



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
JANUARY 9, 2014
MINUTES**

1. Call to Order and Chair's Remarks

Chair Albert Maury convened the meeting of the Florida International University Board of Trustees at 2:12 p.m., on Thursday, January 9, 2014, 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*
Jose J. Armas
Jorge L. Arrizurieta
Robert T. Barlick, Jr.
Gerald C. Grant, Jr.
C. Delano Gray
Claudia Puig
Liane M. Sippin

Excused:

Sukrit Agrawal
Cesar L. Alvarez
Marcelo Claire
Mayi de la Vega

Chair Maury welcomed all Trustees, University faculty and staff. He noted that he would defer his remarks to a later time in the meeting and requested to take the agenda out of order. There were no objections.

2. Action Items – Consent Agenda

Chair Maury added that the Finance and Audit Committee, External Relations Committee and the Academic Policy and Student Affairs 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, September 10, 2013** - Approve the 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.

- **FA1. FIU Direct Support Organizations Financial Audits, FY 2012-13**
 - A. **FIU Foundation, Inc.** - Approve the FIU Foundation, Inc. Financial Audit for the 2012-13 fiscal year and authorize the President and CEO of the FIU Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.
 - B. **FIU Research Foundation, Inc.** - Approve the FIU Research Foundation, Inc. Financial Audit for the 2012-13 fiscal year and authorize the Executive Director of the FIU Research Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.
 - C. **FIU Athletics Finance Corporation** - Approve the FIU Athletics Finance Corporation Financial Audit for the 2012-13 fiscal year and authorize the Executive Director of the FIU Athletics Finance Corp. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.
 - D. **FIU Academic Health Center Health Care Network Faculty Group Practice, Inc.** - Approve the FIU Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for the 2012-13 fiscal year and authorize the CEO of the FIU 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.
- **FA2. Approval of the Amendments to the Bylaws of the Florida International University Foundation, Inc.** - Approve the FIU 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.
- **FA3. Tuition and Fee Refunds Regulation, FIU-1114** - 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 or as a result of the regulation-making process.
- **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** - 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.
- **AP1. Tenure as a Condition of Employment Nominations** - Approve three (3) candidates for Tenure as a Condition of Employment.

- **AP3. Wolfsonian-FIU Education Site Proposal** - Designate The Wolfsonian-FIU facility in downtown Miami, Florida, as a Special Purpose Site.
- **AP4. Professional Science Master in Forensic Science New Program Proposal** - Approve the Professional Science Master in Forensic Science degree (CIP 43.0106) new program proposal.
- **AP5. Professional Science Master in Environmental Policy and Management New Program Proposal** - Approve the Professional Science Master in Environmental Policy and Management degree (CIP 03.0201) new program proposal.
- **AP6. Ph.D. in Linguistics New Program Proposal** - Approve the Ph.D. in Linguistics (CIP 16.0102) new program proposal.

3. Action Items

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

Trustee Claudia Puig, Vice Chair of the Academic Policy and Student Affairs Committee, noted that the Committee met earlier in the day to review FIU's 2012-13 Annual Accountability Report, which she stated was submitted to the Florida Board of Governors on December 18, 2013 and was pending final approval by the Board of Trustees.

Committee Vice Chair Puig noted that the action items are in close alignment with the University Goals to be covered under the Management Report and therefore requested that University President Mark B. Rosenberg present FIU's 2012-13 Annual Accountability Report and the 2012-13 Management Report jointly. There were no objections.

President Mark B. Rosenberg presented key university achievements, reporting on student and faculty research awards. He stated that FIU's Graduation Success Initiative (GSI) has been recognized with the Most Visible Progress award at the annual conference of the Association of Public and Land-Grant Universities. He also reported that goals relating to critical initiatives were either completed and/or exceeded, indicating that: the University's 6-year First Time in College graduation rate increased from 41% (2005 cohort) to 50% (2007 cohort); FIU researchers and scholars exceeded \$129M in research and development expenditures in FY 2012-13, a 8.5% increase at a time of reduced Federal research budgets; and that during the 2012-13 academic year, students participating in academic or non-academic internships increased from 2,813 to 3,116, an increase of 10.8% from the prior year. He also discussed areas of concern, stating that while some goals may have not been achieved, marked improvements over the prior year were realized.

Trustees inquired as to how the University was tracking the Herbert Wertheim College of Medicine's (HWCOC) Green Family Foundation NeighborhoodHELP™ program. Dr. Yolangel Hernandez Suarez, Associate Dean for Graduate Medical Education at the HWCOC, noted that Dr. Joe Greer is the program's director and has oversight. She indicated that due to the innovative nature of the program, HWCOC has consulted with national experts and added that a programmatic evaluation is currently underway and should be available within the next year.

A motion was made and passed to approve FIU's 2012-13 Annual Accountability Report to the BOG as provided in the Board materials and delegate authority to the University President to edit as needed and to amend the report consistent with comments received from the BOG.

P1. President's Management Review, 2012-13

Trustee Michael M. Adler, Chair of the Personnel Committee, reported that the Personnel Committee met earlier in the day to undertake the assessment of President Rosenberg's accomplishments for the 2012-13 academic year relative to the Board-approved goals and his overall performance.

Trustee Adler noted that despite diminishing State revenues, the President successfully completed and/or exceeded most of the goals set forth in the 2012-13 University Work Plan. Trustee Adler noted that based on the executive performance ratings and the President's overall performance and accomplishments for the 2012-13 academic year, the Committee recommended a rating of "Superior" for President Rosenberg.

A motion was made and passed by the FIU Board of Trustees granting a "Superior" performance rating to President Mark B. Rosenberg for his leadership of Florida International University during the 2012-13 academic year.

4. Public Appearances

There were no public appearances.

5. Procurement

Trustee Robert T. Barlick, Jr., Vice Chair of the Finance and Audit Committee, introduced Accounting Professor Jimmy Carmentate (formerly Senior Associate Controller and Director of Purchasing Services) and John Cal, Associate Vice President of Facilities Management, and requested a presentation on the University's process for the purchase of commodities and contractual services and construction procurement.

Professor Carmentate presented a comprehensive review of the University's process to acquire commodities and contractual services, detailing the steps involved in a competitive solicitation. He explained that factors other than price may be considered in the award determination, such as vendor experience, design features of the product(s) offered and scope of services. He described instances when an evaluation committee is required and delineated the steps taken by the committee. He noted that evaluation committee meetings are public and are noticed to comply with Sunshine Law requirements. He added that the University adheres to BOG and FIU regulations, such as BOG Regulation 18.001 and FIU Regulation 2201, which address and govern the procedures and practices used in purchasing of commodities and contractual services.

Associate VP Cal provided a detailed presentation on the University's construction procurement process. He delineated the capital program oversight, noting that the Board of Trustees sets fixed capital outlay budget via the capital improvement program, authorizes all major projects and authorizes all debt. He described the various services that comprise the categories of professional and construction services. He defined the construction cost thresholds and the regulatory framework for competitive selection for construction managers and professionals. He stated that the procurement processes are audited by both internal and State of Florida auditors.

Professor Carmenate and Associate VP Cal addressed questions from the Trustees. President Rosenberg noted that as a follow-up item, University administration will present to the Trustees information delineating shared services with the BOG. Chairman Maury noted that as it relates to the evaluation committee composition, the University may wish to consider inviting members of the faculty to participate in the process as subject matter experts. Additionally, he stated, students can benefit from being included in the process as this will provide valuable hands-on experience. Trustees requested a copy of the procurement presentation slides.

6. Foundation Report

Chairman Maury requested that the Foundation Report be deferred to the next regularly scheduled full Board meeting. There were no objections.

7. President's Report

Chairman Maury noted that President Rosenberg will not provide the University Report as University achievements were detailed in the earlier presentations.

8. Status Reports, Board Committees

Chairman Maury requested that the Board Committee status reports be deferred to the next regularly scheduled full Board meeting. There were no objections.

***1. Continuation of Call to Order and Chair's Remarks**

Chairman Maury announced that Trustee Gerald C. Grant, Jr. and his wife Jennifer pledged \$1 million to establish the Gerald C. Grant Jr. and Jennifer Adger Grant Scholarship Fund. He added that this is the largest gift to date from an African-American alumnus and will be used to help business students pursue their dreams. Trustee Grant stated that he credits FIU for his success, commenting that as a full-time student in the College of Business who also worked two jobs, FIU provided him with boundless opportunity.

Chairman Maury stated that, on behalf of the Board, he was honored at the opportunity presented to the University to host the BOG meetings during November 2013. He thanked the Board of Trustees members who participated in the BOG orientation session for newly appointed trustees. He added that as part of their visit, FIU also assisted in hosting the first-ever Trustee Summit. Chairman Maury noted that he found the Summit to be extremely beneficial as it provided participants with the unique opportunity to connect with other trustees and leaders from other universities to discuss the important issues facing the System.

Chairman Maury reminded the Trustees of the upcoming FIU Day in Tallahassee, which he noted would take place on March 5, 2014. He indicated that the Board retained the services of Dr. Kenneth A. Shaw, who moderated the Board's Retreat in April, to conduct a thorough review of the Board's current Operating Procedures. Chairman Maury added that he expected that the proposed changes would be available for Board review by the next regularly scheduled meeting.

Chairman Maury stated that during the September meeting, the Board approved President Rosenberg's employment agreement and agreed to pay his legal fees for contract negotiations, estimated at \$15,000. He noted that the actual cost was significantly higher and noted that he had authorized, on behalf of the Board, an adjustment of an additional \$5,000.

9. New Business

Chair Maury introduced Florida Board of Governors student representative Carlo Fassi, noting that he also serves as the Chairman of the Florida Student Association. He added that Governor Fassi is the current Student Body President for the University of North Florida and is currently pursuing a Bachelor's degree in Political Science, and a minor in History. Governor Fassi provided brief remarks on the work of the Florida Student Association and shared the legislative priorities of the Florida Student Association for the upcoming session.

10. Concluding Remarks and Adjournment

With no other business, Chair Albert Maury adjourned the meeting of the Florida International University Board of Trustees on Thursday, January 9, 2014 at 4:23 p.m.

Albert Maury
Chairman
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

MB
1.28.14