECO”) projects and Courtelis Facilities Enhancement Challenge Grant program list, and the Appropriations Bill proposed project list prepared pursuant to Sections 1013.64, 1013.79, 1001.74, 1011.40 and 1013.60, Florida Statutes and Board of Governor’s Regulation 1.001(6)(a),

attached to this Resolution as Exhibit “G”;

BE IT FURTHER RESOLVED that the BOT authorizes the University President to finalize the Courtelis Facilities Enhancement Challenge Grant program list as donor contributions are completed, and that the final submitted program list will be reported to the BOT at the next regularly scheduled Board meeting; and

BE IT FURTHER RESOLVED that the BOT authorizes the University President to amend the 2010-2011 Fixed Capital Outlay (“FCO”) Legislative Budget Request to adjust to changing circumstances not-to-exceed 15% for each year and that any changes made will be further reported to the BOT at the next regularly scheduled Board meeting; and

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

Academic Policy Committee

Academic Policy Committee Chair Patricia Frost reported on items heard by the Committee and introduced the BA in Mathematics with a Major in Mathematics Education and the Request to Terminate Academic Programs for Board consideration and approval.

AP3. BA in Mathematics with a Major in Mathematics Education

Provost and Executive VP Wartzok presented the BA in Mathematics with a Major in Mathematics for Board review, noting that the proposed program would provide majors with a strong, broad background in Mathematics while providing the necessary coursework for teacher certification on Mathematics, grades 6-12. He added that the proposed program also would serve to address the national need for K-12 mathematics and science teachers and that no additional costs would be incurred to implement the program.

After discussion, the Board approved the following Resolution:

RESOLVED that the Florida International University Board of Trustees (“the BOT”) hereby approves the Bachelor of Arts in Mathematics with a Major in Mathematics Education , attached to this Resolution as Exhibit “L”;

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

AP6. Request to Terminate Academic Programs

Provost Wartzok presented the Request to Terminate Academic Programs, noting that he reviewed the recommendations with the advice from the Deans and Faculty Senate. He added that while closing academic degree programs did not affect the students currently in the programs, as these students would be given an opportunity to complete their degrees, it did stand to affect the faculty teaching the programs, the staff supporting program activities, and future students who may have wanted career opportunities in these fields.

Committee Chair Frost noted that the Academic Policy Committee reviewed as a block and unanimously recommended the request to terminate eleven (11) of the proposed Academic Programs. She proposed an amendment to the Resolution to vote on 11 programs as a block and then to consider the Bachelor and Master of Science in Recreation and Sports Management, the Master of Science in Athletic Training Education and the Bachelor of Arts in Religious Studies separately. The Board amended the Resolution. The amendment was unanimously approved.

After discussion, the Board adopted the following Resolution:

WHEREAS, the Florida International University Board of Trustees (“the BOT”) has a Program Termination Policy, which specifies the standards required for University program termination and is attached hereto as Exhibit "M";

RESOLVED, that the BOT hereby approves the request for the termination of the following academic degree programs:

- French Education - Bachelor of Science
- Mathematical Sciences - Bachelor of Science
- Occupational Therapy - Bachelor of Science
- Spanish Education - Bachelor of Science
- English Education – Master of Arts in Teaching
- French Education – Master of Arts in Teaching
- Mathematics Education - Master of Arts in Teaching
- Physical Therapy – Master of Science
- Science Education - Master of Arts in Teaching
- Social Studies Education - Master of Arts in Teaching
- Spanish Education - Master of Arts in Teaching

BE IT FURTHER RESOLVED, that the BOT authorizes the University President to take all actions necessary to implement this Resolution in accordance with the Florida Board of Governors regulations.

Committee Chair Frost noted that the Committee agreed to postpone the review of the termination of the following academic degree programs until there was opportunity for public comment and until further information regarding the enrollment, costs and revenues associated with each program was received:

- Recreation and Sports Management – Bachelor of Science
- Recreation and Sports Management – Master of Science
- Athletic Training Education - Master of Science
- Religious Studies – Bachelor of Arts

Provost Wartzok presented an analysis on the operational costs and revenues associated with the Bachelor and Master of Science in Recreation and Sports Management, the Master of Science in Athletic Training Education and the Bachelor of Arts in Religious Studies programs, reporting that each operated in a financial deficit. He noted that the reduction in the appropriated amount from

the State of Florida for the next fiscal year resulted in additional losses of University-wide operating funds. He added that based on the University's multi-year budget-reduction plan, the proposed program closures were recommended to ensure operational excellence while maintaining financial integrity. He stated that all of the proposed budget-reduction recommendations were based on the desire to preserve the University's mission and vision, the strategic initiatives and supporting goals.

Trustee Thomas Breslin stated that the Faculty Senate did not support the recommendations for closure of the Bachelor and Master of Science in Recreation and Sports Management, the Master of Science in Athletic Training Education and the Bachelor of Arts in Religious Studies programs. He lamented that the University has and will continue to lose faculty and that students have not been admitted due to lack of resources.

Trustees voiced their agreement that the Board should delay a decision on the request to terminate the Bachelor and Master of Science in Recreation and Sports Management, the Master of Science in Athletic Training Education and the Bachelor of Arts in Religious Studies programs, until a future Board meeting during which time the Administration could further review the possibility of other funding options for these programs. Chairman Parker noted that the Board also recognized the University's ability to address the students' needs, while safeguarding the strategic initiatives and priorities during these years of declining state revenues. He added that based on the Trustees response, the University's administration was directed to analyze the availability of other possible funding sources or cost-saving options from other academic parts of the University, strategic initiatives or administrative areas that might allow the continuance of these programs while upholding the University's financial integrity. He added that the University's administration should incorporate their findings in a recommendation to the Trustees at a future Board meeting.

After discussion, the Board adopted the following Resolution:

RESOLVED, that the BOT hereby postpones the request for the termination of the following academic degree programs until a future Board meeting:

Recreation and Sports Management - Bachelor of Science
Recreation and Sports Management - Master of Science
Athletic Training Education - Master of Science
Religious Studies - Bachelor of Arts

RESOLVED, that the University's administration is directed to analyze the availability of other possible funding sources or cost-saving options from other academic parts of the University, strategic initiatives or administrative areas that may allow the continuance of these programs while upholding the University's financial integrity;

BE IT FURTHER RESOLVED, that the BOT authorizes the University President to take all actions necessary to implement this Resolution in accordance with the Florida Board of Governors regulations.

FA1-a. Proposed 2009-2010 Operating Budget

Interim CFO John Miller and Assoc. VP Martinez presented the University's 2009-2010 Operating

Budget for Committee review, providing a summary by fund and delineated strategic issues.

After discussion, the Board approved the following Resolution:

RESOLVED that the Florida International University Board of Trustees (“the Board”) approves the 2009-2010 University Operating Budget and the Self Insurance Program Budget attached hereto in Exhibit “A”;

FURTHER RESOLVED that the Board approves the 2009-2010 Operating Budget of the FIU Foundation, Inc., as adopted by the FIU Foundation Inc. Board of Directors on May 27, 2009; the 2009-2010 Operating Budget for the FIU Athletics Finance Corp., as adopted by the FIU Athletics Finance Corp. Board of Directors on April 30, 2009; the 2009-2010 Operating Budget for the FIU Research Foundation, Inc., as adopted by the FIU Research Foundation, Inc. Board of Directors on May 12, 2009; and the 2009-2010 Operating Budget for the FIU College of Medicine Health Care Network Faculty Group Practice, Inc. (“FIUHCN”) , as adopted by the FIUHCN Board of Directors on May 6, 2009, each of which is attached hereto in Exhibit “A”, and

FURTHER RESOLVED that the Board delegates to the University President the authority to amend the University Operating Budget to adjust to changing circumstances, and

FURTHER RESOLVED that the University President shall keep the Board of Trustees informed of any changes in excess of 2% made to the total approved 2009-2010 Operating Budget during the operating year.

9. Status Reports, Board Workgroups

Athletics Workgroup

Athletics Workgroup Chair Albert Dotson reported on items heard by the Workgroup and provided the Athletics update, noting the exceptional improvement in the Academic Progress Rate (APR).

External Relations Workgroup

External Relations Workgroup Co-Chair Claudia Puig reported on items heard by the Workgroup and provided the External Relations update.

Chairman Parker welcomed Mrs. Perla Tabares Hantman to the meeting. Mrs. Tabares Hantman congratulated President Modesto Maidique on his superior 23-year tenure and thanked him for his unparalleled dedication and hard work. She stated that President Maidique has spearheaded some of the University’s most significant accomplishments while navigating the University through some of its most difficult and trying times. She added that at the helm, President Maidique, has been at the forefront of unparalleled innovation and unprecedented growth.

Trustee Claudia Puig stated that during his long tenure as University President, Dr. Maidique presided over dramatic changes that brought FIU unprecedented national esteem and recognition. She noted that for more than two decades, Dr. Maidique has led the transformation of FIU. She added that under President Maidique’s leadership, FIU has grown to more than 38,000

students and today ranks among the 25 largest universities in the United States. She also added that as a Board member, she wished to recognize and honor President Maidique's unsurpassed service to the University and dedication to the students and South Florida community. Trustee Puig made a motion to grant Dr. Maidique President Emeritus status.

Trustee Dotson motioned that the Board grant Dr. Modesto A. Maidique President Emeritus status by acclamation in lieu of a Board Resolution. The motion was moved, seconded and carried.

7. Election of Officers

Chairman Parker opened the floor for nomination of officers to be effective September 1, 2009. Trustee Maury nominated Trustee Dotson for the office of Chairman. Trustee Landon nominated Trustee Alvarez for the office of Chairman. Trustee Alvarez declined the nomination and Trustee Landon subsequently withdrew the nomination. Trustee Dotson was unanimously elected.

Trustee Arrizurieta nominated Trustee Maury for the office of Vice Chair and he was unanimously elected.

Newly-elected Chairman Dotson thanked the Trustees for their support and noted that he looked forward to continuing to serve the South Florida community.

10. New Business

BT3. Amendment to the Operating Procedures of the Florida International University Board of Trustees

Trustee Cesar Alvarez presented the proposed amendments to the Operating Procedures for Board review and consideration, noting the substantive changes to the document.

After discussion, the Board approved the following Resolution:

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

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

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

AW2. NAMING OF THE FIU STADIUM FIELDHOUSE AS THE "R. KIRK LANDON FIELDHOUSE

Athletics Workgroup Chair Albert Dotson noted that in recognition of Trustee Landon's considerable generosity and substantial contribution to support the construction of the FIU Stadium Fieldhouse, the University desired to name the FIU Stadium Fieldhouse as the "R. Kirk Landon Fieldhouse".

After discussion, the Board approved the following Resolution:

WHEREAS, Trustee R. Kirk Landon has made a substantial contribution to support the construction, furnishing, and/or equipping of classrooms at or adjacent to the FIU Stadium Fieldhouse; and

WHEREAS, this contribution meets the threshold of \$1 million for the naming of a University facility, in accordance with the Florida International University Board of Trustees (“The BOT”) Policy for Suggested Minimums for Naming Opportunities; and

WHEREAS, in recognition of R. Kirk Landon’s substantial commitment, the University desires to name the FIU Stadium Fieldhouse as the “R. Kirk Landon Fieldhouse”; and

WHEREAS, pursuant to Florida Board of Governors Regulation 9.005 and Section 1013.79 of the Florida Statutes, the naming of any university facility after a living person is subject to approval by the Board and requires the approval of the Board of Governors and the Florida Legislature;

THEREFORE BE IT RESOLVED that the BOT approves the naming of the FIU Stadium Fieldhouse as the “R. Kirk Landon Fieldhouse” in accordance with and subject to the provisions of any gift agreement relating thereto;

BE IT FURTHER RESOLVED that the BOT directs the University Administration to take all actions necessary to give effect to this Resolution.

BT4. NAMING OF THE COLLEGE OF MEDICINE AS THE “HERBERT WERTHEIM COLLEGE OF MEDICINE AT FLORIDA INTERNATIONAL UNIVERSITY” AND DESIGNATION OF DR. HERBERT A. WERTHEIM AS TRUSTEE EMERITUS

Chairman Parker requested that Trustee Dotson preside over the meeting, allowing him to present a new business item for Board consideration and approval. He noted that Dr. Herbert Wertheim’s continuing support of the University’s College of Medicine culminated in a truly transformational gift to endow the College of Medicine. He added that this example of generosity and vision would impact generations of doctors and patients in deep and meaningful ways and that therefore he motioned to Name the College of Medicine as the “Herbert Wertheim College of Medicine at Florida International University” and Designation of Dr. Herbert A. Wertheim as Trustee Emeritus.

After discussion, the Board approved the following Resolution:

WHEREAS, Dr. Herbert A. Wertheim has served as member and Chairman of the Board of Directors of the Florida International University Foundation, co-chair of The Campaign for FIU, and founding member of the Board of Trustees of Florida International University (“Board”); and

WHEREAS, as Chairman of the Board’s Committee on Health and Medical Education, Dr. Herbert A. Wertheim played a significant role in garnering community and state support for the

establishment of a College of Medicine at Florida International University;

WHEREAS, Dr. Herbert A. Wertheim's continuing support for the College of Medicine has culminated in a truly transformational gift to endow the College of Medicine; and

WHEREAS, this contribution exceeds the minimum threshold of \$10 million for the naming of a University College, in accordance with the Florida International University Board of Trustees ("The BOT") Policy for Suggested Minimums for Naming Opportunities; and

WHEREAS, in recognition of Dr. Wertheim's substantial commitment, the University desires to name the College of Medicine as "the Herbert Wertheim College of Medicine at Florida International University;"

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the naming of the College of Medicine as The "Herbert Wertheim College of Medicine at Florida International University and designates Dr. Wertheim as Trustee Emeritus of this Board; and

BE IT FURTHER RESOLVED that the University Administration take all actions necessary to give effect to this Resolution.

Dr. Herbert Wertheim thanked the Trustees for their support and also expressed his high expectations of continuing to serve the South Florida community with a commitment to public access to higher education. He noted that he remained steadfast in his pledge to the advancement of the College of Medicine.

BT5. NAMING OF THE FIU UNIVERSITY PARK CAMPUS AS THE "MAIDIQUE CAMPUS"

Chairman Parker requested that Trustee Dotson continue to preside over the meeting so that he may present an additional new business item for Board consideration and approval. Chairman Parker stated that Dr. Modesto A. Maidique has served as President of the Florida International University for the past 23 years and has brought to the University nationally-recognized experience in higher education policy and administration. He noted that President Maidique's substantial contributions during his presidency have benefited the University in countless ways. He motioned that a deserving recognition, which expressed the gratitude of the Board, the students and the South Florida Community was the Naming of the FIU University Park Campus as the "Maidique Campus."

After discussion, the Board approved the following Resolution:

WHEREAS, President Modesto A. Maidique has faithfully served as President of the Florida International University since October 1986; and

WHEREAS, for more than two decades, President Maidique has demonstrated his strong and unyielding commitment to the University, leading the University's historic transformation; and

WHEREAS, during President Maidique's tenure, the FIU Carnegie Classification has risen from Comprehensive I to High Research Activity, as the number of research awards has grown by 526% and research funding has grown by 1,200%; and

WHEREAS, during his tenure, the University's Doctoral programs have grown by 288%, doctoral degree production has grown over 6000%, the Masters programs have grown by 96%, the Bachelors programs have grown by 32%, and the University has awarded over 100,000 academic degrees; and

WHEREAS, during his tenure, the University established the College of Medicine, obtained LCME preliminary accreditation, and admitted the opening class of medical students scheduled to begin their medical education on August 3, 2009;

WHEREAS, during his tenure, the University established the College of Law, the School of Architecture, the College of Public Health and Social Work; the Honors College, the School of Journalism and Mass Communication, the School of Computer Science, and others; and

WHEREAS, during his tenure, the School of Hospitality and Tourism Management became one of the highest ranked hospitality management schools in the nation and opened a degree program in Tianjin, China; and

WHEREAS, during his tenure, the University's Intercollegiate Athletics Program has grown in stature, by obtaining the fastest transition to Division 1-A of any Football program in the nation, by transitioning the Men's Basketball program from Division 1-AAA level to Division 1-A; and achieving excellence in other programs, including Women's Volleyball and Women's Tennis; and

WHEREAS, during his tenure, the University completed the construction of the approximately 16,000 seat FIU Football Stadium and the Stadium Field House; and

WHEREAS, during his tenure, the University constructed the College of Law building, the Graduate Business School building, the School of Architecture building, the College of Education building, the Health and Life Sciences buildings I and II, the Ryder Business building, the Chemistry and Physics building, the Frost Art Museum, the Wertheim Performing Arts Center, the Wertheim Conservatory; the College of Nursing building currently under construction; the significant expansion of the Graham Student Center, the residential housing complex at University Park that houses over 2,000 students; Greek housing residential facilities; four parking garages, the Presidential House and other facilities at University Park; the acquisition of the Engineering Campus; and the construction of a number of facilities at the Biscayne Bay Campus such as the Kovens Conference Center and Marine Biology building; and

WHEREAS, during his tenure, the University has raised over \$355 million in cash charitable contributions and state matching funds to support the University's mission and students, and has raised over \$100 million in gifts in-kind, including the donation of The Wolfsonian Museum building and Collection; and

WHEREAS, during his tenure, the University created the International Hurricane Research Center and other academic and research centers and institutes; and

WHEREAS, during his tenure, the University grew from 1,691 employees to 5,157;

NOW, THEREFORE, BE IT RESOLVED that the Florida International University Board of Trustees (“the BOT”), does hereby recognize, commend and express its gratitude to President Modesto A. Maidique for his passion, immeasurable contributions and uncompromising dedication to FIU;

BE IT FURTHER RESOLVED, that the BOT approves the naming of the FIU University Park Campus as the “Maidique Campus,” provided, however, that during Dr. Maidique's lifetime, the BOT may reconsider any naming recognition in the same manner as the University has routinely reserved in other occasions where naming rights have been conferred.

BE IT FURTHER RESOLVED that the BOT directs the University Administration to take all actions necessary to give effect to this Resolution.

Chairman Parker resumed presiding over the meeting. Trustee Dotson stated that Chairman David Parker was an inaugural member of the Florida International University Board of Trustees and has served with great distinction. Trustee Dotson added that Chairman Parker has brought to the Board his strong commitment to the University through his service, judgment, ideas and considerable wisdom. He motioned to grant Chairman Parker Chairman Emeritus status, based on the Board-approved criteria to honor Trustees who have provided extraordinary service. The motion was moved, seconded and carried.

Chairman Parker stated that it has been a privilege for him to work with such a distinguished Board.

11. Concluding Remarks and Adjournment:

Since there was no other business, the meeting of the Florida International University Board of Trustees was adjourned on Friday, 12 June 2009, at 12:54 p.m.

<i>Trustee Requests</i>	<i>Follow-up</i>	<i>Completion Date</i>
<i>Chairman Parker directed the University's administration to analyze the availability of other possible funding sources or cost-saving options from other academic parts of the University, strategic initiatives or administrative areas that might allow the continuance of the Bachelor and Master of Science in Recreation and Sports Management, the Master of Science in Athletic Training Education and the Bachelor of Arts in Religious Studies programs, while upholding the University's financial integrity. He added that the University's administration should incorporate their findings in a recommendation to the Trustees at a future Board meeting.</i>	<i>Provost & Executive VP Douglas Wartzok</i>	<i>TBD</i>

David Parker
Chairman
FIU Board of Trustees

Modesto A. Maidique
Corporate Secretary
FIU Board of Trustees

MB
6.25.09

Attachments: Exhibits "A," "B," "C," "D," "E," "F," "G," "H," "I," "J," "K," "L," "M," "N," "O," "P," "Q," "R," "S," "T," "U," "V," "W," "X," & "Y"