



FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING

Thursday, January 9, 2014
2:00 pm *approximate start time*
Florida International University
Modesto A. Maidique Campus
Graham Center Ballrooms

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, September 10, 2013 | |
| FA1. FIU Direct Support Organizations Financial Audits, FY 2012-13 | |
| A. FIU Foundation, Inc. | |
| B. FIU Research Foundation, Inc. | |
| C. FIU Athletics Finance Corporation | |
| D. FIU Academic Health Center Health Care Network Faculty Group Practice, Inc. | |
| FA2. Approval of the Amendments to the Bylaws of the Florida International University Foundation, Inc. | |
| FA3. Tuition and Fee Refunds Regulation, FIU-1114 | |
| ER1. Fair Relocation Project / Agreement by and among Florida International University, Miami-Dade County and the Miami-Dade County Fair & Exposition, Inc. setting forth the proposed next steps in FIU's acquisition of the Fair site | |
| AP1. Tenure as a Condition of Employment Nominations | |
| AP3. Wolfsonian-FIU Education Site Proposal | |
| AP4. Professional Science Master in Forensic Science New Program Proposal | |

5. Action Items – Consent Agenda *(Continued...)*

AP5. Professional Science Master in Environmental Policy and Management New Program Proposal

AP6. Ph.D. in Linguistics New Program Proposal

6. Action Items

AP2. Florida International University 2012-13 Annual Accountability Report to the Florida Board of Governors

Cesar L. Alvarez

P1. President’s Management Review, 2012-13

Michael M. Adler

7. Procurement

Kenneth A. Jessell

8. Status Reports, Board Committees

▪ Finance and Audit Committee Report

Sukrit Agrawal

▪ External Relations Committee Report

Claudia Puig

▪ Academic Policy and Student Affairs Committee Report

Cesar L. Alvarez

▪ Personnel Committee Report

Michael M. Adler

9. New Business *(If any)*

Albert Maury

10. Concluding Remarks and Adjournment

Albert Maury

Next Full Board Meeting is scheduled for Thursday, March 27, 2014

Agenda Item 1

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

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**

January 9, 2014

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**

January 9, 2014

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**

January 9, 2014

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**

January 9, 2014

Subject: Approval of Minutes of Meeting held September 10, 2013

Proposed Board Action:

Approval of Minutes of the Florida International University Board of Trustees, Full Board meeting held on Tuesday, September 10, 2013 at the Biscayne Bay Campus, Kovens Conference Center, Bayview Ballrooms.

Background Information:

Board members will review and approve the Minutes of the Florida International University Board of Trustees, Full Board Meeting held on Tuesday, September 10, 2013 at the FIU Biscayne Bay Campus, Kovens Conference Center, Bayview Ballrooms.

Supporting Documentation:

Florida International University Board of Trustees Full Board Meeting Minutes: September 10, 2013

This page intentionally left blank



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
SEPTEMBER 10, 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 2:32 p.m., on Tuesday, September 10, 2013, at the Biscayne Bay Campus, Kovens Conference Center, Miami, Florida.

The following attendance was recorded:

Present:

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

Excused:

Cesar L. Alvarez
Gerald C. Grant, Jr.

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

Chair Albert Maury welcomed all Trustees, University faculty and staff. He thanked the Kovens Conference Center and Biscayne Bay Campus staff members for their hard work in making the meeting possible.

Chair Maury stated that he was pleased to announce that a public-private partnership led by the University received \$11.4 million for the Transportation Investment Generating Economic Recovery (TIGER) grant from the U.S. Department of Transportation. He stated that this grant would allow the University, Miami-Dade Transportation Authority, Miami-Dade Expressway Authority, the Florida Department of Transportation, the City of Sweetwater, IBM and engineering firm T.Y. Lin International to move forward with the UniversityCity project. He stated that this project will connect East and West Miami-Dade County through groundbreaking public transportation solutions, create new jobs in the community, and demonstrate the West Miami-Dade community's commitment to being a hub for innovation and a cultural and athletic center. Chair Maury thanked Vice Chair Michael M. Adler for his hard work and dedication towards the initiative.

Chair Maury thanked the Board for its participation in the August 19th Board of Trustees conference call meeting, during which the Board approved a ratification of the Collective Bargaining Agreement between FIU and the American Federation of State, County and Municipal Employees (AFSCME). On behalf of the Board, he also thanked President Rosenberg, the negotiating teams, and the administration for their commitment to FIU's employees.

2. Foundation Report

Foundation Board of Directors Chair Justo L. Pozo provided the Foundation Report, reporting that the Foundation exceeded the 2012-2013 fundraising goal of \$42 million, raising a total of \$43.3 million. He further stated that the Foundation's investment portfolio finished the year with gains of 11.6%, or \$20.5 million, and that year-to-date gains on the portfolio through September 6, 2013 were approximately 2.3%, or \$4.6 million.

3. Public Appearances

Chair Maury stated that the Board of Trustees received one request to make a public appearance, and noted that the request was not granted because the Board is currently in active litigation with the party who requested the right to appear.

4. President's Report

University President Mark B. Rosenberg reported on recent University news and events, noting that the University was deeply saddened over the recent passing of Dr. Paul Gallagher, who served the institution for nearly thirty years and was instrumental in helping guide and shape the University throughout his tenure. He noted that the University would be holding a Celebration of Life in his honor on October 11, 2013.

President Rosenberg reported on the University's Study Abroad Programs, noting that each year over 600 students study, research, or intern abroad in dozens of countries throughout the world. He also provided updates on the University budget for FY 2013-2014, noting a total operating budget of approximately \$1.2 billion. He added that the University welcomed 131 new faculty, and reported that student enrollment for the fall 2013 term reached 52,000. He further noted the University expected to graduate over 12,000 students during the 2013-2014 academic year. President Rosenberg provided an analysis of how changes in funding to Pell Grants and Florida Bright Futures Grants would affect students who currently receive these types of aid as well as how it would impact future enrollment. He provided an analysis of the impact of the changes in Bright Futures Grant eligibility criteria that showed that only 70% of the students who received Bright Futures in Fall 2012 would be eligible under the criteria for Fall 2013 and only 12% of those eligible in Fall 2012 would be eligible under the criteria for Fall 2014. He added that due to changes in funding that became effective for the fall 2012 term, Pell Grant recipients are no longer receiving funding for a third semester within one academic year. President Rosenberg stated that the University used increases in differential tuition to provide institutional aid for the 2012 and 2013 summer terms to mitigate the loss of Pell Grants for students, but with no approved increases in differential tuition for 2014 we will not be able to cover expected increases in need-based aid for summer 2014 term. He noted that the reductions to both Bright Futures and Pell continued to be

of great concern to the University and that he would continue to advocate for student needs with state and Federal legislators.

President Rosenberg reported on student activities that took place as the University began the fall 2013 term. He stated that the University officially welcomed the Class of 2017 during Freshman Convocation on Sunday, August 26th, and also held an Open House for the Class of 2018 on September 7th, during which qualifying high school seniors had the opportunity to earn on-the-spot admission as well as four-year scholarships beginning in fall 2014. President Rosenberg stated he was pleased to note that through collaboration with Miami-Dade County Public Schools, the University recently opened MAST@FIU at Biscayne Bay Campus with an inaugural class of approximately one hundred high school students. He stated that following the highly successful Maritime and Science Technology (MAST) Academy Magnet Model, MAST@FIU will offer a rigorous curriculum in the sciences, expose students to the university environment and help build the pipeline of students in the STEM fields. He introduced MAST@FIU Lead Teacher and Program Administrator Georgina Koch, and students Julie Shillington and Alysha Thompson, who provided brief remarks on their experience in the new program.

President Rosenberg noted that with the University's recent alignment to Conference USA East Division, student-athletes would have the opportunity to compete with universities such as Tulane, Rice, Marshall, and the University of Alabama at Birmingham, as well as gain additional exposure for the University. President Rosenberg added that the University looked forward to Homecoming celebrations, which would begin on Sunday, October 6, 2013 and culminate on October 12th with the Homecoming game against the University of Alabama at Birmingham.

President Rosenberg recognized the FIU Magazine team for winning three prestigious awards from the Council for the Advancement and Support of Education (CASE) District III regional awards competition this past spring. He congratulated the members of the team Deborah O'Neil, Aileen Sola, Alexandra Pechiarch, Doug Garland, Angeline Evans, and Sissi Aguila as well as members of the Editorial Board for this achievement.

President Rosenberg reported on upcoming events for the fall 2013 semester. He stated that the University was looking forward to the fourth Geopolitical Summit, "America at the Crossroads: Power and Strategy in the U.S. Foreign Relations" which will take place on Tuesday, October 29th. The summit will feature two world-renowned speakers: Vali Nasr, a leading American expert on the Islamic world and Middle East policies and Dean of the Johns Hopkins University's Paul H. Nitze School of Advanced International Studies, as well as Moises Naim, Senior Associate in the Carnegie Endowment for International Peace, an internationally renowned columnist and commentator on globalization, international politics and economics. He added that on Thursday, November 7, TEDxFIU would also return for a second installment with the theme "Reimagine Possible", allowing students, faculty and alumni to showcase world-changing ideas and a greater international understanding in a thought-provoking way.

President Rosenberg reported on several noteworthy academic collaborations. He noted that civil and environmental engineering professor Nakin Suksawang and four students have been working with the Florida Department of Transportation to create one of the first smart highway bridges in South Florida and one of just a handful in the state. He stated that during its construction in 2012, the group installed ninety six sensors in a bridge connecting eastbound State Road 836 to

northbound State Road 826. The sensors monitor the bridge for changes caused by temperature and weather. He noted that the initiative is expected to help engineers design better bridges as well as assist in the evaluation of existing bridges. President Rosenberg further reported that the FIU-Tsingua University team finished fifth among 20 teams from around the world in the inaugural Solar Decathlon (SD) China competition, held on August 2-10 in Datong, China, earning top honors in four of five contests. He added that the University and Zoo Miami signed a memorandum of understanding on July 16th to explore and develop greater research and community outreach initiatives, building on an already existing relationship the Zoo has with the Department of Biological Sciences and the School of Environment, Arts and Society (SEAS).

President Rosenberg provided updates on construction and renovations across the Modesto A. Maidique and Biscayne Bay campuses. He stated that the newest student residence at the Modesto A. Maidique Campus, Parkview Hall, opened its doors on August 22nd, and featured community lounges, study rooms, a multipurpose room, areas to accommodate residential life programs and activities, as well as a parking garage reserved for students living in university housing. He noted that on July 26th, the observatory dome for the Stocker AstroScience Center was installed on top of the building and that the teaching facility will serve not only FIU students but also the entire community. President Rosenberg reported that construction was well underway for the Management and New Growth Opportunities (MANGO) building, a mixed-use facility that will be the home for FIU Online, including a call center, collaboration space with training and conference rooms, recording studio, testing lab, and state-of-the-art multimedia editing surfaces, as well as additional dining options for the University. He added that Academic Health Center 5 (AHC5) was nearing completion and will house the Robert Stempel College of Public Health and Social Work, the Department of Earth and Environment, and the Extreme Events Institute that studies issues such as the impact of hurricanes and other disasters on infrastructure and public health. He stated that the AHC5 Complex will include teaching labs for Public Health, wet and dry research labs in a collaborative setting, a state-of-the-art, multi-purpose Active Learning Room, space for faculty, research, and staff offices. President Rosenberg further noted that construction would soon begin for Parking Garage 6, or PG6, which would be built along the main entrance on SW 8th street and SW 112th avenue, adding an additional 2,000 parking spaces and approximately 35,000 square feet of classroom and University-related retail space. He noted that the garage will have unique potential to be used as a transit hub for Miami-Dade County buses, linking the University with Miami Intermodal Center (MIC) – a mass transit hub east of Miami International Airport currently being built by Miami-Dade County.

He also noted that renovations for the Wolfe University Center at the Biscayne Bay campus will enhance the student experience while improving energy efficiency, as well as upgraded hurricane protection. President Rosenberg noted that on Thursday, September 19th, the Chaplin School of Hospitality and Tourism Management will host a ribbon cutting ceremony for the long-anticipated Restaurant Management Lab, which will accommodate 140 guests, a two-story wine tower and spirits demonstration bar, a food production lab, and a brewing science lab. He noted that the lab was made possible with proceeds from the Food Network South Beach Wine & Food Festival, presented by FOOD & WINE.

5. Action Items – Consent Agenda

Chair Maury stated that the Finance and Audit Committee and the Academic Policy and Student Affairs Committee each recommended to the Board approval 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, June 12, 2013** – 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.
- **FA1. Amendment to Signature Authority – Authorization to Sign Checks for the West African Water Research Program and Account** – 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

- **FA2. Investment Policy Amendment** – Adopt revisions to the University’s Investment Policy.
- **FA3. Proposed Regulation, FIU-1101 Tuition and Fees Schedule** – 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.
- **AP1. Tenure as a Condition of Employment Nominations** – Approve seven candidates for Tenure as a Condition of Employment (TACOE). All but one candidate have held tenure at their previous institutions and have been selected to receive TACOE based on the caliber of their work.
- **AP2. Proposed Regulation, FIU-116 Educational Sites** – 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.
- **AP3. Reauthorization of 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. As requested by

the BOG, this item is being re-authorized and re-submitted for approval consistent with FIU regulation FIU-116 Educational Sites.

- **AP4. 2014-2015 Legislative Budget Requests** – 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
- SSERCA 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

6. Action Items

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

Chair Maury stated that the Board of Trustees needed to amend its operating procedures due to recent changes to the Florida Statutes regarding public comment procedures at meetings conducted under Sunshine Law. He stated that the changes would become effective October 1, 2013 and require that members of the public be given a reasonable opportunity to be heard on agenda items before public boards. He noted that the amendment would establish rules and procedures for implementing the new requirement such as a registration process for speakers, time limits for public comment, and rules of decorum for appearances before the Board.

A motion was made and passed to approve the Amendment to the Operating Procedures of the Florida International University Board of Trustees.

P1. University President's Employment Agreement

Chair Maury requested that Vice Chair of the Board and Chair of the Personnel Committee Michael M. Adler present the University President's Employment Agreement for Board consideration and approval. Trustee Adler stated that pursuant to the President's current employment contract which continues until August 3, 2014, a contract extension must be formalized by no later than October 1, 2013. He noted that the term sheet delineating amendments would form the basis for the President's employment agreement for a second term, from 2014-2019. He added that if approved by the full Board, Chair Albert Maury would enter into a contract extension document with the President on the terms set forth in the term sheet, and further stated that the President's consideration for reappointment would then be submitted to the Florida Board of Governors for final approval.

Committee Chair Adler noted that the term sheet contains the current compensation as well as performance incentive compensation based on specific, targeted goals set by the Board. He noted that five state universities in the State of Florida were selected and benchmarked for metrics such as enrollment count, and budget and research funding to create the attached term sheet. Trustee Adler stated that Ms. Patricia Ambrose, an employment attorney from the law firm of Hogan Lovells, was engaged to assist the Board due to her extensive expertise in higher education presidential contract matters. He noted that Ms. Ambrose provided assistance with a review of compensation benchmarks as well as with the development of the term sheet and added that she provided an analysis of the term sheet via telephone during the Personnel Committee meeting. Trustee Adler stated that the agreement outlines a compensation package that is both fair and fitting for President Rosenberg and the University.

Trustee Adler made the motion to approve the University President's Employment Agreement for the 2014-2019 term. The motion passed unanimously.

On behalf of the Board, Chair Maury thanked President Rosenberg for his continued dedication to the University over the past four years. He also thanked Vice Chair Michael M. Adler for leading negotiations on the contract, as well as members of the Board's Executive and Personnel Committees for their efforts. He thanked FIU Foundation Board of Directors, Inc. Chair Justo Pozo for his assistance on behalf of the Foundation Board. President Rosenberg thanked the administration, senior leadership, faculty and staff for their continued support and commitment to the University.

7. Procurement

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

8. Status Reports, Board Committees External Relations Committee Report

Trustee Claudia Puig, Chair of the External Relations Committee, presented highlights from the Committee's meeting, noting that the overarching theme was the various ways FIU is impacting the community. She noted that President Rosenberg led a discussion on the University's strategic

budget and added that the Florida Board of Governors would meet later in the week to formalize the University's Legislative Budget Requests, which outline the priorities for the University and the community. She stated that the Committee received an update from Sr. Vice President of External Relations Sandra Gonzalez-Levy on the status of discussions with the Dade County Youth Fair and the need to expand the University's footprint at Modesto A. Maidique Campus. She further stated that the Committee discussed how the University is engaged in many of our local communities through initiatives such as MAST@FIU, the reopening of the Coconut Grove Playhouse, and the recent acquisition of the TIGER grant that will allow the University to move forward with UniversityCity.

Finance and Audit Committee Report

Trustee Sukrit Agrawal, Chair of the Finance and Audit Committee, presented highlights from the Committee's meeting. He noted that Gene Kluesner from *Perkins & Will* presented the Campus Master Plan 2010-2020, highlighting the key events of the planning schedule, the issues of the 2012 appraisal report, and the planning goals to address all the issues. Trustee Agrawal stated that the Final Master Plan is scheduled to be presented to the Full Board for approval in March 2014. He further reported that Sr. VP and CFO Jessell presented the Budget Variance for the fiscal year 2012-13, stating that the university experienced operating revenues below estimates by \$3.6 million due primarily to lower financial aid awards driven by lower enrollment and changes in Pell program requirements resulting in fewer eligible students and/or reduced awards, and stating that Operating Expenses were below estimates by \$46.3 million. He noted that Allen Vann, the University's Director of Internal Audit presented the Office of Internal Audit Status Report for the Committee's review and approval. Trustee Agrawal further stated that the Committee reviewed and recommended to the Full Board the approval of the private/public collaboration with Royal Caribbean Cruises Limited Production, Rehearsal and Performance Facility at the Biscayne Bay Campus, which would be presented later in the meeting.

Academic Policy and Student Affairs Committee Report

Trustee Claudia Puig, Vice Chair of the Academic Policy and Student Affairs Committee, presented highlights from the Committee's meeting. She noted that the Committee reviewed and approved Tenure as a Condition of Employment for seven candidates, the adoption of Regulation FIU-116 Educational Sites that will align FIU regulations with those of the BOG, the reaffirmation of the Board's recommendation for the Wolfsonian-FIU Downtown location to be designated a Special Purpose Center under the just adopted regulation, as well as the recommendation of seven Legislative Budget Requests to the BOG. She further stated that the Committee was pleased to learn about two current initiatives that directly respond to contemporary changes in higher education: FIU's state-of-the-art Math Mastery Lab, a student-centered high-tech, high-touch program that improves student performance in college algebra courses; and the University's collaborative work done in the Advanced Self-Powered Systems of Integrated Sensors and Technologies Research Center in the Department of Electrical and Computer Engineering.

Personnel Committee Report

Trustee Michael M. Adler, Chair of the Personnel Committee stated that as he already presented the University President's Employment Agreement for Board review and approval, he had no further updates to provide.

9. New Business

9.1 Production, Rehearsal and Performance Facility at Biscayne Bay Campus

Sr. VP and CFO Jessell presented a new business item for Board review, for a Production, Rehearsal and Performance Facility at Biscayne Bay Campus. He reported that due to its expressed interest in a public/private collaboration that would tie into the University's mission and generate new revenue opportunities, the University has been working closely with Royal Caribbean Cruises, Ltd (RCL) on a proposal that would benefit both parties. He stated that RCL responded to the University's initial invitation to negotiate in September 2012, noting that the anticipated benefits of this collaboration would enhance the educational experience of students by providing access to state-of-the-art facilities for student learning, training and productions, create opportunities for student and faculty scholarly work, and create internship opportunities for students pursuing careers in the entertainment and hospitality fields. Sr. VP and CFO Jessell stated that he reported on the development of the negotiation process with RCL at the Board's External Relations Committee in March 2013 and the Real Estate Subcommittee in April 2013. He further reported that the Board's Real Estate Subcommittee that met on September 9, 2013 as well as the Finance and Audit Committee that met earlier in the day endorsed the item for review and recommendation to the Full Board.

Sr. VP and CFO Jessell presented the proposed site plan for the RCL facility at Biscayne Bay Campus, stating that FIU would provide the property to RCL in an "as is" condition, and noted that design, construction and maintenance of the performance facility would meet FIU requirements and standards. He noted that the agreement consisted of a ground and housing sublease for 40 years with 4 five year extensions, adding that as part of the proposed agreement, RCL would be required to pay all costs, taxes, fees and charges attributed to construction, maintenance and any improvements on the property.

Sr. VP and CFO Jessell stated that the agreement would also include a repurposing of the existing Bay Vista Housing for use as employee housing for teachers, performers and cast, replacing displaced parking and demolishing of dilapidated buildings (formerly the Children's Learning Center and Wellness Center). Furthermore, RCL would construct, pay, and maintain on-site parking for its employees, maintain on-site parking, and cover any costs for shared use of campus amenities such as recreation facilities and food service.

A motion was made and passed that the FIU Board of Trustees negotiate and enter into the appropriate agreements with Royal Caribbean Cruises Ltd, or an affiliated entity to fund and develop a state-of-the-art Production, Rehearsal and Performance Facility at Biscayne Bay Campus and to delegate authority to the President or his designee to negotiate and execute all agreements deemed necessary to consummate the FIU-RCL transaction. Chair Maury indicated that any material deviations in the agreements and overall transaction must be re-submitted to the Board for approval.

9.2 Discussion of Pending Litigation

Chair Maury noted that the University's General Counsel requested to address the Board. General Counsel Kristina M. Raattama stated that the University was currently in active litigation with an outside entity and is requesting to speak to the Board regarding the litigation. Closed attorney-client session in accordance with Fla. Stat. 286.011(8) with President Mark B. Rosenberg, General Counsel Kristina Raattama, and outside counsel David K. Friedland, Esq. only.

The Board then moved to another room and held a closed attorney-client session regarding the litigation. Upon conclusion of this session, the Board members returned to the meeting room.

10. Concluding Remarks and Adjournment

With no other business, Chair Albert Maury adjourned the meeting of the Florida International University Board of Trustees on Tuesday, September 10, 2013, at 4:42 p.m.

Albert Maury
Chairman
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

MG
12.10.13

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Florida International University Foundation Inc., Financial Audit, 2012-13

Proposed Board Action:

Approve the Florida International University Foundation, Inc. Financial Audit for the 2012-13 fiscal year and authorize the President and CEO of the Florida International University Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

Background information:

Pursuant to Regulation FIU-1502 (2)(f), the Florida International University Foundation, Inc. must submit an independently conducted financial audit of its accounts and records, which has been approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and approval.

The Florida International University Foundation, Inc. Financial Audit for the 2012-13 fiscal year was approved by the Florida International University Foundation, Inc. Board of Directors on October 26, 2013, and the University President is recommending its approval.

Florida Board of Governors Regulation 9.011 (4) University Direct Support Organizations and Health Services Support Organizations, states in relevant part: Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees or designee, the Board of Governors, and the Auditor General for review.

Supporting Documentation: Information behind the Finance and Audit Committee tab

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

**Subject: Florida International University Research Foundation Inc., Financial Audit,
2012-13**

Proposed Board Action:

Approve the Florida International University Research Foundation, Inc. Financial Audit for the 2012-13 fiscal year and authorize the Executive Director of the Florida International University Research Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

Background information:

Pursuant to Regulation FIU-1502 (2)(f), the Florida International University Research Foundation, Inc. must submit an independently conducted financial audit of its accounts and records, which has been approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and approval.

The Florida International University Research Foundation, Inc. Financial Audit for the 2012-13 fiscal year was approved by the Florida International University Research Foundation, Inc. Board of Directors on October 21, 2013, and the University President is recommending its approval.

Florida Board of Governors Regulation 9.011 (4) University Direct Support Organizations and Health Services Support Organizations, states in relevant part:
Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees or designee, the Board of Governors, and the Auditor General for review.

Supporting Documentation: Information behind the Finance and Audit Committee tab

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Florida International University Athletics Finance Corporation Financial Audit, 2012-13

Proposed Board Action:

Approve the Florida International University Athletics Finance Corporation Financial Audit for the 2012-13 fiscal year and authorize the Executive Director of the Florida International University Athletics Finance Corp. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

Background information:

Pursuant to Regulation FIU-1502 (2)(f), the Florida International University Athletics Finance Corp. must submit an independently conducted financial audit of its accounts and records, which has been approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and approval.

The Florida International University Athletics Finance Corp. Financial Audit for the 2012-13 fiscal year was approved by the Florida International University Athletics Finance Corp. Board of Directors on October 23, 2013, and the University President is recommending its approval.

Florida Board of Governors Regulation 9.011 (4) University Direct Support Organizations and Health Services Support Organizations, states in relevant part: Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees or designee, the Board of Governors, and the Auditor General for review.

Supporting Documentation: Information behind the Finance and Audit Committee tab

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

**Subject: Florida International University Academic Health Center Health Care
Network Faculty Group Practice, Inc. Financial Audit, 2012-13**

Proposed Board Action:

Approve the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for the 2012-13 fiscal year and authorize the Chief Executive Officer of the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

Background information:

The Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. (FIU HCN) must submit an independently conducted financial audit of its accounts and records, which has been approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and approval.

The FIU HCN Financial Audit for the 2012-13 fiscal year was submitted and approved by the FIU HCN Board of Directors on October 29, 2013, and the University President is recommending its approval.

Florida Board of Governors Regulation 9.017 (2)(e) Faculty Practice Plans, states in relevant part that each Faculty Practice Plan shall include and/or provide for an annual audit, which shall be forwarded to the Board of Governors for review and oversight.

Supporting Documentation: Information behind the Finance and Audit Committee tab

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Approval of the Amendments to the Bylaws of the Florida International University Foundation, Inc.

Proposed Board Action:

Approve the Florida International University Foundation Inc. Bylaws as amended and restated on October 26, 2013 and authorize the President and CEO of the Foundation to take all actions necessary pertaining to these amended Bylaws.

Background Information:

On October 26, 2013, the Florida International University Foundation Inc. Board of Directors approved amendments to the Foundation's Bylaws.

The main Bylaw revisions that the Foundation's Board of Directors approved are as follows: (1) extending the term of service of Directors who serve as officers commensurate with the period of time of the Director's service as an officer, and (2) providing the public with the opportunity to comment on agenda items at full board meetings in accordance with Florida Statute §286.0114.

The Florida International University Board of Trustees (the BOT) must approve any amendments to the Florida International University Foundation, Inc. Bylaws before their becoming effective.

Regulation FIU-1502 Direct Support Organizations (2) (a) provides that any amendments to the Articles of Incorporation or Bylaws of a direct support organization must be submitted by the President of the University to the BOT for approval prior to becoming effective.

Article 10, Section 1 of the Florida International University Foundation Inc. Bylaws provides that any amendment to the Bylaws, approved by the Foundation's Board, shall be submitted by the University President to the BOT for approval prior to its effective date.

Supporting Documentation: Information behind the Finance and Audit Committee tab

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Proposed Regulation – FIU-1114 Tuition and Fee Refunds

Proposed Board Action:

Approve the Proposed Regulation of Tuition and Fee Refunds FIU-1114 and delegate authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the State University System of Florida Board of Governors (BOG) or as a result of the regulation-making process.

Background Information:

The Tuition and Fee Refunds regulation, FIU-1114, is being proposed for adoption by the Board of Trustees. This new regulation sets forth the procedures for the refund and/or release of liability of tuition and associated fees. This regulation codifies the University's existing procedures for the refund of tuition and associated fees as reflected in the University's undergraduate and graduate catalogs.

A University regulation setting forth these procedures is required pursuant to BOG Regulation 7.002. Because this regulation is a "select" regulation under the BOG Regulation Development Procedures, after approval by the Florida International University Board of Trustees, the regulation will be submitted to the BOG for its review and approval.

Supporting Documentation: Information behind the Finance and Audit Committee tab

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Fair Relocation Project / Agreement by and among Florida International University (FIU), Miami-Dade County (MDC) and the Miami-Dade County Fair & Exposition, Inc. (The Fair) setting forth the proposed next steps in FIU's acquisition of the Fair site

Proposed Board Action:

Approve the framework of the Agreement by and among FIU, MDC and The Fair setting forth the proposed next steps in FIU's acquisition of the Fair site and authorize the University President or designee to execute the Agreement and to make any adjustments in the Agreement required in connection with finalizing the Agreement.

Background Information:

This Board has passed two resolutions in support of FIU's expansion onto the Fair site. On June 14, 2012, this Board passed a resolution expressing its continued support of the parties' efforts to identify sites that will allow for the expansion of FIU and relocation of The Fair. On October 14, 2013, this Board passed a resolution expressing support for FIU's actions in acquiring the Fair site and committing that FIU would continue to (i) work in a collaborative fashion with the Fair and Miami-Dade County to identify a final site that is mutually beneficial, economically feasible and respectful of the Fair's and FIU's mission of service to the community and (ii) identify funding sources to support the relocation.

The parties continue to make progress and this Agreement is the parties' next step to identifying sites and arrangements for The Fair's relocation from the Fair site expected to be acceptable to all parties. In addition to FIU's board approving the framework of the Agreement, it will be approved by the MDC Commission and The Fair's board.

As of the date of printing this Agenda Item, the Agreement had not been finalized for presentation to the various boards. The University President or designee is being authorized by the Board of Trustees to execute and amend the Agreement should that be necessary.

Supporting Documentation: Agreement [*to be provided separately upon finalization by the parties*]

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Tenure as a Condition of Employment Nominations

Proposed Board Action:

Approve three (3) 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 employees of the university, including, but not limited to, tenure.

The TACOE nominees had tenure at their previous institutions 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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Wolfsonian-FIU Education Site Proposal

Proposed Board Action:

Reclassify the Special Purpose Center The Wolfsonian-FIU facility in downtown Miami, Florida, as a Special Purpose Site.

Background Information:

Pursuant to Florida Board of Governors (BOG) regulation 8.009, the Educational Sites regulation FIU-116 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.

A special purpose site is defined as a unit of the university, apart from the main campus, that provides services of an educational or community outreach nature which are other than instruction leading to a college degree, in facilities not owned by Florida International University. Instructional programs or courses leading to a college degree are typically not offered (but may be under certain circumstances) at special purpose sites. Previously, the Florida International University Board of Trustees designated this site as a “special purpose center”. After discussion with the BOG, the site is being reclassified as a Special Purpose Site.

The Wolfsonian-FIU facility in downtown Miami is located at 100 East Flagler Street (Floors 2, 8, and 9), Miami, Florida.

Supporting Documentation: N/A

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: New Program Proposal: Professional Science Master in Forensic Science

Proposed Board Action:

Approve the Professional Science Master in Forensic Science degree (CIP 43.0106) new program proposal.

Background Information:

The College of Arts and Sciences is proposing to offer a Professional Science Master (PSM) in Forensic Science degree. There is a growing demand (and a void in the field) for persons with advanced degrees with a forensic science background who also have management skills. The proposed PSM in Forensic Science addresses this need. This innovative degree is intended for professionals who want to combine a forensic science background with skills to deal with accreditation standards, the management of personnel and budgets, and other business skills needed to run a successful crime laboratory.

The proposed program will have a focus on interdisciplinary training and will better prepare professionals for positions such as laboratory managers or directors within the forensic sciences industry or other biotechnical fields.

The only PSM in Forensic Science currently offered in the State of Florida is at the University of Florida (UF) in the College of Pharmacy. The University of Central Florida (UCF) offers an M.S. degree in Digital Forensics, but this program is not run as a PSM. FIU is proposing to develop a PSM in Forensic Science that would include one required course to be taken at UF, and one required course at UCF. In return, UF and UCF students could enroll in summer workshop courses at FIU.

The proposed PSM in Forensic Science degree advances the educational mission of FIU and directly supports institutional goals and Florida's State University System Strategic Planning priorities and accountability measures.

Each university board of trustees shall approve for implementation new degree programs at the bachelor's, master's, advanced master's, and specialist levels in accordance with sections (3) and (5) of Florida Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: New Program Proposal: Professional Science Master in Environmental Policy and Management

Proposed Board Action:

Approve the Professional Science Master in Environmental Policy and Management degree (CIP 03.0201) new program proposal.

Background Information:

The College of Arts and Sciences is proposing to offer a Professional Science Master (PSM) in Environmental Policy and Management. The proposed program will provide a combination of academic and skill based training to its graduates to increase their employability in the area of environmental policy and management. There is an increase in interest in this field as environmental issues are attracting national and international attention. The specialized curriculum and quality instruction will meet the demand of the students looking to gain expertise in the field of environmental policy/management.

The PSM in Environmental Policy and Management program is not offered anywhere else in the State of Florida. It is not available anywhere in the South Florida region. The proposed degree is designed to be a parallel program to the current M.S. degree in Environmental Studies. The latter is a regular academic degree with an important independent thesis research component. On the other hand, the PSM degree is meant to be a professional degree offering practical environmental training aimed at persons who are already working in the field and are seeking career advancement opportunities.

The proposed PSM in Environmental Policy and Management degree advances the educational mission of FIU and directly supports institutional goals and Florida's State University System Strategic Planning priorities and accountability measures.

Each university board of trustees shall approve for implementation new degree programs at the bachelor's, master's, advanced master's, and specialist levels in accordance with sections (3) and (5) of Florida Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: New Program Proposal: Ph.D. in Linguistics

Proposed Board Action:

Approve the Ph.D. in Linguistics (CIP 16.0102) new program proposal.

Background Information:

The College of Arts and Sciences at Florida International University is proposing to offer a Ph.D. in Linguistics. The proposed program will have emphases in Bilingualism, Psycholinguistics, and Sociolinguistics and will respond to the professional and workforce needs of an increasingly diverse and multilingual society. The State of Florida, Miami-Dade County, and the greater South Florida metropolitan area are regions in which specialized training in the language sciences is urgently needed. Miami-Dade County is home to over two million people who speak a language other than or in addition to English.

Because the proposed degree program will build on existing strengths at the University, it has the potential of becoming one of the top national and international programs in Linguistics. In relation to research, very few communities in the U.S. can provide such broad opportunities for language-related research of multiple types.

Employment and educational opportunities for graduates of the program include work in a diverse spectrum of areas. At the scientific level, linguists with sound training are employable, for example, in an academic setting. At the applied level, linguists are involved in second-language teaching, in language planning in relation to educational settings and in speech-language pathology and therapy services. There are also particularly pressing needs in the realms of linguistic training for speech-language therapists and for educators.

The proposed Ph.D. in Linguistics degree advances the educational mission of FIU and directly supports institutional goals and Florida's State University System Strategic Planning priorities and accountability measures.

Each university board of trustees shall approve new research and professional doctoral degree programs for submission to the Board of Governors for authorization, in accordance with the criteria outlined in section (3) of Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Florida International University 2012-13 Annual Accountability Report to the Florida Board of Governors

Proposed Board Action:

Approve Florida International University's 2012-13 Annual Accountability Report to the Florida Board of Governors (the BOG) as provided in the Board materials and delegate authority to the University President to edit as needed and to amend consistent with comments received from the BOG.

Background Information:

Pursuant to the Florida Board of Governors Regulation 2.002 University Work Plans and Annual Reports, each university's work plans and annual reports shall reflect the institution's distinctive mission and focus on core institutional strengths within the context of State University System goals and regional and statewide needs. Each board of trustees shall submit to the Board of Governors a university annual report that describes progress against articulated goals and summarizes other key data, with accompanying narrative to highlight or explain information, when applicable. This document may require finish editing or necessary updates. Additionally, the BOG may require changes to the annual report. Therefore, a delegation of authority to the University President to make changes as necessary is being requested.

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

Facilitator/Presenter: Cesar L. Alvarez, *Academic Policy and Student Affairs Committee Chair*

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: President's Management Review, 2012-13

Proposed Board Action:

The Florida International University Board of Trustees (the BOT) will (1) conduct an annual evaluation of President Mark B. Rosenberg for the 2012-13 academic year; (2) grant a performance rating based on his achievement of the goals and objectives identified in the preceding year's University Work Plan and such other criteria as the BOT deems appropriate; and (3) authorize the Vice President for Human Resources to submit the evaluation of the President to the Florida Board of Governors.

Background Information:

In accordance with Florida Board of Governors Regulation 1.001 (5)(f), each board of trustees shall conduct an annual evaluation of the president.

The recently extended employment agreement between the BOT and President Rosenberg states that Dr. Rosenberg shall initiate the evaluation process for the academic year that began in August of the previous calendar year by submitting to the Committee a self-appraisal of such period's performance. This appraisal, along with the university's Annual Accountability Report, shall address Dr. Rosenberg's performance related to each of the goals and objectives identified in the preceding year's University Work Plan. After Dr. Rosenberg has submitted this self-appraisal, the Committee shall evaluate Dr. Rosenberg's performance during the academic year based on his achievement of the mutually agreed upon goals and objectives and such other criteria as the Committee deems appropriate. The Committee shall provide Dr. Rosenberg with a written assessment of its evaluation. The Committee shall present its written assessment and recommended performance rating to the Board for its approval. The BOT's Personnel Committee shall conduct the evaluation process no later than January 31 following the previous academic year.

Supporting Documentation: Information behind the Personnel Committee tab

Facilitator/Presenter: Michael M. Adler, *Personnel Committee Chair*

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

Subject: Status Reports, Board Committees

Proposed Board Action:

None. Information only.

Background Information:

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

Supporting Documentation: N/A

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

January 9, 2014

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*

This page intentionally left blank