



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

Tuesday, September 10, 2013
2:00 pm *approximate start time*
Florida International University
Biscayne Bay Campus
Kovens Conference Center

AGENDA

- | | |
|--|------------------------------|
| 1. Call to Order and Chair's Remarks | Chairman Albert Maury |
| 2. Foundation Report | Justo L. Pozo |
| 3. Public Appearances | Albert Maury |
| 4. President's Report | Mark B. Rosenberg |
| 5. Action Items – Consent Agenda | Albert Maury |
| BT1. Minutes, June 12, 2013 | |
| FA1. Amendment to Signature Authority - Authorization to Sign Checks for the West African Water Research Program and Account | |
| FA2. Investment Policy Amendment | |
| FA3. Proposed Regulation – FIU-1101 Tuition and Fees Schedule | |
| AP1. Tenure as a Condition of Employment Nominations | |
| AP2. Proposed Regulation – FIU-116 Educational Sites | |
| AP3. Reauthorization of The Wolfsonian - FIU Special Purpose Center in Downtown Miami | |
| AP4. 2014-2015 Legislative Budget Requests | |

6. Action Items

BT2. Amendment to the Operating Procedures of the Florida International University Board of Trustees **Albert Maury**

P1. University President's Employment Agreement **Michael M. Adler**

7. Procurement

Kenneth A. Jessell

8. Status Reports, Board Committees

- External Relations Committee Report **Claudia Puig**
- Finance and Audit Committee Report **Sukrit Agrawal**
- Academic Policy and Student Affairs Committee Report **Cesar L. Alvarez**
- Personnel Committee Report **Michael M. Adler**

9. New Business

Albert Maury

9.1 Production, Rehearsal and Performance Facility at Biscayne Bay Campus **Sukrit Agrawal**

9.2 Discussion of Pending Litigation

Closed attorney-client session in accordance with Fla. Stat. 286.011(8);
Participants: President Mark B. Rosenberg, General Counsel Kristina Raattama, and outside counsel David K. Friedland, Esq. only

10. Concluding Remarks and Adjournment

Albert Maury

The next FIU Board of Trustees Full Board Meeting is scheduled for January 9, 2014.

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Call to Order and Chair's Remarks

Proposed Board Action:

None. Information only.

Background Information:

Albert Maury, FIU Board of Trustees Chair, will convene the meeting with opening remarks.

Supporting Documentation: N/A

Facilitator/Presenter: Albert Maury, *Chair, FIU Board of Trustees*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Foundation Report

Proposed Board Action:

None. Information only.

Background Information:

Justo L. Pozo, FIU Foundation, Inc. Board of Directors Chair, will report on the activities of the Foundation Board since the last meeting of the Board of Trustees.

Supporting Documentation: N/A

Facilitator/Presenter: Justo L. Pozo, *Chair, FIU Foundation, Inc. Board of Directors*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Public Appearances

Proposed Board Action:

None. Information only.

Background Information:

Public Comment Period (if timely requested and approved)

Supporting Documentation: N/A

Facilitator/Presenter: Albert Maury

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: President's Report

Proposed Board Action:

None. Information only.

Background Information:

Mark B. Rosenberg, President, will provide the University report.

Supporting Documentation: N/A

Facilitator/Presenter: Mark B. Rosenberg, *President, Florida International University*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Approval of Minutes of Meetings held June 12, 2013

Proposed Board Action:

Approval of Minutes of the Florida International University Board of Trustees, Full Board meeting held on Wednesday, June 12, 2013 at the FIU Modesto A. Maidique Campus, Graham Center Ballrooms.

Background Information:

Board members will review and approve the Minutes of the Florida International University Board of Trustees, Full Board Meeting held on Wednesday, June 12, 2013 at the FIU Modesto A. Maidique Campus, Graham Center Ballrooms.

Supporting Documentation:

Florida International University Board of Trustees Full Board Meeting Minutes: June 12, 2013

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**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
JUNE 12, 2013
MINUTES**

1. Call to Order and Chair's Remarks

Chair Albert Maury convened the meeting of the Florida International University Board of Trustees at 9:09 a.m., on Wednesday, June 12, 2013, at the Modesto A. Maidique Campus, Graham Center Ballrooms, Miami, Florida.

The following attendance was recorded:

Present:

Albert Maury, *Chair*
Michael M. Adler, *Vice Chair*
Sukrit Agrawal
Cesar L. Alvarez
Jose J. Armas
Jorge L. Arrizurieta
Robert T. Barlick, Jr.
Marcelo Claire
Mayi de la Vega
Gerald C. Grant, Jr.
C. Delano Gray
Claudia Puig

Excused:

Liane M. Sippin

Justo L. Pozo, FIU Foundation, Inc. Board of Directors Chairman

Chair Albert Maury welcomed all Trustees, University faculty and staff. He recognized Fu Zhou Wu, noting that she was the newly appointed Student Government President for the Biscayne Bay Campus and Pines Center. Chair Maury also welcomed Liane M. Sippin as the newly appointed Student Government President and added that she was unable to attend the meeting as she was currently participating in an FIU study-abroad program overseas.

On behalf of the Board, Chair Maury congratulated Trustee Jorge L. Arrizurieta on his re-appointment to the FIU Board of Trustees, stating that the re-appointment by the Board of Governors was a testament to Trustee Arrizurieta's exemplary commitment to higher education. Chair Maury also announced that the FIU College of Business presented Trustee Cesar L. Alvarez with the South Florida CEO of the Year Award at the Entrepreneurship Hall of Fame Awards Ceremony held in May.

2. Election of Officers

Chair Maury noted that the Board's Operating Procedures provide for the Board to elect a Board Chair and Vice-Chair at the last regularly scheduled meeting of the fiscal year for a two year term to begin September 1, 2013. Chair Maury opened the floor for nominations of Board Chair to be effective September 1, 2013. Trustee Claudia Puig nominated Chair Maury for a second term as Chair of the Board, stating that during his tenure as Chair, he has demonstrated an unrelenting support of the University through his exceptional leadership and steady guidance to the Board. Chair Maury requested that Vice Chair Michael M. Adler preside over the election of Chair. The Board unanimously re-elected Chairman Albert Maury. Chair Maury thanked the Trustees for their support and opened the floor for nominations of Board Vice Chair to be effective September 1, 2013. Trustee Gerald C. Grant, Jr. nominated Trustee Michael M. Adler for a second terms as Vice Chair of the Board, adding that during his tenure as Vice Chair he has served with great distinction, providing invaluable service and leadership to the Board. Vice Chair Adler was unanimously re-elected. He thanked the Board for the opportunity to continue his service to the University as Vice Chair of the Board of Trustees.

3. Foundation Report

Foundation Board of Directors Chair Justo L. Pozo provided the Foundation Report, reporting that the Foundation welcomed seven new members during their June 2013 meeting. He stated that the Foundation's investment portfolio maintained fiscal year-to-date gains, through June 4, 2013, of approximately 13.1%, or \$23 million. He further stated that the University was on target to meet its \$42 million fundraising goal for the 2012-13 academic year, and also noted that for the first time, the Foundation reached its \$200 million endowment goal.

4. Public Appearances

There were no public appearances.

5. President's Report

University President Mark B. Rosenberg reported on recent University news and events, noting that while there are two years remaining in the current World's Ahead Strategic Plan 2010-2015, he would like to initiate a robust discussion on the development of the 2015-2020 strategic plan to be conducted over the next fifteen months. He added that FIU's College of Arts and Sciences Dean Kenneth Furton would be heading a commission called FIU – integrating Research, Engagement, Assessment and Learning, or FIU iREAL. He stated that the commission will consist of ten members, including students, faculty, professional staff, alumni, and community leaders. He commented that the commission has been asked to present a white paper by early Fall 2013 that identifies the external and internal issues that must be addressed if the University is to prosper in the midst of the rapid changes that are impacting FIU's operating environment. He then presented ten questions that the commission should address in the paper.

President Rosenberg reported on faculty news and achievements, stating that in a study published in the April 16 issue of *Nature Communications*, researchers from FIU's Herbert Wertheim College of Medicine described a revolutionary technique they have developed that can deliver and fully release

the anti-HIV drug AZTTP into the brain. He noted that Dr. Madhavan Nair, Professor and Chair of the Department of Immunology, and Dr. Sakhrat Khizroev, Professor of Electrical and Computer Engineering and Professor of Immunology, used magneto-electric nanoparticles to cross the blood-brain barrier and send a significantly increased level of AZTTP—up to 97 percent more—to HIV-infected cells.

President Rosenberg added that Professor JoAnne M. Youngblut was recently honored by the Southern Nursing Research Society as the recipient of the 2013 SNRS Distinguished Researcher Award, which recognizes the contribution of an individual whose established program of research has enhanced the science and practice of nursing in the Southern region of the United States.

President Rosenberg reported on student achievement, stating that a unique pair of eyeglasses developed by an FIU student team could revolutionize the lives of the visually impaired by allowing the user to access printed material. He noted that the project began with a challenge issued by FIU College of Business faculty member Seema Pissaris who urged students in several of her classes to think about developing a social entrepreneurship project. He added that FIU students Maria Pia Celestino, Viurniel Sanchez, Jesus Amundarain and Esam Mashni worked with Professor Pissaris on the Eyetalk concept. President Rosenberg introduced Professor Pissaris, who noted that the Eyetalk concept is still in its development stage and is designed to be portable, affordable, and operate without requiring an Internet connection, adding that future versions of Eyetalk will target a global market and enable users to hear information aloud in one of many languages. Individual board members expressed support for the project. President Rosenberg noted that a demonstration is anticipated for the next regularly scheduled Board meeting.

President Rosenberg noted that the University reached a number of milestones at the 2013 spring commencement ceremonies. He reported that the Herbert Wertheim College of Medicine honored its inaugural class of 33 medical students who graduated on April 29th, that sixteen-year-old Sky Choi made history as the University's youngest known graduate, and that FIU conferred its 200,000th degree to Kailey MacNamera, a double major in Physics and Biology. President Rosenberg reported on student achievement, noting that FIU recently hosted a lecture by Apple Computers, Inc. co-founder Steve Wozniak and stated that the lecture would not have been possible without the dedicated efforts of School of Journalism and Mass Communications student Natalie Merola, who was critical in securing Mr. Wozniak's visit to FIU. He added that students from FIU in Miami and Tsinghua University in Beijing are teaming up to develop an energy efficient, cost-effective and attractive solar-powered house for the Solar Decathlon China competition to be held in August in Datong, China. He also reported that six students in the University's College of Business ranked among the top 100 and one student finished at 13th place at the *Institutional Investor* magazine's first-ever All-America Student Analyst Competition.

President Rosenberg reported that the FIU Women's Golf team received the title of 2013 Sun Belt Conference Champions, Head Coach Joe Vogel was named the league's Coach of the Year, and freshman Meghan MacLaren was named Sun Belt Conference Freshman of the Year as well as 2013 Sun Belt Conference Individual Champion.

President Rosenberg stated that on N.W. 15th Avenue of Liberty City stands a 40-foot wall that until recently was covered with a faded mural of African-American heroes. He added that today a new mural covers the wall and reported that the "Tree of Life" mural is a vibrant metaphor for the

promise of a community and the resilience of its residents. He commented that the mural was created by the people of Liberty Square in collaboration with FIU and community organizations, noting that the piece is a work in progress, much like the children who created it.

6. Action Items – Consent Agenda

Chair Maury added that the Finance and Audit Committee, the Academic Policy and Student Affairs Committee, and the Personnel Committee each recommended approval by the Board of the respective action items contained in the Consent Agenda.

Chair Maury asked for comments on any of the items included in the Consent Agenda. Hearing none, a motion was made and passed to accept the Consent Agenda, and members of the Board concurred with the following actions:

- **BT1. Minutes, March 6, 2013** – Approve the Minutes of the Florida International University Board of Trustees, Full Board meeting held on Wednesday, March 6, 2013 at the FIU Modesto A. Maidique Campus, Rafael Diaz-Balart Hall, Large Courtroom, RDB 1000.
- **BT2. Minutes, April 18, 2013** – Approve the Minutes of the Florida International University Board of Trustees Full Board meeting held on Thursday, April 18, 2013 via conference call.
- **FA2. Proposed 2013-14 Fixed Capital Outlay Budget** – Approve Florida International University’s 2013-14 Fixed Capital Outlay Budget and authorize the University President to amend the budget as necessary, consistent with Florida Board of Governors and FIU Board of Trustees directives and guidelines.
- **FA3. Request for Approval of Florida International University’s 2014-15 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan** – Approve Florida International University’s 2014-15 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan, and authorize the University President to amend the Legislative Budget Request as necessary, consistent with Florida Board of Governors and FIU Board of Trustees directives and guidelines.
- **FA4. Proposed Regulation, FIU-1113 Waiver of Tuition and Fees** – Approve the proposed regulation, Waiver of Tuition and Fees, and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.
- **FA6. Amendment to Signature Authority – Authorization to Sign Checks for Certain Foreign Research Program Accounts** – Amend the Signature Authority - Authorization to Sign Checks for Certain Foreign Research Program Accounts to reflect the following changes:

For the West African Water, Sanitation Hygiene Program:

Remove: Mr. Adama Ouedraogo, West African Program Office Manager

Approve: Mr. Issiaka Sawadogo, West African Program Office Manager

For the Rwanda Integrated Water Security Program:

Remove: Dr. David Mutekanga, Director
Ms. Macklean Rwivanga, Office Manager

Approve: Ms. Liliane Cyakwela, Office Manager

- **FA7. Approval for Florida International University to sell the Woman’s Club property to PCCO, INC., a Florida corporation, on the terms outlined in the April 19, 2013 “As-Is Real Estate Purchase and Sale Contract” executed by PCCO, Inc. and submitted as PCCO, Inc.’s best and final offer in response to FIU’s invitation to negotiate No. 23-003 (“ITN”) – Adopt the following Resolution:**

The Florida International University Board of Trustees (the BOT) is the owner of real property located at 2401 Pine Tree Drive, Miami Beach, Florida 33140 commonly referred to as the Woman’s Club (Woman’s Club), together with all improvements thereon, more fully described on Exhibit A attached hereto and incorporated herein by reference.

The BOT has determined that: (a) the Woman’s Club Property is unnecessary for educational purposes; and (b) it would be in its best interest to sell the Woman’s Club Property to PCCO, Inc., based upon the best and final offer (BAFO) submitted by PCCO, Inc. to the BOT in response to the FIU ITN.

The BOT approves the sale of the Woman’s Club Property to PCCO, Inc. on the terms contained in the “AS-IS” Real Estate Purchase and Sale Contract executed by PCCO, Inc. on April 19, 2013 (Purchase Agreement) and submitted to FIU as PCCO Inc.’s BAFO in response to the FIU ITN. A copy of the Purchase Agreement is attached as Exhibit B and incorporated herein by reference.

Further, if the Purchase Agreement transaction with PCCO Inc. is not closed on or before the Closing Date established in the Contract, or any extension thereof approved by the parties in writing, the BOT authorizes the University President or his designee, in their sole discretion, to proceed with sale of the Woman’s Club to the party with the next highest BAFO.

The President or his designee is authorized to undertake all steps necessary or desirable to process and finalize the sale of the Woman’s Club Property on the terms above and to complete any and all documents necessary or desirable to effectuate and finalize the transaction.

- **FA8. Amendment of University Traffic and Parking Regulation** – Approve the Amendment of the University Traffic and Parking Regulation FIU-1105 and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.
- **FA9. Request for Approval to enter into a Long-Term Lease from the State of Florida Board of Trustees of the Internal Improvement Trust Fund, as Co-Lessee with Miami-Dade County (or alternatively to be the tenant and sublease to, Miami-Dade County), the Coconut Grove Playhouse and Related Property** – Approve that the University President or his designee negotiate and enter into a long-term lease from the State of Florida Board of Trustees of the Internal Improvement Trust Fund, as Co-Lessee with Miami-Dade County (or alternatively to be the tenant and sublease to, Miami-Dade County), the Coconut Grove Playhouse and Related Property.
- **AP1. Tenure as a Condition of Employment Nominations** – Approve three (3) candidates for Tenure as a Condition of Employment (TACOE).
- **AP2. Tenure Nominations** – Approve the Tenure Nominations as specified in the Board materials.
- **AP3. Approval of New Educational Site: The Wolfsonian-FIU Special Purpose Center in Downtown Miami** – Approve the establishment of The Wolfsonian-FIU facility in downtown Miami, Florida as a “special purpose center” of Florida International University.
- **AP4. New Program Proposal: B.A. in Interdisciplinary Studies** – Approve the Bachelor of Arts in Interdisciplinary Studies (CIP 30.9999) degree program.
- **AP5. Master of Science in Nursing (MSN) Program Proposals** – Approve the following MSN programs:
 - MSN Advanced Adult Gerontology Nurse Practitioner
 - MSN Advanced Child Nurse Practitioner
 - MSN Advanced Family Nurse Practitioner
 - MSN Advanced Psychiatric Nurse Practitioner
 - MSN Nurse Anesthetist
- **P1. University Equity Report** – Approve the University Equity Report.

7. Action Items

FA1. Proposed 2013-14 University and Direct Support Organizations (DSO) Operating Budget

Senior Vice President for Finance and Administration and Chief Financial Officer Kenneth A. Jessell provided a comprehensive review of all the components of the proposed 2013-14 University and DSO Operating Budget of approximately \$2 billion and subsequent action items for Board consideration and approval.

He noted that last year, the State University System operating budget was reduced by \$300 million and added that this resulted in a \$24.3 million cut to the FIU budget. He reported that the cut was not recurring and was fully restored by the Legislature. He stated that the operating budget projected a decrease of \$18.6M in Florida Bright Futures Scholarships and Pell Grant awards due to higher Federal and State mandated eligibility requirements.

President Rosenberg commented that reductions to need-based financial aid will have the greatest impact on students with the highest financial need. He further noted that the University would continue to advocate for maintaining access for academically qualified students in the community.

Trustee Jose J. Armas requested quantitative metrics on the financial impact per year of Pell Grant and Bright Futures scholarship recipients that attend the University. Trustee Robert T. Barlick, Jr. requested a simulation on how the changes to Pell Grant and Bright Futures eligibility would affect future student enrollment, as well as how students would be most likely to absorb the changes to funding. President Rosenberg noted the administration was in the process of projecting the impact on future students and stated that he would provide a report at the next scheduled Board of Trustees meeting.

Trustee Jorge L. Arrizurieta inquired as to the Florida Board of Governors (BOG) Task Force on Facilities Funding as it relates to the possibility of public private partnership alternatives not currently utilized. Sr. VP and CFO Jessell reported that while the BOG accepted the Task Force's recommendations, no further actions were taken in terms of resulting legislation. Chair Maury noted that a more detailed discussion on the matter would be scheduled for the next Executive Committee meeting of the Board.

Trustee Sukrit Agrawal, Chair of the Finance and Audit Committee, recommended that all of the action items included within the 2013-14 Operating Budget be voted on in one motion. There were no objections.

A motion was made and passed by the FIU Board of Trustees approving the proposed 2013-14 Operating Budget and subsequent fees:

A. Proposed 2013-14 University and DSO Operating Budgets

The FIU Board of Trustees approved the FIU 2013-14 University and Direct Support Organizations Operating Budgets and authorized the University President to amend the budget consistent with Legislative, Board of Governors' and FIU Board of Trustees' directives and guidelines. The University President shall keep the Board of Trustees informed of any changes in excess of two percent (2%) made to the total approved 2013-14 Operating Budget during the operating year.

B. University Tuition Fee

The FIU Board of Trustees approved the amended Regulation FIU-1101 Tuition Fees Schedule, and delegated authority to the University President to approve any subsequent amendments that are based on comments to the regulation received from the Board of Governors as a result of the regulation-making process. The University Regulation FIU-1101 Tuition Fees Schedule provides the tuition and associated fees charged to students

attending FIU. The regulation was amended to increase tuition, the Financial Aid fee, and the Technology fee for Undergraduate, Graduate and Law students, add the Nursing and Health Sciences graduate degree programs to the graduate degree programs (i.e., Medicine and Law) for which tuition and fees will be authorized separately from other graduate degree programs, and to authorize the President or appropriate designee to establish continuing education programs and set the cost therefore, as well as increase the Capital Improvement Trust Fund fee, and Health fee for all students.

C. Student Health Fee

The FIU Board of Trustees approved the proposed Florida International University Health Fee Increase from the current \$83.19 per student headcount to \$93.69 per student headcount effective the Fall term of 2013 for academic year 2013-14.

D. Capital Improvement Trust Fund Fee

The FIU Board of Trustees approved the proposed Florida International University Capital Improvement Trust Fund Fee increase from the current \$6.76 per student credit hour to \$8.76 per student credit hour effective the Fall term of 2013 for academic year 2013-14.

E. Tuition for Market Rate Programs, 2014-15 Academic Year

The FIU Board of Trustees approved the market tuition rate for the online Master of Science in Human Resource Management offered through continuing education, beginning academic year 2014-15. The request will be forwarded to the Florida Board of Governors for approval.

AP6. 2013-14 University Work Plan to the Florida Board of Governors

President Rosenberg presented the 2013-14 University Work Plan for Board consideration and approval. He provided an overview on FIU's strengths and opportunities, and key initiatives and investments. He also presented information on enrollment planning, and intentions of implementing new academic programs in 2013-14 and in 2014-15. He delineated data that addresses FIU-specific goals and system-wide metrics as emphasized by key performance indicators: academic quality, operational efficiency, and return on investment.

He reported that the University's Graduation Success Initiative (GSI) remains at the core of student-centered initiatives and is aimed at improving timely degree completion and retention, noting that investments in new major maps, expanded advising, and internships are yielding earlier graduation rates and better job placement. He stated that the University remains committed to the state's high priority STEM disciplines (science, technology, engineering and mathematics).

8. Procurement

Chairman Maury requested that the Procurement presentation be deferred to the next full Board meeting. There were no objections.

9. Status Reports, Board Committees

Athletics Committee Report

Trustee Jorge L. Arrizurieta, Chair of the Athletics Committee, presented highlights from the Committee's meeting on Wednesday, June 5, 2013. He reported that Executive Director of Sports and Entertainment Pete Garcia provided an athletics overview, noting that the Women's Basketball, Women's Golf, Swimming & Diving, and Sand Volleyball programs enjoyed successful seasons. He stated that beginning July 1, 2013, the University would officially begin its membership with Conference USA. He further reported that the Committee was introduced to Men's Football Head Coach Ron Turner, and Men's Basketball Head Coach Anthony Evans, who each provided remarks on their aspirations for their respective upcoming seasons. He noted that Student-Athlete Academic Center (SAAC) Director Philip A. Moses provided an update on the progress of SAAC initiatives, including improvements on academic performance, changes to eligibility certification, and initiatives currently in place to increase academic accountability for student-athletes.

Finance and Audit Committee Report

Trustee Sukrit Agrawal, Chair of the Finance and Audit Committee, presented highlights from the Committee's meeting on Wednesday, June 5, 2013. He reported that Sr. VP and CFO Jessell presented the proposed 2013-14 Operating Budget and provided an update on the Budget Variance for the third quarter of FY 2012-13, noting that the University and direct support organizations' operating revenues were below estimates by \$7.2M (or one percent) and that operating expenses were below estimates by \$41.8M (or six percent). Trustee Agrawal stated that the Committee approved the Internal Audit Plan for fiscal year 2013-14. He stated that as is stipulated in the Finance and Audit Committee Charter, the Committee met with the Office of Internal Audit without the presence of senior management, further noting that the Committee confirmed with the Director of Internal Audit, Allen Vann, that he has all the resources and support to perform the duties of his office.

Academic Policy and Student Affairs Committee Report

Trustee Cesar L. Alvarez, Chair of the Academic Policy and Student Affairs Committee, presented highlights from the Committee's meeting on Wednesday, June 5, 2013. He reported that Provost and Executive Vice President Douglas Wartzok presented the 2013-14 University Work Plan, which he noted outlined institutional as well as system-wide priorities and goals. Trustee Alvarez commented that the Work Plan identifies a path to implement the mission and achieve the vision of FIU. He stated that efforts will be focused on achieving initiatives, which are organized following the State University System of Florida Board of Governors format: Academic Quality; Operational Efficiency; and Return on Investment. He further noted that the President's performance during the 2012-13 academic year will be evaluated based on his achievement of the mutually agreed upon goals as delineated in the Work Plan. Committee Chair Alvarez noted that the Work Plans for all Universities in the State University System will be made available for review on the Florida Board of Governor's website, and that FIU's Work Plan presentation was scheduled for June 19, 2013.

Personnel Committee Report

Trustee Michael M. Adler, Chair of the Personnel Committee, provided highlights from the Committee's meeting on Wednesday, June 5, 2013. He reported that Shirlyon McWhorter, Director of Equal Opportunity Programs and Diversity, presented the 2012-13 University Equity Report for

the Committee's review and provided status updates and assessments of gender/racial equities for enrollment, employment, and athletics. He noted that the Equity Report demonstrates the University's sustained efforts and continued commitment to increasing the recruitment and matriculation of minority students.

10. New Business

No new business was raised.

11. Concluding Remarks and Adjournment

President Rosenberg introduced a brief video that highlights sixteen-year-old Sky Choi's achievements which extend beyond his academic success as the University's youngest known graduate.

With no other business, Chair Albert Maury adjourned the meeting of the Florida International University Board of Trustees on Wednesday, June 12, 2013, at 11:31 a.m.

<i>Trustee Requests</i>	<i>Follow-up</i>	<i>Completion Date</i>
<i>1. Trustee Jose J. Armas requested quantitative metrics on the financial impact per year of Pell Grant and Bright Futures scholarship recipients that attend the University.</i>	<i>CFO and SVP of Administration Kenneth A. Jessell</i>	<i>September 2013</i>
<i>2. Trustee Robert T. Barlick, Jr. requested a simulation on how the changes to Pell Grant and Bright Futures eligibility would affect future student enrollment, as well as how students would be most likely to absorb the changes to funding.</i>	<i>President Mark B. Rosenberg</i>	<i>September 2013</i>

Albert Maury
Chairman
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Amendment to Signature Authority – Authorization to Sign Checks for West African Water Research Program and Account

Proposed Board Action:

Amend the Signature Authority - Authorization to Sign Checks for the West African Water Research Program and Account to reflect the following changes:

For the West African Water, Sanitation Hygiene Program:

Remove: Ms. Emeline Bereziat, Deputy West African Program Director

Approve: Ms. Sara Miner, Deputy West African Program Director

Background Information:

The Florida International University Board of Trustees (the BOT) is updating its official records to reflect University officers and employees authorized to sign checks to pay legal obligations on behalf of the University.

The University has depositories at banking institutions at which University funds are deposited and the University pays its legal obligations from said depositories. As such, the BOT must state with particularity the legal name and title of University employees who are authorized to sign checks to pay legal obligations of the University.

Supporting Documentation: Information behind the Finance and Audit Committee tab

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Investment Policy Amendment

Proposed Board Action:

Adopt revisions to the University’s Investment Policy.

Background Information:

The University Investment Committee is an advisory committee created by the BOT to make recommendations to the University administration and BOT regarding university investments. The University is recommending approval of the proposed revisions to the Investment Policy, as approved by the University Investment Committee on August 22, 2013.

The first proposed change is to add a continuing education requirement to the FIU Investment Policy in accordance with Florida Statute 218.415 (14).

Florida Statute 218.415 (14), Local Government Investment Policies – Continuing Education states: *The investment policy shall provide for the continuing education of the unit of local government’s officials responsible for making investment decisions or chief financial officer. Such officials must annually complete 8 hours of continuing education in subjects or courses of study related to investment practices and products.*

The second proposed change is to amend the Asset Allocation Ranges to provide for a lower minimum allowable range for fixed income investment classes (Core, High Yield and TIPS) as part of strategic positioning in anticipation of a rising interest rate environment.

The third proposed change is an annual update to the expected returns by asset class reference.

The BOT is authorized to adopt an investment policy pursuant to Sections 1011.42 and 218.415 Florida Statutes. The University’s Investment Policy was last revised on March 14, 2012.

Supporting Documentation: Information behind the Finance and Audit Committee tab

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Regulation – FIU-1101 Tuition and Fees Schedule

Proposed Board Action:

Approve the deletion of reference to parking fees in Amended Regulation FIU-1101 Tuition and Fees Schedule. As with any other regulation, also recommend delegating authority to the University President to approve any subsequent amendments resulting from comments the Board of Governors (BOG) may provide as part of the regulation-making process.

Background Information:

This regulation was amended at the June 12, 2013 Board of Trustees meeting to establish the tuition and fees for the 2013-14 academic year. This amendment is needed to delete references to parking fees for College of Medicine students which are covered by another regulation on that subject.

The Regulation includes information on fees and therefore, in accordance with the Florida Board of Governors' Regulation Development Procedure, the University Administration is required to submit the regulation to the Florida Board of Governors for approval.

The University President will report to the BOT at its next regularly scheduled meeting on any substantive change requested or made to the Regulation as a result of comments received from the Board of Governors as part of the regulation-making process.

Supporting Documentation: Information behind Finance and Audit Committee tab

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Tenure as a Condition of Employment Nominations

Proposed Board Action:

Approve seven (7) candidates for Tenure as a Condition of Employment (TACOE).

Background Information:

Pursuant to the Florida Board of Governors Regulation 1.001(5)(a), each board of trustees shall provide for the establishment of the personnel program for all the employees of the university, including but not limited to tenure.

All but one candidate have held tenure at their previous institution and have been selected to receive TACOE based on the caliber of their work.

Supporting Documentation:

Information behind the Academic Policy and Student Affairs Committee tab

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Proposed Regulation – FIU – 116 Educational Sites

Proposed Board Action:

Approve the Proposed Regulation of Educational Sites and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.

Background Information:

The Educational Sites regulation – FIU–116 is being proposed as required by the Board of Governors. This new regulation governs the university’s establishment, classification, relocation, and closing of educational sites apart from the University’s main campuses, including international educational sites and educational sites located in other states, and for the acquisition of real property on which such educational sites will be located.

This regulation is being created pursuant to Board of Governors Regulations 1.001 and 8.009.

Supporting Documentation: Information behind the Academic Policy and Student Affairs Committee tab

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

**Subject: Reauthorization of The Wolfsonian-FIU Special Purpose Center in
Downtown Miami**

Proposed Board Action:

Approve the establishment of The Wolfsonian-FIU facility in downtown Miami, Florida as a “special purpose center” of Florida International University.

Background Information:

Mr. Mitchell Wolfson, Jr., the founder of The Wolfsonian-FIU, has presented the University and the FIU Foundation, Inc. with a generous donation of real property located at 100 East Flagler Street (Floors 2, 8, and 9), Miami, Florida (the Property) and a planned gift of approximately 25,000 objects consisting of decorative art, works-on-paper, paintings, sculpture, rare books, and ephemera of the 1885-1945 period. The property is being donated to the FIU Foundation and will be long-term leased to the Wolfsonian-FIU for so long as it is to be used for Wolfsonian-FIU or other University purposes. The University will be responsible for all costs and expenses of operating and maintaining the property. The University anticipates that it will receive state operations and maintenance funding to operate and maintain the property.

The Wolfsonian-FIU intends to use the Property as an object study and research center for teaching, exhibition, museum administration or other educational purposes. With close to 20,000 square feet of additional space for The Wolfsonian-FIU, the Property will permit the University to finalize a \$10 million grant agreement with Miami-Dade County (County) previously allocated to The Wolfsonian-FIU under the County’s Building Better Communities General Obligation Bond Program.

The Wolfsonian-FIU Miami Beach facility is currently designated as a “special purpose center” of the University.

State University System of Florida Board of Governors (BOG) Regulation 8.009(1)(c) and FIU regulation FIU-116 define a “special purpose center” as “a unit of a university, apart from the main campus, that provides certain special, clearly defined programs or services, such as research or public service, and reflects a relatively permanent commitment by a university for the foreseeable future, not an occasional, time-limited, or transitory activity, in facilities which are university-owned, university-leased, or jointly used with another public institution.” As requested by the BOG, this item is being re-authorized and re-submitted for approval consistent with FIU regulation FIU-116 Educational Sites.

BOG Regulation 8.009(3)(d) provides that “[e]stablishing, reclassifying, relocating, or closing an additional campus or special purpose center, including acquiring real property for such educational sites, shall be approved by the university board of trustees and, subsequently, the Board of Governors.”

Supporting Documentation: Information behind the Academic Policy and Student Affairs Committee tab

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: 2014-2015 Legislative Budget Request

Proposed Board Action:

Approve the following shared system resource, continuation of non-recurring initiatives, and new recurring requests to be included in the University's 2014-2015 Legislative Budget Request:

Shared Resources:

- SUS Libraries – eJournals
Recurring Funds Requested: \$4,905,792
- SEERCA Collaborative Research Big Data Infrastructure
Recurring Funds Requested: \$755,000
Non-Recurring Funds Requested: \$5,000,000
- SUS Shared Collection and Interim Storage Facility
Recurring Funds Requested: 1,112,798

Non-Recurring (continuation):

- Project Panther LIFE: Learning Is For Everyone
Recurring Funds Requested: \$300,000

Recurring (new requests):

- FTIC 6-Year Graduation Rates
Recurring Funds Requested: \$3,370,039
Non-Recurring Funds Requested: \$903,862
- Increasing Bachelor Degrees in STEM and Fields Associated with Targeted Gap Analysis Occupations
Recurring Funds Requested: \$3,950,569
- Research Doctoral Degrees Awarded
Recurring Funds Requested: \$4,200,000

Background Information:

Pursuant to Board of Governors Regulation 1.001(6)(a), each board of trustees is responsible for the financial management of its university and must submit an institutional budget request (also known as the legislative budget request or LBR), including a request for fixed capital outlay, and an operating budget, to the Board of Governors for approval in accordance with the guidelines established by the Board of Governors. The University's

operating budget and fixed capital outlay budget requests were approved by this Board at its meeting in June. In accordance with Board of Governors requirements, the Board is required to approve by separate agenda item, the shared system resource initiatives, continuation of non-recurring initiatives, and new recurring initiatives included within the University's operating budget for approval by the Board of Governors.

Supporting Documentation: Information behind the Academic Policy and Student Affairs Committee tab

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Amendment to the Operating Procedures of the Florida International University Board of Trustees

Proposed Board Action:

Approve amendment to the Operating Procedures of the Florida International University Board of Trustees to provide public comment period in accordance with recent Sunshine Law change.

Background Information:

The proposed revisions to the Operating Procedures address recent changes to the Sunshine Law. Effective October 1, 2013, the Sunshine law requires that members of the public be given a reasonable opportunity to be heard on agenda items before public boards, and authorizes boards to establish rules and procedures for implementing this new requirement.

The proposed amendment to the Operating Procedures creates a process for registration of speakers, prescribes time limits for public comments, and establishes rules of decorum for appearances before the Board.

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

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

Supporting Documentation: Amendment to the Operating Procedures of the Florida International University Board of Trustees
Public Comment Form

Facilitator/Presenter: Albert Maury

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OPERATING PROCEDURES OF THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

ARTICLE V APPEARANCES BEFORE THE BOARD ~~and~~ ~~BEFORE COMMITTEES OF THE BOARD~~

Registration Procedures.

Individuals or group representatives who desire to ~~appear before the Board to initiate a subject within the Board's jurisdiction must submit their requests in writing at least seven (7) working days prior to the start of the meeting be heard on a proposition before the Board shall register in advance of the meeting by completing a public comment form ("Form") specifying the agenda item or specific matter on which they wish to be heard. The Form shall be available at the Board of Trustees Office of the Board at The Florida International University Board of Trustees, 11200 S.W. 8 Street, PC 548, Miami, Florida 33199, and must be submitted to the Board of Trustees Office no later than 11:00 a.m. on the business day preceding the Board meeting for the matter to be included in the agenda.~~

The Assistant Corporate Secretary, in consultation with the ~~Chair~~ General Counsel, ~~will shall~~ determine whether the ~~speaker item will be heard and when the item will be heard is entitled to be heard in accordance with applicable law.~~ Each Trustee will be provided with an opportunity to review the list of individuals who are on the agenda to appear before the Board, as well as the names of any who were not placed on the agenda.

~~Only registered persons who timely submit a Form will be called on to speak during the public comment period of a Board meeting. Any person who has not timely registered to speak may request approval to be heard by submitting a Form to staff at a registration table at the Board meeting location no later than twenty (20) minutes prior to the scheduled commencement of the Board meeting. Persons submitting any such untimely requests shall be required to show good cause as to why the person was unable to timely submit the Form in accordance with these procedures. Any such untimely requests shall be considered at the sole discretion of the Chair.~~

Time Limits

~~As a general matter, speakers The Board may shall be allotted a maximum of two (2) minutes to be heard on a proposition before the Board. place time limits on presentations. At the discretion of the Chair, time limits may be extended or shortened depending on the number of speakers requesting to be heard. Organizations or groups wishing to address the Board on a proposition shall designate one representative to speak on their behalf, to ensure the orderly presentation of information to the Board. If a speaker has requested to speak on more than one agenda item before the Board, the maximum time that will be allotted to any individual speaker during a Board meeting is five (5)~~

~~minutes, regardless of the number of agenda items or topics to be addressed. or decline to hear any matter determined by it to be outside its jurisdiction or unrelated to a particular agenda item, or not practicable for a particular meeting.~~

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

Decorum

In order to proceed with the essential business of the Board in an orderly manner, the following rules of decorum shall be strictly observed: ~~a~~

1. Persons scheduled to speak shall be called by the Chair at the appropriate time during the meeting. Any person not immediately appearing at the podium when called upon by the Chair shall waive the right to any further participation at the Board meeting. Each speaker shall state for the record his or her name and the organization or group represented, if any. Substitutions for scheduled speakers will not be allowed except in exceptional circumstances as determined by the Chair.

2. Each speaker's remarks must be directed to the Chair or the Board as a whole and not to individual board members.

3. Speakers shall confine their comments solely to the proposition before the Board they have asked to speak on. Speakers may not use any form of profanity or loud abusive comments. The Chair may notify and warn speakers that their comments have gone beyond the subject matter for which they had signed up to address. The Chair may turn off the microphone or recess the meeting if a speaker persists in addressing irrelevant topics or engaging in inappropriate comments. The Chair has the authority after one warning to order the removal of the speaker from the meetings.

4. Speakers may not refuse to yield the podium when the Chair has advised that their time is up.

5. No clapping, applauding, heckling, shouting comments from the audience, or verbal outbursts in support or opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Board meeting. Persons exiting the Board meeting shall do so quietly.

6. Personal cellular telephone conversations shall be prohibited during Board meetings. Ringers must be set to silent mode to avoid disruption of proceedings.

Any individual or group representative who attempts to disrupt a Board meeting will be subject to appropriate action pursuant to law.

Adopted 13 January 2003
Amended 12 March 2003
Amended 22 November 2004
Amended 19 September 2005
Amended 28 June 2007
Amended 29 February 2008
Amended 31 March 2009
Amended 12 June 2009
Amended 20 February 2010

Florida International University Board of Trustees

Request for Public Comment

Name _____

Address _____

Phone _____

E-Mail _____

Representing _____

Agenda item to which your comment pertains: _____

Support, oppose, or neutral on agenda item: _____

Signature: _____

Date: _____

NOTE:

Individuals, organizations, groups or factions who desire to appear before the Board of Governors to be heard on a subject pending before the Board must complete a public comment form specifying the matter on which they wish to be heard. Public comment forms must be submitted no later than 11:00 a.m. on the business day preceding the Board meeting.

Public comment will only be taken on agenda items before the Board. A maximum of 15 minutes will be set aside during the plenary meeting for public comment. Organizations, groups or factions must designate one representative to speak on behalf of the whole. Public comment will generally be limited to a maximum of 2 minutes per speaker. If a large number of people wish to speak, the Chair may shorten the time provided to each speaker.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

**Subject: Amendments to Employment Agreement for President Mark B. Rosenberg,
for 2014-2019 Term**

Proposed Board Action:

Approve (i) amendments to employment agreement for President Mark B. Rosenberg for the 2014-2019 Term, as described in the attached Term Sheet, and (ii) authorize the Chair of the Board of Trustees to execute, on behalf of the Board of Trustees, a contract document with language carrying forward the current contract provisions as amended per the Term Sheet.

Background Information:

Board of Governors’ Regulation 1.001(5)(a) provides that: “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....”

Florida Statute 1001.706(6)(a) provides that the Board of Governors shall confirm the presidential selection and reappointment by a university board of trustees as a means of acknowledging that system cooperation is expected.

Section 3.3 of the current Employment Agreement, as amended, between the Board of Trustees and President Rosenberg provides for any contract extension to be formalized in an agreement no later than October 1, 2013.

Upon the Board of Trustees’ approval, FIU Foundation approval of its funding obligations will be obtained. Additionally, Board of Governors’ approval of the re-appointment of President Mark B. Rosenberg will be sought; currently it is contemplated to be on the Board of Governor’s agenda for the November meeting at FIU.

Supporting Documentation: Term Sheet

Facilitator/Presenter: Michael M. Adler

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**Florida International University
Amendments to Employment Agreement
For President Mark B. Rosenberg for 2014-2019 Term**

Term Sheet

Description	Proposed Terms
Term of Contract	Five years, commencing upon conclusion of employment under current contract; from August 4, 2014 to August 3, 2019 ("Term").
Compensation:	
Signing Bonus	\$50,000 upon execution of contract.
Annual Base Salary	Base salary unchanged, with potential increases determined in discretion of Board (no automatic increases) (current base salary: \$496,613).
Annual Incentive Bonus Specified	Consideration for annual incentive bonus in discretion of Board or Board Committee up to \$50,000 following 2013-14 academic year and up to \$100,000 for each subsequent academic year; special criteria for bonus consideration (separate from regular annual performance evaluation goals) shall be developed by Board or Board Committee in consultation with President; timetable for development of annual bonus criteria and consideration for annual bonus award shall parallel timetable for annual performance evaluation process; provided that bonus criteria for 2013-14 shall be determined as soon as practicable; and President must remain in position at time of any award except for any award for the final year of the Term which shall be paid no later than February 1, 2020. (New bonus supersedes reference in current contract to potential development of team-based incentive plan.)
Benefits/Expenses:	
Annual Retirement Supplement to Replace Annual 457(f) Plan Contributions	Payment of \$80,000 annually as a retirement supplement, no later than each December 31, starting in December 2014 and concluding in December 2018, provided that President Rosenberg continues in employment as President in good standing as of December 15 immediately prior to the time scheduled for each annual payment; annual contributions of \$75,000 to the 457(f) plan will be discontinued when benefits in that plan vest on August 3, 2014 as per current contract.
Premiums for Long-Term Care or Other Insurance	Payment of premiums up to \$15,000 annually for each year of the Term toward a Long-Term Care Insurance policy, a Supplemental Long-Term Disability Policy and/or other private insurance procured by and for Dr. Rosenberg.
Car Allowance Increase	Increase in car allowance by \$1,000 to \$11,500 for each

Description	Proposed Terms
	year of the Term.
Club Membership Initiation Fee Added	One-time Payment of \$5,000 for club initiation fee, following start of the Term, subject to approval of club by Board Chair.
Relocation Expense Increase	Increase for expenses in vacating and relocation from the University residence at conclusion of Presidency from \$20,000 to \$25,000.
Legal Expenses	Reimbursement for President's legal costs relating to new contract up to \$15,000.
Provisions Upon Expiration of Term as President:	
Retention Bonus at End of Term Added	Payment of \$100,000 immediately upon expiration of Term on August 3, 2019, provided that President Rosenberg is employed as President in good standing on that date.
One-Year Research Leave Upon Expiration of Term at President Pay Level to Replace One-Semester Sabbatical	At conclusion of full Term as President on August 3, 2019, a one-year research leave shall be available, paid at the then-current annual President salary level; an appropriate proposal outlining research activities during the leave shall be developed and submitted for approval by the Board Chair in consultation with the applicable Dean prior to the commencement of the research leave; Dr. Rosenberg has no obligation to return to faculty following research leave. (This research leave replaces the current 1-semester sabbatical provision in current contract.)
Faculty Salary Level Following Research Leave	If Dr. Rosenberg returns to the faculty at the end of research leave and assumes and maintains his faculty duties under a 12-month faculty appointment, for the first three years of such appointment: (a) his annual base salary shall be at 75% of the last annual President base salary level; and (b) he shall be eligible for a \$25,000 annual research stipend; after three years, if Dr. Rosenberg wishes to continue his faculty appointment, the Board Chair in consultation with the applicable Dean shall determine his salary and stipend following negotiation with Dr. Rosenberg in an effort to seek mutual agreement. (Faculty salary if Presidency ends prior to expiration of Term shall remain subject to terms as stated in current contract.)
Duties in Faculty Position Following Research Leave Specified	Following conclusion of full Term as President on August 3, 2019, and before September 30, 2019: (a) the Board Chair in consultation with Dr. Rosenberg and the applicable Dean shall determine what duties Dr. Rosenberg will have if he returns as a faculty member at end of research leave; the expectation is that in light of his sustained long time contributions in several positions over the years, and his ability to contribute to fundraising and outreach, that his teaching load will be a two course

Description	Proposed Terms
	teaching assignment (less than the regular teaching load) and that his service (including fundraising/outreach) and research activities will compensate for that reduction, and (b) Dr. Rosenberg will confirm in writing to the Chair whether he will return to a faculty position at the end of research leave.
Other:	
Severance Pay	Severance pay terms shall be removed from contract with FIU and transitioned to a separate contract with FIU Foundation. No change in terms.
Extension	Dr. Rosenberg and Chair to meet by June 30, 2018 to discuss interest in extension; if extended, a formal agreement to be finalized by October 1, 2018.
Current Contract Status; Adjustment to Evaluation Cycle	Current contract remains in effect through August 3, 2014, provided that the timetable for the annual evaluation process will be adjusted to allow for later approval of evaluation and establishment of new goals to be consistent with the schedule for approval of University's Work Plan and Accountability Report.
Approval Process and Execution of Amended Contract	Agreement on all terms is conditioned upon obtaining FIU Board approval of terms, FIU Foundation approval of its funding obligation, and approval of reappointment by the SUS Board of Governors, and upon mutual execution of a contract document with language carrying forward current contract provisions as amended per terms set forth in this Term Sheet.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Procurement

Proposed Board Action:

None. Information only.

Background Information:

Senior Vice President of Administration and Chief Financial Officer Kenneth A. Jessell will discuss procurement and purchasing procedures.

Supporting Documentation: N/A

Facilitator/Presenter: Kenneth A. Jessell

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Status Reports, Board Committees

Proposed Board Action:

None. Information only.

Background Information:

These Committees met prior to the regular Board meeting: External Relations; Finance and Audit; Academic Policy and Student Affairs; and Personnel. The Committee Chairs will present status reports.

Supporting Documentation: N/A

Facilitator/Presenter: **Claudia Puig**, *External Relations Committee Chair*
Sukrit Agrawal, *Finance and Audit Committee Chair*
Cesar L. Alvarez, *Academic Policy and Student Affairs Committee Chair*
Michael M. Adler, *Personnel Committee Chair*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: New Business

Proposed Board Action:

Information. Action, as necessary.

Background Information:

Board members will raise new business, if any.

Supporting Documentation: N/A

Facilitators/Presenters: Albert Maury

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Request for: (1) Florida International University Board of Trustees (FIU BOT) approval to negotiate and enter into the agreements specified below with Royal Caribbean Cruises Ltd or an affiliated entity (collectively RCL) for RCL to fund and develop a state-of-the-art Production Rehearsal and Performance Facility on FIU's Biscayne Bay Campus to be used by both Parties pursuant to FIU ITN 012-016 (ITN); and (2) delegation of authority to the University President or his designee to negotiate and execute all agreements deemed necessary to consummate the FIU-RCL transaction.

Proposed Board Action:

1. Approve that the University President or his designee may negotiate and execute the following agreements on mutually agreeable terms:
 - (i) a Long-Term Ground Sublease and appropriate easements to Royal Caribbean Cruises, Ltd. ("RCL") to allow RCL to design, construct, operate and maintain at its expense a Production, Rehearsal, and Performance facility at the Florida International University Biscayne Bay Campus ("BBC");
 - (ii) a License Agreement and Service Contract to RCL to use the Bay Vista Residence Hall for RCL teachers, performers, cast members and support employees;
 - (iii) a Facilities Use Agreement to RCL for the use and payment of certain university facilities at BBC; and
 - (iv) a Memorandum of Understanding for Collaborative Partnership (MOU).
 2. Authorize the University President or his designee to carry out all acts and to execute all other documents deemed necessary by FIU for the FIU-RCL transaction.
 3. Approve the removal of the Bay Vista Residence Hall at BBC from the Florida International University Housing System.
-

Background Information:

Section 1013.171, Florida Statutes, authorizes the FIU BOT to negotiate and enter into a long-term ground lease of land for purposes of erecting facilities and accommodations which are necessary and desirable to serve the University needs and purposes. FIU and RCL believe the creation of a Production, Rehearsal and Performance facility at FIU's BBC Campus would serve both parties goals and missions.

On August 16, 2012, FIU issued FIU ITN 012-016 to enable FIU to establish a long-term collaboration with an organization that develops and presents performing arts productions. The anticipated benefits of this collaboration are to enhance the curricula of FIU's Colleges and Schools and the educational experiences of students by (i) providing access to state-of-the-art Production, Rehearsal and Performance (PRP) facilities for student learning, training and productions; (ii) creating opportunities for student and faculty scholarly work; and (iii) creating internship opportunities for FIU's students pursuing careers in the entertainment and hospitality fields. The collaboration also serves FIU's commitment to community engagement by connecting the corporate community with bright student talent and a world-class faculty in the context of the arts-, tourism-, and hospitality-driven South Florida economy.

Royal Caribbean Cruises, Ltd. submitted an ITN response on September 6, 2012. An evaluation committee, comprised of individuals with the appropriate expertise to complete a comprehensive evaluation of the proposal was established. The following individuals served on the committee:

Vojkan Dimitrijevic, Associate Vice President, Auxiliary and Enterprise Development
Mohammad Qureshi, Associate Dean, Chaplin School of Hospitality and Tourism Management
Brian Schriener, Dean, College of Architecture + The Arts
James Wassenaar, Executive Director, Student Affairs Operations and Auxiliary Services
John Cal, Associate Vice President, Facilities Management

The evaluation committee reviewed the solicitation response and evaluated the response on the basis of fit with FIU priorities, consideration paid to FIU, corporate profile, entertainment production experience, and facility sustainability. The committee met with RCL for negotiation purposes and RCL was invited to submit a “Best and Final Offer” which was submitted by RCL on March 12, 2013. On April 1, 2013, the committee recommended that FIU award the ITN to RCL, contingent upon the satisfactory development of all appropriate and required agreements and approvals.

The terms of the Royal Caribbean Cruise Lines, Ltd. collaboration require RCL to design, construct, and operate, at their sole expense, a Production, Rehearsal and Performance facility containing approximately 130,000 occupied square feet at a cost of approximately \$20 million. The PRP will be constructed on approximately 2.5 acres of land through a long-term ground sublease with an initial term of 40 years with up to four 5-year renewal options, for a total period of 60 years. In addition to BOT approval of the sublease, approval by the State of Florida Department of Environmental Protection is also required. Section 1013.171, Florida Statutes, requires that as part of the consideration for these types of leases, the state must own the completed facilities constructed at the end of the lease term.

The PRP facility will be available for FIU students and faculty as part of innovative state-of-the-art performing arts curricula, back-of-the-house operations, and participation in training programs as part of comprehensive experiential learning opportunities for students. RCL will provide workshops and guest lectures to FIU’s students and faculty; participate on FIU’s Industry Advisory Councils and Leadership Advisory Boards; provide paid internships to our students; work with academic units on creating and monitoring custom curricula, master classes and workshops, and participate in post-graduate career placement in multiple fields. RCL will hire an employee whose sole function is to work closely with FIU and RCL staff in implementing and administering the academic and other initiatives of the collaboration. Additionally, RCL will give FIU access to propriety research data for faculty and student research opportunities that will be especially helpful in the development and analysis of entertainment programs, market trends, consumer behavior, and market research.

In addition to the teaching, research and employment benefits of the RCL collaboration, RCL will make a one-time payment of \$2.2 million to FIU. This payment will be used to supplement housing revenue in 2014 and provide scholarship and research support in the College of Architecture + The Arts and the Chaplin School of Hospitality and Tourism Management.

Supporting Documentation: N/A

Facilitator/Presenter: Kenneth A. Jessell

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Agenda Item 10

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

September 10, 2013

Subject: Concluding Remarks and Adjournment

Proposed Board Action:

None. Information only.

Background Information:

Albert Maury, Chair, FIU Board of Trustees will adjourn the meeting with closing remarks.

Supporting Documentation: N/A

Facilitators/Presenters: Albert Maury, *Chair, FIU Board of Trustees*

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