



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
SEPTEMBER 10, 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 2:06 p.m., on Wednesday, September 10, 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.
Alexis Calatayud
Mayi de la Vega
Gerald C. Grant, Jr.
Kathleen L. Wilson

Excused:

Cesar L. Alvarez
Sukrit Agrawal
Marcelo Claure
Claudia Puig

Chair Maury welcomed all Trustees, University faculty and staff. He introduced and welcomed State University System of Florida Board of Governors (BOG) Chancellor Marshall Criser III and BOG members Patricia Frost and Norman D. Tripp. Chair Maury also introduced and welcomed newly-elected Faculty Senate Chair Kathleen L. Wilson, noting that she is a professor of Voice in the School of Music.

On behalf of the FIU Board of Trustees, Chair Maury congratulated Trustee Marcelo Claure on his recent appointment as Sprint CEO. Chair Maury stated that Trustee Claure sent his regrets as he was not able to attend the meeting and shared a letter written by Trustee Claure where he communicates that given his new responsibilities and relocation to Kansas City, he would not be able to fulfill his duties as a Trustee and will therefore, not be seeking reappointment to the FIU Board of Trustees upon conclusion of his current term ending on January 6, 2014.

Chairman Maury noted that as part of the transition to a paperless organization, to increase efficiency, reduce printing and postage costs, and promote environmental responsibility, Trustees

were introduced to the Board member portal and were able to access agenda and meeting materials electronically.

2. Comments from State University System of Florida Board of Governors

State University System (SUS) of Florida Board of Governors (BOG) Chancellor Marshall Criser III noted that as part of the planned activities for the remainder of the year, he and members of the BOG have scheduled university campus visits in conjunction with university board of trustees meetings. He added that other planned activities will include holding events around the State to highlight the State's investment in the Targeted Educational Attainment (TEAm) grant awards.

Chancellor Criser stated that the BOG is committed to guide the SUS toward greater accountability and alignment with strategic priorities and added that in terms of performance funding, the BOG will engage the SUS institutions in a continued dialogue in order to ensure that the universities are accountable for meeting specific State needs, as well as for meeting targets of quality and efficiency.

Chancellor Criser then presented Chair Maury and University President Mark B. Rosenberg with a commemorative framed certificate in recognition of FIU's success under the Board of Governors' performance funding model.

Trustee Michael M. Alder stated that while the University is grateful for the State's investment in higher education, FIU also remains committed to its unique mission and strengths. Trustee Kathleen L. Wilson requested that Chancellor Criser urge the BOG, during their discussion of the Legislative Budget Request, to support the Florida Bright Futures Scholarship Program.

Governor Patricia Frost stated that she's proud to have witnessed firsthand FIU's achievements over the years and is also honored to serve as a member of the BOG where she can continue her dedicated efforts to improve higher education in the State. Governor Norman D. Tripp noted that he valued the opportunity to attend the Board meeting with the Chancellor and will continue to devote his time and efforts for the benefit of the SUS institutions, students, and the State.

3. Foundation Report

Foundation Board of Directors Member Justo L. Pozo provided the Foundation Report, noting that the new board members who have joined the Foundation Board will take part in an orientation on October 23. He stated that the Foundation's investment portfolio finished the year with gains of 18% or approximately \$36.2 million, with year-to-date gains through August 31, 2014 of approximately 0.6% or \$1.5 million. He presented an update on the Next Horizon fundraising campaign, noting that the Foundation exceeded the 2013-14 fundraising goal of \$50 million, raising \$52.4 million and added that to date, \$242.6 million has been raised, representing approximately 32% progress towards the goal.

1. Call to Order and Chair's Remarks (Continued...)

On behalf of the Board, Chair Maury congratulated the University's student athletes on their remarkable performances during the start of the 2014-15 season and provided brief highlights on the planned Homecoming events.

4. Public Appearances

There were no public appearances.

5. President's Report

University President Mark B. Rosenberg announced that Vice President for Engagement Irma Becerra-Fernandez has accepted the position of Provost and Chief Academic Officer at St. Thomas University, effective October 1. On behalf of the University community, he thanked Dr. Becerra-Fernandez for her commitment to the University, noting that through her dedicated efforts she furthered FIU's vision as a beacon of hope and a solutions center that is locally and globally engaged.

President Rosenberg introduced a video clip from the summer 2014 commencement ceremony in which Elcana Jean-Pierre was honored as a Worlds Ahead Graduate. He presented each Trustee with a bottle of Holy Smokes, a Badia Spices pork and meat rub, noting that it was inspired by a mix created by FIU Chaplin School of Hospitality and Tourism Management recent graduate Jenifer Bound and is now available for purchase around the world. He provided a summary on a survey of graduating seniors from the fall, spring and summer semesters.

President Rosenberg noted that the White House Office of Science and Technology Policy selected FIU to host a STEM College Opportunity Regional Summit. He reported on student and faculty achievement, noting that two FIU doctoral students, Kelly Mesa and Carla Abad, were named National Science Foundation (NSF) fellows as part of the NSF Graduate Research Fellowship Program in recognition of their outstanding work. He stated that Maureen Donnelly, associate dean of graduate studies in the College of Arts and Sciences and professor in the Department of Biological Sciences, was named president elect of the American Society of Ichthyologists and Herpetologists. He also noted that Associate professor of physics Dr. Angela Laird was named one of the world's most highly cited researchers by Thomson Reuters in its "The world's most influential scientific minds of 2014" report, adding that she also recently accepted the first Provost's Research Excellence Award on behalf of the center. He indicated that FIU doctor, Dr. Aileen Marty, was asked by the World Health Organization (WHO) to join a Global Outbreak Alert and Response Network team in the WHO's effort to control the rapidly spreading virus in West Africa.

President Rosenberg reported that the University participated in the official launch of the RISE Alliance for Disaster Risk-Sensitive Investments, led and hosted by the Deputy Secretary General of the United Nations, Jan Eliasson. He noted that the University's Colleges of Law (placed 1st) and Medicine (placed 9th) earned top rankings for diversity practices by HispanicBusiness.com. He stated that FIU ranks among top national universities for contributions to the public good, adding that the University was recently named among the top universities in the country in terms of engagement and contributions to its community.

President Rosenberg provided an overview on FIU's Strategic Land Acquisition Initiative, noting that the University is the State of Florida's second largest university, and 7th largest in the U.S., while it is located on one of the smallest campuses in the State University system. He added that the University now serves 55,000 enrolled students, while utilizing facilities intended to accommodate only 37,000 students. He stated that FIU's proposed expansion onto the 86 acres currently occupied

by the Fair, adjacent to FIU's Modesto A. Maidique campus, will enhance the University's ability to create new jobs for the South Florida economy and produce greater student talent in engineering, the sciences, and entrepreneurship – areas that are state priorities and keys to economic development. He reported that Miami-Dade commissioners approved ballot language for a Nov. 4 referendum on the University's proposed expansion to land adjacent to its Modesto A. Maidique Campus. He then outlined key points about the impact that the Expand FIU initiative would have and provided a summary of proposed land usage.

6. Action Items – Consent Agenda

Chair Maury noted that the Finance and Audit Committee, Academic Policy and Student Affairs Committee and 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, June 12, 2014** – Approve the Minutes of the Florida International University Board of Trustees, Full Board meeting held Thursday, June 12, 2014 at the Biscayne Bay Campus, Wolfe University Center Ballrooms
- **FA1. Approval of the Amendment to the Bylaws of the Florida International University Foundation, Inc.** - Approve the Florida International University Foundation Inc. Bylaws as amended and restated on June 7, 2014
- **FA3. Proposed Amendment to FIU-1101 Tuition and Fees Schedule Regulation** - Approve the proposed amendments to regulation FIU-1101 Tuition and Fees Schedule and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the State University System of BOG as a result of the regulation-making process
- **AP1. 2015-2016 Legislative Budget Requests** - Approve the 2015-2016 Legislative Budget Requests:

2014-15 Non-Recurring Issues:

- | | |
|---------------------------|----------------------|
| ○ Health EMBRACE | Request: \$1,000,000 |
| ○ Panther Life Program | Request: \$500,000 |
| ○ Fostering Panther Pride | Request: \$322,460 |

Unique University Issues:

- | | |
|--|----------------------|
| ○ STEM Innovation Investment | Request: \$2,500,000 |
| ○ Center for Children and Families | Request: \$2,000,000 |
| ○ Health Economics and Strategic Solutions | Request: \$400,000 |

- **P1. University Equity Report** - Approve the University Equity Report

7. Action Items

FA2. Donative Naming Policy

Trustee Robert T. Barlick, Jr., Vice Chair of the Finance and Audit Committee, requested that Senior Vice President, University Advancement/CEO, FIU Foundation Inc. Howard R. Lipman present the FIU Donative Naming Policy for Board consideration and approval. Sr. VP Lipman stated that the proposed policy sets out to create a standard for all donor naming opportunities throughout the University. He provided an overview of the requirements for naming opportunities in addition to the approval process, stating that honorary namings are not covered by this policy, and are reserved to the Board of Trustees.

Sr. VP Lipman indicated that the FIU Foundation retains the latitude to approve a multi-year payment plan for the establishment of an endowment at the major gift level. He noted that the State of Florida does not guarantee matching funds, adding that the minimum gift level required for naming must be achieved through philanthropic contribution and state matching funds only when received. He stated that any legal impropriety on the part of the donor will make the gift and naming subject to reconsideration by the Foundation and University. He further noted that the Board of Trustees, upon recommendation from the University President, retains the right to approve or disapprove any naming, or to return a gift to a donor, in serving the best interests of the University.

A motion was made and passed that the FIU Board of Trustees adopt the University's Donative Naming Policy.

AP2. Amendment to the Florida International University Board of Trustees Operating Procedures

Trustee Mayi de la Vega, member of the Academic Policy and Student Affairs Committee, noted that during the June Board meeting, Trustees provided feedback that resulted in revisions to the proposed amendments to the Board's Operating Procedures. She added that Board members tabled consideration of the revisions for the September Board meeting to allow for the incorporation of the two Trustee-approved changes: Section 2.3 Powers and Duties - revised to address the standard of care applicable to Trustee powers and duties; and Section 3.5 Emeritus Status - added back current Trustees eligibility for emeritus status but providing for the trustee emeritus provision to sunset thereafter. She stated that the Operating Procedures were also revised to provide for the Governance Committee to act on matters requiring attention between Board meetings in order to ensure that time-sensitive matters not requiring full Board consideration may be addressed timely.

Chair Maury noted that the review and update of the Board's Operating Procedures incorporates Trustee feedback and is reflective of a collaborative approach.

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

8. Status Reports, Board Committees

Athletics Committee Report

Trustee Jorge L. Arrizurieta, Chair of the Athletics Committee, presented highlights from the Committee's meeting earlier in the day. He reported that Committee was introduced to the newly appointed Director of the University's Student Athlete Academic Center (SAAC). He noted that Executive Director of Sports and Entertainment Pete Garcia provided an Athletics update and also introduced Softball player Stephanie Texeira and Softball Head Coach Gator Rebhan. Trustee Arrizurieta stated that Mr. John Shukie reported on the University's Academic Progress Rate (APR).

Finance and Audit Committee Report

Trustee Robert T. Barlick, Jr., Vice Chair of the Finance and Audit Committee, presented highlights from the Committee's meeting earlier in the day. He provided an update on the Budget Variance for the fourth quarter of fiscal year 2013-14, noting that the University and direct support organizations' operating revenues were above estimates by \$22M (or two percent) and that expenses were below estimates by \$10M (or one percent). He stated that as is stipulated in the Finance and Audit Committee Charter, the Committee met separately with the Office of Internal Audit and reported that Mr. Vann discussed with the Committee in greater depth the Data Integrity Audit Requirements for the BOG's performance based funding model program.

Health Affairs Task Force Report

Trustee Jose J. Armas, Chair of the Health Affairs Task Force, presented highlights from the Task Force's meeting earlier in the day. He reported that Provost and Executive Vice President Kenneth G. Furton provided an overview of system-wide fees that also analyzed the University's Health Fee compared to that of the State University System institutions. He added that Dr. John A. Rock, Senior Vice President of Medical Affairs and Founding Dean, Herbert Wertheim College of Medicine facilitated a presentation on the foundational plan for the Academic Health Center (AHC). Trustee Armas stated that Dr. Yolangel Hernandez Suarez, Associate Dean for Graduate Medical Education at FIU Herbert Wertheim College of Medicine and Chief Medical Officer for FIU Health, facilitated presentations on AHC projects and on the College Health Model and student health insurance benchmark data.

Chairman Maury requested for the next regularly scheduled Board meeting an opportunity for the Trustees to tour the FIU Health mobile clinics.

Academic Policy and Student Affairs Committee Report

Trustee Mayi de la Vega, member of the Academic Policy and Student Affairs Committee, presented highlights from the Committee's meeting earlier in the day. She reported that Provost Furton provided, as part of a follow-up item from the Committee's June 3, 2014 meeting, a report that provides a snapshot of the current international student population as well as a trend of how the international student population has developed over the past five years. She noted that the Committee met two FIU doctoral students, Carla Abad and Kelly Mesa, who were named National Science Foundation (NSF) fellows as part of the NSF Graduate Research Fellowship Program. She noted that Ms. Abad presented an overview of her doctoral work in psychology, which she added, seeks a response to what is the influence of early educator language on sex differences in preschoolers' spatial abilities. Trustee de la Vega indicated that Ms. Mesa presented her doctoral

research work in electrical and computer engineering, further noting that her work seeks to determine the possibility of combining passive and active detection methods into a microfluidic device to be used for the isolation of circulating tumor cells.

Personnel Committee Report

Trustee Michael M. Adler, Chair of the Personnel Committee, provided highlights from the Committee's meeting earlier in the day. He reported that Shirlyon McWhorter, Director of Equal Opportunity Programs and Diversity, presented the 2013-14 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 Florida Education Equity Act is completed annually and includes information on the University's progress in implementing strategic initiatives and performance related to equity and access as they pertain to academic services, programs, and student enrollment; equity in athletics; and employment as required by Florida Board of Governors' Regulation 2.003 Equity and Access.

9. New Business

BT2. FIU's Strategic Land Acquisition Initiative

Chair Maury noted that, as was communicated by President Rosenberg, the Miami-Dade County Commission approved ballot language for a Nov. 4 referendum on the University's proposed expansion to land adjacent to its Modesto A. Maidique Campus. He added that many steps need to be taken in order to effectuate any potential relocation and expansion by FIU onto Tamiami Park. He requested that President Rosenberg present a Resolution pertaining to FIU's Strategic Land Acquisition Initiative for Board review and consideration.

President Rosenberg noted that the Commission-approved Memorandum of Understanding sets forth the framework for FIU's expansion and the transfer of the current Youth Fair site to FIU, noting that the University's expansion shall come at no cost to the County and that relocation efforts will be cooperative among all parties.

General Counsel M. Kristina Raattama provided an overview of the specific steps outlined in the Memorandum of Understanding. Ms. Raattama also discussed Florida laws regulating political activities of state officers and employees, noting that one of the initial steps in the process is a referendum that will be considered by the voters in the November 4 election. She added that the referendum is necessary to allow the current exemption under Article 7 of the Miami-Dade County charter for the Youth Fair site to continue to run for the benefit of FIU. She explained that while a referendum is necessary due to the Miami-Dade County charter, Florida law restricts, with two key exceptions, state employees and officers from using their official authority or influence for the purpose of influencing members of the public to vote, notwithstanding that the referendum is directly related to FIU. She indicated that Trustees and the President are exempted from these restrictions and therefore may engage in advocacy efforts for the referendum. She further noted that, while the Board has authorized the President to engage in advocacy efforts, Florida law prohibits other FIU employees to be involved in advocacy efforts related to the referendum in the course and scope of their employment for FIU. She specified that FIU employees are free to engage in political activities on their own time and with their own resources. She also provided an overview of guidelines to follow if and when engaged in political activities.

Senior Vice President for External Relations Sandra B. Gonzalez-Levy stated that it is FIU's responsibility to secure the funding necessary to accomplish the expansion onto the premises and relocation of the Fair. She noted that relocation costs will vary based on the identified site for the relocation of the Fair, noting that expenses directly related to any necessary improvements will be diminished given that the identified site has existing infrastructure and facilities.

Trustee Arrizurieta commended the University's administration and the External Relations division on their dedicated efforts in relation to FIU's expansion efforts and inquired as to what University funds may be used in conjunction with advocacy efforts. Ms. Raattama described available funding sources and noted that any expenditure of available University funds to support advocacy efforts must be consistent with applicable laws and added that she is working with outside counsel in order to evaluate legal considerations. Trustee Barlick stated that this is a historic opportunity for the University and encouraged the University community to participate in the process within the constraints of all applicable laws.

A motion was made and passed by the FIU Board of Trustees adopting the following resolution:

WHEREAS, the Board adopted resolutions on June 14, 2012, October 14, 2013, and January 9, 2014, expressing its support of collaborative efforts to identify a mutually beneficial site and associated funding that will allow for relocation of the Miami-Dade County Fair & Exposition, Inc. (The Fair) and FIU's proposed expansion onto land currently leased to The Fair (the Fairgrounds) adjacent to FIU's Modesto A. Maidique campus; and

WHEREAS, on October 22, 2013, the Miami-Dade County Commission (the Commission) approved a resolution urging the Florida Legislature to fund the relocation of The Fair and facilitate FIU's expansion onto the Fairgrounds; and

WHEREAS, the Florida Legislature recently concluded the 2014 legislative session and appropriated \$10 million for FIU's Strategic Land Acquisition initiative; and

WHEREAS, on June 12, 2014, the Board adopted a resolution which, among other things, authorized these funds to be designated for the acquisition of the Fairgrounds and furthermore, authorized the University President or designee to continue to advocate on behalf of FIU and take all steps that may be necessary or appropriate in connection with The Fair relocation efforts and FIU's proposed expansion onto the Fairgrounds, including community outreach and/or lobbying efforts consistent with all applicable laws; and

WHEREAS, pursuant thereto, a Memorandum of Understanding in the form attached hereto as **Exhibit A** providing for FIU's expansion onto the Fairgrounds has been negotiated by Miami-Dade County and FIU; and

WHEREAS, on September 3rd, 2014, the Commission approved the Memorandum of Understanding with the amendments described on **Exhibit B** and, pursuant to the Miami Dade County Charter (the Charter), approved placing a County-wide Charter amendment

voter referendum on the ballot which, if approved, will (i) extend the exemption from the public park use restrictions in the Charter applicable to the Fairgrounds to FIU and (ii) authorize the expansion of FIU onto up to 64 acres of the Fairgrounds so long as no County funds are used for the FIU expansion and the relocation of The Fair; and

WHEREAS, this Board desires to confirm its approval of the Memorandum of Understanding, as amended by the Commission, and express its continued support for the Strategic Land Acquisition initiative.

THEREFORE BE IT RESOLVED as follows:

1. The Board hereby approves, and authorizes the President to enter into, the Memorandum of Understanding with the amendments approved by the Commission as described herein.
2. The Board authorizes the University President to take any and all steps that may be necessary or appropriate in connection with The Fair relocation efforts and FIU's proposed expansion onto the Fairgrounds, including the expenditure of available University funds to support advocacy efforts, all such actions being consistent with applicable laws.
3. The Board hereby commits its continued support for the Strategic Land Acquisition initiative.
4. Status reports regarding this initiative shall be provided to the Board at each regularly scheduled meeting of the Board or earlier, as necessary to keep the Board appropriately informed. The final transaction shall be subject to the Board's approval.

Chairman Maury urged members of the University community to become involved in the process but cautioned that they must become knowledgeable with all applicable laws prior to engaging in any outreach and/or lobbying efforts. He reminded Trustees that Florida's Sunshine Law restricts communication between Board members regarding University issues, noting that questions that may arise should be directed to President Rosenberg or Sr. VP Gonzalez-Levy.

10. Concluding Remarks and Adjournment

With no other business, Chair Albert Maury adjourned the meeting of the Florida International University Board of Trustees on Wednesday, September 10, 2014 at 3:45 p.m.

<i>Trustee Request</i>	<i>Follow-up</i>	<i>Completion Date</i>
<i>Board Chairman Albert Maury requested for the next regularly scheduled Board meeting an opportunity for the Trustees to tour the FIU Health mobile clinics.</i>	<i>Dean and Senior VP John Rock</i>	<i>January 2015</i>

Albert Maury
Chairman
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

MB
10.2.14