



FLORIDA INTERNATIONAL UNIVERSITY

BOARD OF TRUSTEES

FULL BOARD MEETING

Wednesday, June 6, 2018

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 | Chair Claudia Puig |
| 2. Public Appearances | Claudia Puig |
| 3. President's Report | Mark B. Rosenberg |
| 4. Action Items – Consent Agenda | Claudia Puig |
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- | | |
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| BT1. Minutes, February 27, 2018 | |
| FF2. Proposed 2018-19 Fixed Capital Outlay Budget | |
| FF3. Request for approval of Florida International University's 2019-20 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan | |
| AP1. Tenure Nominations | |
| AP2. Tenure as a Condition of Employment Nominations | |
| AP3. Revisions to Regulation FIU-105 Prohibited Discrimination, Harassment and Related Misconduct Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking | |
| AP4. Proposed Regulation FIU-106 Nondiscrimination, Harassment and Retaliation (Title VII) | |
| AP5. Repeal of Regulation FIU-2520 Disruptive Student Conduct | |
| AP7. Revisions to Regulation FIU-110 Demonstrations | |
| AP8. Revisions to Regulation FIU-111 Camping | |

5. Action Items

FF1. Proposed 2018-19 University and DSO Operating Budgets	Leonard Boord
AP6. Revisions to Regulation FIU-2501 Student Code of Conduct	Cesar L. Alvarez
G1. University President's Employment Agreement	Claudia Puig

6. Status Reports, Board Committees

▪ Finance and Facilities Committee Report	Leonard Boord
▪ Academic Policy and Student Affairs Committee Report	Cesar L. Alvarez
▪ Governance Committee Report	Claudia Puig
▪ External Relations Committee Report	Claudia Puig

7. Election of Officers **Claudia Puig**

8. New Business *(If any)* **Claudia Puig**

9. Concluding Remarks and Adjournment **Claudia Puig**

The next Full Board Meeting is scheduled for Wednesday, September 5, 2018

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Approval of Minutes of Meeting held February 27, 2018

Proposed Board Action:

Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Tuesday, February 27, 2018, at the Modesto A. Maidique Campus, Student Academic Success Center, room 100.

Background Information:

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meeting held on Tuesday, February 27, 2018, at the Modesto A. Maidique Campus, Student Academic Success Center, room 100.

Supporting Documentation: Minutes: Full Board Meeting, February 27, 2018

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**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
FEBRUARY 27, 2018
MINUTES**

1. Call to Order and Chair's Remarks

Board Chair Claudia Puig convened the meeting of the Florida International University Board of Trustees at 11:18 a.m., on Tuesday, February 27, 2018, at the Modesto A. Maidique Campus, Student Academic Success Center, room 100.

Chair Puig welcomed all Trustees and University faculty, staff, and students.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Claudia Puig, *Chair*; Cesar L. Alvarez; Leonard Boord; Dean C. Colson; Gerald C. Grant, Jr.; Michael G. Joseph; Natasha Lowell; Justo L. Pozo; Marc D. Sarnoff; Krista M. Schmidt; Roger Tovar; and Kathleen L. Wilson.

Trustee Jose J. Armas was excused.

Chair Puig reported that the Florida Board of Governors appointed Rogelio "Roger" Tovar to the FIU Board of Trustees, succeeding Mr. Jorge L. Arrizurieta. She thanked the members of the FIU Board of Trustees who traveled to Tallahassee for FIU Day with the delegation of students, administrators, and faculty to advocate for the University's legislative priorities.

Chair Puig explained that the Board's Bylaws provide for the Board to elect a Board Vice Chair at the last regularly scheduled meeting of the fiscal year. She requested that the Board conduct the election of Board officers at the last regularly scheduled meeting of the fiscal year in order for the election of officers to return to the schedule envisioned by the Bylaws.

A motion was made and passed that the Florida International University Board of Trustees conduct the next election of the Board Vice Chair at the Board's meeting in June 2018.

Chair Puig stated that because of the change in timing of submission to the Florida Board of Governors (BOG) and to be able to continue to use the now combined Accountability Plan as the basis for the President's annual evaluation, the timing of the President's evaluation was adjusted to the May meeting. She reported that the President has concurred with this change.

2. Foundation Report

FIU Foundation, Inc. Board of Directors Chair Richard Brilliant presented the Foundation Report. Chair Brilliant shared personal impact statements from three students who are First Generation Scholarship recipients. He explained that since the launch of the Campaign in 2009, \$415M has been raised and described recent gifts. He also reported that the Foundation's Total Managed Assets, excluding private investments, have returned +9.7% through FYTD18 and that as of January 31, 2018, the Foundation's total investment portfolio represents approximately \$292 million.

3. Public Appearances

There were no public appearances.

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

Chair Puig requested a moment of silence to honor the lives lost in the Marjory Stoneman Douglas High School shooting.

On behalf of the FIU Board of Trustees, Chair Puig extended her gratitude to Mr. Jorge L. Arrizurieta for his leadership and dedication to the Board, the University, and the students. On behalf of the University's department of Intercollegiate Athletics, Executive Director of Sports and Entertainment, Pete Garcia presented Mr. Arrizurieta with a football jersey. On behalf of the Modesto A. Maidique's campus Student Government, Trustee Krista M. Schmidt, presented Mr. Arrizurieta with an FIU Panthers statue. Mr. Arrizurieta expressed his affection for the University and stated that it has been a privilege for him to serve the State University System and work with such a distinguished Board. He recognized the University's faculty, staff and students and pledged to remain committed to help advance the mission of the University.

Trustee Marc D. Sarnoff made a motion to endorse Mr. Jorge L. Arrizurieta as a recipient of a doctoral degree *honoris causa* from Florida International University. University President Mark B. Rosenberg noted that, according to the established process, the University's Faculty Senate Honorary Degrees and Awards Committee would need to evaluate the nomination. Trustee Sarnoff requested that the Board receive an update on Mr. Arrizurieta's honorary degree nomination at the Board's next regularly scheduled meeting.

4. President's Report

President Rosenberg noted that as a growing University within a complex external environment, FIU has provided significant resources in public safety and security and discussed the University's plans to hire an additional 10-12 police officers over the next two/three years. He stated that a milestone, which furthers the University's safety efforts, will be occurring the week of March 5, 2018 when the bridge currently located on the north side of campus will be moved to connect the FIU Modesto A. Maidique Campus to the City of Sweetwater.

President Rosenberg reported that Trustee Sarnoff spent time at the Modesto A. Maidique Campus getting to know students to learn firsthand about their experiences. Trustee Sarnoff discussed highlights from his experience, noting the positive student feedback and encouraged Board members to seek out opportunities to engage with students.

In recognition of Valentine's Day, President Rosenberg shared examples of couples that met at FIU while pursuing their academic careers. He reported that during the week of February 5, 2018, more than 400 alumni returned to campus to share insights with current students for Panther Alumni Week. He noted that foreign policy leaders met at FIU for the State of the World 2018, a day-long conference on global relations and U.S. foreign policy. President Rosenberg stated that the Grand Chancery Order of the Office of the President of Burkina Faso recognized FIU as a Knight of the Rural Development Merit Order.

President Rosenberg presented research news, noting that FIU students and their professor have patented a series of new tests that can quickly, accurately, and cost-effectively confirm the presence of cocaine. He indicated that researchers at the Center for Children and Families received new grants and that computer science researcher, Dr. Mark Finlayson, received an NSF CAREER award. President Rosenberg mentioned that the Herbert Wertheim College of Medicine graduated its first class of physician assistants and that Honors College student, Brian Garcia, placed in the 100th percentile of the Medical College Admission Test with a score of 524. President Rosenberg noted that an innovative collaboration between FIU and the City of Miami Beach is forging new career paths for dozens of FIU students.

President Rosenberg introduced a video that highlighted the University's Ignite campaign, which currently has a 68% giving rate with over \$2M raised.

5. Action Items – Consent Agenda

Chair Puig noted that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1-AP7 contained in the Consent Agenda.

Chair Puig asked if any Trustee wanted any item to be removed from the Consent Agenda and voted on separately. Hearing no such request, a motion was made and passed to accept the Consent Agenda, and members of the Board unanimously approved the following actions:

- **BT1. Minutes, December 8, 2017:** Approve Minutes of the FIU Board of Trustees, Full Board meeting held on Friday, December 8, 2017, at the Modesto A. Maidique Campus, Graham Center Ballrooms.
- **AP1. Honorary Degree Nomination:** Endorse Ms. Georgia Tasker as a recipient of a doctoral degree *honoris causa* from Florida International University.
- **AP2. New Program Proposal: Bachelor of Arts in Biological Sciences:** Approve the New Program Proposal: Bachelor of Arts in Biological Sciences (CIP 26.0101).
- **AP3. New Program Proposal: Bachelor of Arts in Sustainability and the Environment:** Approve the New Program Proposal: Bachelor of Arts in Sustainability and the Environment (CIP 03.0103).

- **AP4. New Program Proposal: Bachelor of Business Administration in Logistics and Supply Chain Management:** Approve the New Program Proposal: Bachelor of Business Administration in Logistics and Supply Chain Management (CIP 52.0203).
- **AP5. New Program Proposal: Bachelor of Science in Crime Science:** Approve the New Program Proposal: Bachelor of Science in Crime Science (CIP 43.0111).
- **AP6. Facility Security Clearance; Update to Exclusion of Certain Directors and Officers:** Adopt a Resolution that updates the exclusion list of the named members of the FIU Board of Trustees from the requirements for a personnel security clearance.
- **AP7. Public Safety and Emergency Management Facilities Expansion:** Approve the expansion of space within Parking Garage 5 “Market Station” (PG-5) to provide additional hardened space for Public Safety and Emergency Management Operations including offices, emergency operations center, planning conference breakout/meeting rooms, locker room and showers, storage, and sleeping space.

6. Action Items

AC1. Performance Based Funding Metrics Data Integrity

A. Performance Based Funding – Data Integrity Certification

B. Audit of Performance Based Funding Metrics

Trustee Gerald C. Grant, Jr., Chair of the Audit and Compliance Committee, noted that the BOG requires the Board Chair and University President to jointly execute a Data Integrity Certification affirmatively certifying that the University maintains reliable systems as they relate to BOG data and reporting requirements. Additionally, he added that the University’s Chief Audit Executive Allen Vann conducted an audit of the University’s processes completeness, accuracy, and timeliness. He stated that the current audit did not result in any recommendations and confirms that the University has good process controls for maintaining and reporting performance metrics data.

A motion was made and passed that the FIU Board of Trustees:

1. Approve the Performance Based Funding – Data Integrity Certification to be signed by the Chair of the FIU Board of Trustees and the University President; and
2. Approve the Audit Report - Audit of the Performance Based Funding Metrics Data Integrity

AT1. Naming of the FIU Baseball Stadium as the “Infinity Insurance Park”

Trustee Justo L. Pozo, Chair of the Athletics Committee, noted that in recognition of Infinity Insurance’s gift of \$250,000 over five (5) years, additional gift of \$50,000, and in accordance with the University’s Donative Naming Policy, the University was requesting approval to name the FIU Baseball Stadium as the “Infinity Insurance Park”.

A motion was made and passed that the FIU Board of Trustees approve the naming of the FIU Baseball Stadium as the “Infinity Insurance Park,” in accordance with the gift agreement related thereto and the University’s and the FIU Foundation, Inc.’s Donative Naming Policy.

Trustee Kathleen L. Wilson voted against the motion.

7. New Business

President Rosenberg introduced a video highlighting students enjoying pregame activities at the Gasparilla Bowl.

8. Concluding Remarks and Adjournment

With no other business, Board Chair Claudia Puig adjourned the meeting of the Florida International University Board of Trustees on Tuesday, February 27, 2018 at 12:37 p.m.

There were no Trustee requests.

Claudia Puig
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Proposed 2018-2019 Fixed Capital Outlay Budget

Proposed Board Action:

Approve FIU's 2018-2019 Fixed Capital Outlay Budget and authorize the University President to amend the budget as necessary, consistent with Legislative, Florida Board of Governors' and Florida International University Board of Trustees (the BOT) directives and guidelines.

Background Information:

Section 1013.61, Florida Statutes, requires that the BOT adopt a capital outlay budget for the ensuing year in order that the capital outlay needs of the BOT for the entire year may be well understood by the public.

Florida Board of Governors Regulation 1.001(6)(a) provides, in relevant part, that each board of trustees shall submit an institutional budget request, including a request for fixed capital outlay, to the Board of Governors for approval in accordance with the guidelines established by the Board of Governors.

The capital outlay budget is part of the annual budget and shall be based upon and in harmony with the BOT's capital outlay plan. The budget shall designate the proposed capital outlay expenditures by project for 2018-2019 from all fund sources, as amended.

The Capital Outlay Budget governs the University's capital expenditures during the year.

Supporting Documentation: *Information behind the Finance and Facilities Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

**Subject: Request for Approval of Florida International University's 2019-2020
Fixed Capital Outlay Legislative Budget Request, consisting of the five-year
Capital Improvement Plan**

Proposed Board Action:

Approve FIU's 2019-2020 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan (CIP) and authorize the University President to amend the Legislative Budget Request as necessary, consistent with Florida Board of Governors and Florida International University Board of Trustees (the BOT) directives and guidelines.

Background Information:

Section 1013.64(4)(a), Florida Statutes, requires the BOT to update annually its fixed capital outlay budget request. In addition to Public Education Capital Outlay (PECO) projects, the capital request will include Capital Improvement Trust Fund (CITF) projects, projects from other state sources and projects from non-state sources including debt.

The Fixed Capital Outlay Budget Request governs the University's proposed capital expenditures during the next five years. The Fixed Capital Outlay Budget Request must be approved annually by the BOT.

Supporting Documentation:

Information behind the Finance and Facilities Committee tab

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Tenure Nominations

Proposed Board Action:

Approve the Tenure nominations as specified in the Board materials.

Background Information:

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

The University President is recommending the granting of Tenure for twenty-eight (28) nominees as specified in the Board materials.

Supporting Documentation:

*Information behind the Academic Policy and Student Affairs
Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Tenure as a Condition of Employment Nominations

Proposed Board Action:

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

Background Information:

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

The TACOE nominees hold 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*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Approval of the amendment of FIU-105 Prohibited, Harassment and Related Misconduct, Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking

Proposed Board Action:

Approve the amendment of FIU-105 Prohibited, Harassment and Related Misconduct, Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking and renaming of the regulation to FIU-105 Sexual Misconduct (Title IX).

Background information:

Regulation FIU-105, Prohibited Discrimination, Harassment, and Related Misconduct Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking is being divided into two regulations for better administration. FIU-105, as revised, will be renamed as Sexual Misconduct (Title IX) and will solely address discrimination based on gender, orientation, gender expression, gender identity, sexual orientation, sexual misconduct, dating or domestic violence, and stalking. FIU-106, Nondiscrimination, Harassment and Retaliation (Title VII), will be the second regulation. The regulation has updated the definition of Responsible Person and revised the investigation procedure in light of the 2017 Dear Colleague Letter from the Department of Education. Additionally, based on comments received, changes were made to strengthen the University's prohibition against any sexual harassment or discrimination.

Florida Board of Governors Regulation 1.001(5)(a), University Board of Trustees Powers and Duties, provides, in relevant part, that each boards of trustees shall provide for the establishment of “the personnel program for all the employees of the university, including ... standards for performance and conduct,... disciplinary actions, complaints, appeals and grievance procedures, and separation and termination from employment.”

Florida Board of Governors Regulation 1.001(3)(j)(l) provides, in relevant part, that each board of trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedures adopted by the Board of Governors; and each board of trustees shall be responsible for campus safety and emergency preparedness, to include safety and security measures for university personnel, students and campus visitors.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Approval of the creation of Regulation FIU-106 Nondiscrimination, Harassment and Retaliation (Title VII).

Proposed Board Action:

Approve the creation of Regulation FIU-106 Nondiscrimination, Harassment and Retaliation (Title VII).

Background information:

The basis for this regulation is the former FIU-103 Non-Discrimination Policy and Discrimination Complaint Procedures (which was repealed and incorporated into FIU-105 Prohibited Discrimination, Harassment and Related Misconduct Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking on April 16, 2015). FIU-106 updates the investigation procedures included in the former FIU-103 to conform to the 2017 Dear Colleague Letter from the Department of Education.

Florida Board of Governors Regulation 1.001(5)(a), University Board of Trustees Powers and Duties, provides, in relevant part, that each boards of trustees shall provide for the establishment of “the personnel program for all the employees of the university, including ... standards for performance and conduct,... disciplinary actions, complaints, appeals and grievance procedures, and separation and termination from employment.”

Florida Board of Governors Regulation 1.001(3)(j)(l) provides, in relevant part, that each board of trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedures adopted by the Board of Governors; and each board of trustees shall be responsible for campus safety and emergency preparedness, to include safety and security measures for university personnel, students and campus visitors.

Supporting Documentation:

*Information behind the Academic Policy and Student Affairs
Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Approval of the repeal of Regulation FIU-2520 Disruptive Student Conduct

Proposed Board Action:

Repeal Regulation FIU-2520 Disruptive Student Conduct because its provisions have been incorporated into Regulation FIU-2501 Student Code of Conduct giving the students one place to review what constitutes misconduct and the consequences of engaging in misconduct.

Background information:

Florida Board of Governors' regulations 1.001(4)(a)(10) and 6.0105(1) grant university boards of trustees authority to establish a student disciplinary system, including a code of conduct.

Regulation 1.001(4)(a)(10) University Board of Trustees Powers and Duties, states in part as follows: "Each board of trustees shall adopt university regulations or policies, as appropriate, in areas including, but not limited to: ... uniform student code of conduct and related penalties."

Regulation 6.0105(1) Student Conduct and Discipline states, in relevant part, that in furtherance of the educational mission of the universities, each university board of trustees shall establish a student disciplinary system, including a code of conduct.

Supporting Documentation:

*Information behind the Academic Policy and Student Affairs
Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Proposed Amendment to Regulation - FIU-110 Demonstrations

Proposed Board Action:

Approve the amendments to FIU Regulation 110, Demonstrations.

Background Information:

Regulation FIU-110 currently addresses free speech/demonstration activities on FIU's campuses. Regulation FIU-110 is being updated to align the regulation with the provisions of the Florida Campus Free Expression Act ("CFEA"), which became effective March 11, 2018. The title of this regulation is being changed from "Demonstrations" to "Expressive Activities in Outdoor Areas of Campus". The regulation also is being updated to remove all references to "Free Assembly Areas", since the CFEA prohibits the creation of such free speech zones. As revised, the regulation defines expressive activities and outdoor areas of campus, the hours during which certain such activities are not allowed to take place on campus, and the procedure for requests to engage in expressive activities with the use of amplification and appeals of the denials of such requests.

This regulation was created pursuant to the authority granted by the Board of Governors to the Board of Trustees under regulation 1.001 (3)(j) University Board of Trustees Powers and Duties states that each board of trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedure adopted by the Board of Governors.

Supporting Documentation:

*Information behind the Academic Policy and Student Affairs
Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Proposed Amendment to Regulation - FIU-111 Camping

Proposed Board Action:

Approve the amendments to FIU Regulation 111, Camping.

Background Information:

Together with the proposed amendments to Regulation FIU-110 - Demonstrations, and pursuant to the Florida Campus Free Expression Act (“CFEA”), which became effective March 11, 2018, this regulation is being amended to replace the reference to “Demonstrations” with “Expressive activities in outdoor areas on campus”. Moreover, references to “Free Assembly Areas” are being removed since the CFEA prohibits the creation of such zones.

This regulation was created pursuant to the authority granted by the Board of Governors to the Board of Trustees under regulation 1.001 (3)(j) University Board of Trustees Powers and Duties states that each board of trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedure adopted by the Board of Governors.

Supporting Documentation:

*Information behind the Academic Policy and Student Affairs
Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Proposed 2018-2019 University and Direct Support Organizations Operating Budget

Proposed Board Action:

Approve the FIU 2018-2019 University and Direct Support Organizations (DSO) Operating Budgets and authorize the University President to amend the budgets consistent with Legislative, Board of Governors' and Florida International University Board of Trustees (the BOT) directives and guidelines.

Background Information:

The BOT is required to adopt an annual budget for the general operation of the University prior to submission to the Florida Board of Governors. The FY 2018-2019 Proposed Operating Budget for the University is due to the Florida Board of Governors on June 23, 2018.

The DSOs (FIU Athletics Finance Corp., FIU Foundation, Inc., and FIU Research Foundation, Inc.) and the FIU Academic Health Center Health Care Network Faculty Group Practice, Inc. budgets are incorporated into the University's Operating Budget.

The following funding groups are included:

- A. Educational and General (E&G)
- B. Auxiliary Enterprises Proposed Budget Allocation
- C. Intercollegiate Athletics Proposed Budget Allocation
- D. Activity and Service Proposed Budget Allocation
- E. Technology Fee Proposed Budget Allocation
- F. Board Approved Fees Budget Allocation
- G. Contracts and Grants Proposed Budget Allocation
- H. Student Financial Aid Proposed Budget Allocation
- I. Concessions Proposed Budget Allocation
- J. FIU Athletics Finance Corp.
- K. FIU Foundation, Inc.
- L. FIU Health Care Network
- M. FIU Self-Insurance Program
- N. FIU Research Foundation, Inc.
- O. University Support to Direct Support Organizations
- P. University Treasury Operations

Authority for the University President to amend the budgets is necessary to accommodate changes in revenues, expenditures, and statutory budget amendments. The University President shall keep the BOT informed of the status of the operating budgets through

quarterly updates and will notify the BOT of any changes in excess of two percent (2%) made to the total approved 2018-2019 Operating Budget during the operating year.

Florida Statute 1011.40(2) provides that “each university board of trustees shall adopt an operating budget for the operation of the university as prescribed by law and rules of the Board of Governors.” The University has prepared the proposed 2018-2019 Operating Budget in accordance with the requirements set forth in Florida Board of Governors Regulations 9.007 and 9.011.

Supporting Documentation: *Information behind the Finance and Facilities Committee tab*

Facilitator/Presenter: Leonard Boord, *Finance and Facilities Committee Chair*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

Subject: Approval of the revisions to the FIU-2501 Student Code of Conduct

Proposed Board Action:

Approve the revisions to the FIU-2501 Student Code of Conduct. The nature of the changes include 1) law-related, 2) process improvements, 3) adoption of best practices, and 4) restructuring for easier use. Below is a brief summary of the significant changes:

- A. Zero tolerance for misconduct that jeopardizes the health, safety and welfare of the University community
- B. The ability for the President and/or Vice President to take action he deems necessary to meet the goals of the Student Code of Conduct including changing the outcome and/or sanctions in certain cases subject to due process. This reinforces the fact that there is zero tolerance for certain misconduct
- C. Created one section for all Title IX/VAWA provisions
- D. Made it clear that any rights and responsibilities afforded to/required of the Charged Student are also given to the Complainant
- E. Added more detail about Title IX investigations including the fact that the investigation report is the only evidence to be used in the Student Conduct Committee hearing
- F. Harmonized the revised Student Conduct Code with the revised FIU-105 Sexual Misconduct (Title IX)
- G. Updated the Hazing section to include more examples of what constitutes hazing
- H. Added language to make it clear that a Student Organization can be charged when students act together to impede an investigation
- I. Added language in the Group Responsibility Section to make it clear when the Student Organization is responsible for the actions of its members

Additionally, based on comments received, this Regulation was revised to specify the process for Presidential Review, comply with section 1004.097, Florida Statutes, and further clarify University expectations of student conduct and sanctions for failing to meet University expectations.

Background information:

Since the Student Code of Conduct's last revision in 2012, there have been a number of statutory and regulatory changes as well as Department of Education guidance updates. The Office of Student Conduct and Conflict Resolution and the Office of the General Counsel have reviewed and revised the previous Code to reflect these changes as well as worked to improve the conduct process and incorporate best practices.

Once approved by the FIU Board of Trustees, this proposed regulation, FIU Regulation 2501, will replace the current regulation.

Florida Board of Governors' regulations 1.001(4)(a)(10) and 6.0105 grant university boards of trustees authority to establish a student disciplinary system, including a code of conduct.

Regulation 1.001(4)(a)(10) University Board of Trustees Powers and Duties, states in part as follows: "Each board of trustees shall adopt university regulations or policies, as appropriate, in areas including, but not limited to: ... uniform student code of conduct and related penalties."

Regulation 6.0105 Student Conduct and Discipline states in part as follows: "In furtherance of the educational mission of the universities, each university board of trustees shall establish a student disciplinary system, including a code of conduct..."

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

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

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 6, 2018

**Subject: Amendments to Employment Agreement for President Mark B. Rosenberg,
for 2019-2020 Term**

Proposed Board Action:

Approve (i) amendments to the employment agreement for President Mark B. Rosenberg for the 2019-2020 Term, as described in the attached Term Sheet, and (ii) authorize the Chair of the Florida International University Board of Trustees (the BOT) to execute, on behalf of the BOT, a contract document with language carrying forward the current contract provisions as amended per the Term Sheet.

Background Information:

Florida Board of Governors' (the "BOG") Regulation 1.001(5)(a), University Board of Trustees Powers and Duties, provides that: "Each board of trustees shall provide for the establishment of the personnel program for all the employees of the university, including the president, which may include but is not limited to: compensation and other conditions of employment...."

BOG Regulation 1.001(5)(c) provides, in relevant part, that "Renewals of presidential employment contracts shall be subject to confirmation by the Board of Governors and shall be limited to one-year terms."

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

Section 3.3 of the current Employment Agreement, as amended, between the Board of Trustees and President Rosenberg provides for any contract extension to be formalized in an agreement no later than October 1, 2018.

Upon the BOT's approval, FIU Foundation approval of its funding obligations will be obtained. Additionally, Board of Governors' approval of the re-appointment of President Rosenberg will be sought; currently it is contemplated to be on the BOG's June meeting agenda.

Supporting Documentation: *Information behind the Governance Committee tab*

Facilitator/Presenter: Claudia Puig, *Governance Committee Chair*

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