

FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES FULL BOARD MEETING

FIU, Modesto A. Maidique Campus, Graham Center Ballrooms

Tuesday, April 15, 2025 1:00 PM

or

Upon Adjournment of Previous Meeting

AGENDA

Call to Order and Chair's Remarks
 Public Appearances
 Foundation Report
 President's Report
 Action Items: Consent Agenda
 Chair Roger Tovar
 Roger Tovar
 Adalio T. Sanchez
 Roger Tovar

BT1. Minutes, February 7, 2025

BT2. Minutes, February 13, 2025

Finance and Facilities Committee

- FF1. Proposed Amendment to Regulation FIU-1111 Employee Debt Collection
- FF2. University Depositories, Amendment to Signature Authority, and Authorization to Transfer Funds

Academic Policy and Student Affairs Committee

- AP1. Proposed Amendment to Regulation FIU-108 Access to Student Education Records
- AP2. New Program Proposal: Bachelor of Science in Business and Government Leadership
- AP3. New Program Proposal: Master of Science in Business and Government Leadership
- AP4. Program Termination: Master of Science in Telecommunications and Networking

The Florida International University **Board of Trustees** Agenda April 15, 2025 Page | 2 **Governance Committee** G1. Board Appointment, Florida International University Foundation, Inc. G2. University President's Performance and Incentive Goals, 2025-26 **Action Items: Non-Consent** 6. Finance and Facilities Committee Marc D. Sarnoff Naming of the FIU Softball Stadium as "Baptist Health Softball Stadium" Dean C. Colson Academic Policy and Student Affairs Committee AP5. Request for Approval to Seek a New Institutional Accreditor **Strategic Planning Committee** Carlos A. Duart SP1. Florida International University Annual Accountability Plan, 2025 7. Status Reports, Board Committees Marc D. Sarnoff Finance and Facilities Committee Dean C. Colson Academic Policy and Student Affairs Committee Carlos A. Duart Strategic Planning Committee Governance Committee Roger Tovar Presidential Search Update Carlos A. Duart 9. New Business Roger Tovar Concluding Remarks and Adjournment Roger Tovar



Subject: Approval of Minutes of Meetings held February 7, 2025 and February 13, 2025

Proposed Board Action:

Approval of Minutes of the FIU Board of Trustees, Special Meeting held on February 7, 2025 and Full Board Meeting held on February 13, 2025.

Background Information:

Board members will review and approve the Minutes of the FIU Board of Trustees, Special Meeting held on February 7, 2025 and Full Board Meeting held on February 13, 2025.

Supporting Documentation: Minutes: Special Meeting, February 7, 2025 and Full Board

Meeting, February 13, 2025





Special Meeting February 7, 2025 via Zoom

MINUTES

1. Call to Order and Chair's Remarks

Board Chair Roger Tovar convened the Special Meeting of the Florida International University Board of Trustees at 10:02 AM on Friday, February 7, 2025.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Roger Tovar, *Board Chair*, Carlos A. Duart, *Board Vice Chair*, Noël C. Barengo; Francesca Casanova; Dean C. Colson; Alan Gonzalez; George Heisel; Jesus Lebeña; Alexander M. Peraza; Yaffa Popack *(joined after roll call)*; Marc D. Sarnoff; and Alberto R. Taño.

Trustee Chanel T. Rowe was excused.

2. Public Appearances

At the request of Board Chair Tovar, General Counsel Castillo addressed the public appearance requests. General Counsel Castillo explained that Section 9 of the Board of Trustees Bylaws governs public appearances before the Board of Trustees and sets forth registration procedures, time limits for speakers, and rules of decorum. He delineated the rules of decorum. General Counsel Castillo commented that, pursuant to Section 9.1 of the Bylaws, a person who desires to be heard on a matter before the Board must register by 11:00 AM on the business day before the subject meeting by completing a public comment form. He indicated that as of 11:00 AM on Thursday, February 6, 2025, 15 requests to address the Board were received. He added that two (2) additional requests were received shortly after the 11:00 AM deadline. General Counsel Castillo explained that given the meeting was noticed as a Special Meeting pursuant to Section 6.3 of the Bylaws, the Chair had exercised his discretion to allow those two (2) speakers to address the Board. General Counsel Castillo commented that since there were 17 registered speakers, the Chair, pursuant to Section 9.2 of the Bylaws, had exercised his discretion to shorten the time allotted from (two) 2 minutes to one (1) minute.

The following individuals addressed the Board, regarding agenda item BT1. Presidential Search and Selection, after their names were called: Brian Levine, praised President Kenneth A. Jessell's leadership and shared his concern regarding the sudden change in the University's presidency given that the position is not vacant; Lael Licht, graduate student and Co-chair for the Young Democratic Socialists of America at FIU, conveyed concerns over Lieutenant Governor Jeanette M. Nuñez's advocacy against bodily autonomy and opposition of abortion rights; Kassandra Toussaint expressed

concern over politicians that prioritize partisan loyalty over genuine leadership and limit opportunities and push a narrow and exclusionary agenda; Mia Cleary, FIU alumna, mentioned Ben Sasse's overspending and shared concerns related to the continued enrollment for FIU students citing Lieutenant Governor Nuñez's stance on the Deferred Action for Childhood Arrivals (DACA) program and undocumented students; Christopher Madrid commented that unlike President Jessell, Lieutenant Governor Nuñez does not have experience in academia and does not have a PhD; Hua Hui Vogel mentioned that Lieutenant Governor Nuñez has no significant relevant experience and that her position on diversity, equity, and inclusion, academic freedom, and the removal of in state tuition goes against FIU's motto of hope, knowledge, and opportunity; Alejandro Paez, representing FIU College Democrats, asked that the Board of Trustees deny Lieutenant Governor Nuñez as the University's next president and mentioned that she does not have the relevant qualifications and will bring a myriad of political controversy; David Riera urged the Board of Trustees to consider who they place to protect FIU's critical ecosystem and ensure inclusion, restore access, and protect spaces and places from enemies of education and equity; Martha Lorena Hernández Flores, representing graduate students, urged the Board of Trustees to consider the implications of disrupting the education to the largest minority serving institution in Florida and called on the Board of Trustees and the University's next president to decisively support the talents and potential of Latino, Caribbean and Black American students; Kamila Gonzalez remarked that the president of FIU should be someone who students can trust to represent them and their interest and selected based on their qualifications, expertise, and vision for the University's future and shared concerns regarding possible tuition increases, the banning of certain books, and the lack of prioritization for academic liberties; Alejandra Fernandez, representing graduate students, shared expectations that the Board of Trustees would not do anything to diminish the positive momentum of FIU over the recent years and that FIU's next president will serve the needs of the University community and be accessible to the student body and its ideas and vision; Karen Morales, University alum, shared concerns regarding Lieutenant Governor Nuñez being considered as interim University president because she does not have the relevant qualifications and does not represent the ideals of FIU.

3. Action Item

BT1. Presidential Search and Selection

Board Chair Tovar welcomed newly appointed Trustees, George Heisel, Jesus Lebeña and Alexander M. Peraza.

Board Chair Tovar explained that the Special Meeting of the Board of Trustees was convened to consider a timely and unique opportunity for the University. He commented that President Jessell's contract sunsets at the end of the year and that Dr. Jessell has served FIU with distinction, dedication and professionalism. Board Chair Tovar remarked on the University's achievements under President Jessell's leadership, including FIU's designation as a Preeminent Florida Research University, No. 1 ranking in Performance-Based Funding metrics in 2023 and 2024, Top 50 public research university ranking by U.S. News and World Report, No. 1 in Florida ranking by the Wall Street Journal and Washington Monthly, new alliance between FIU's Herbert Wertheim College of Medicine and Baptist Health, highest first to second-year retention rate in FIU history, and highest First Time in College four-year graduation rate in FIU history.

Board Chair Tovar conveyed his appreciation of the strong support from the state's leaders, including the Florida Legislature and Governor Ron DeSantis, as well as the University's alumni and donors. Board Chair Tovar remarked on challenges as well as opportunities that the University must tackle and pursue. He commented that the next president of FIU will be charged with accelerating the University's efforts around external funding. Board Chair Tovar remarked on needs related to increasing operational support to address FIU's low funding per Full Time Equivalent (FTE), securing the remainder of the funding for the Academic Health Clinical facility, continuing to become more relevant and competitive in an ever-changing athletics landscape, expanding and enhancing the University's leadership in environmental resilience, and expanding the Honors College.

Board Chair Tovar stated that after being contacted by the Governor's office, he had several conversations with Lieutenant Governor Nuñez, who confirmed her interest in leading FIU. Board Chair Tovar added that he also had conversations with both President Jessell and Lieutenant Governor Nuñez and that together, they deemed this as an opportunity for a leadership transition by naming Lieutenant Governor Nuñez as interim president of FIU.

Board Chair Tovar commented on Lieutenant Governor Nuñez's professional experience. Board Chair Tovar indicated that Lieutenant Governor Nuñez graduated from FIU in 1994 with a bachelor's degree in political science and international relations and in 1998 earned a master's degree in public administration. He added that before making history in 2019 as the first Hispanic American woman to serve as lieutenant governor in Florida, she represented Miami-Dade County in the Florida Legislature for eight (8) years. Board Chair Tovar remarked on Lieutenant Governor Nuñez's tireless efforts as a champion of FIU. He stated that prior to public office, Lieutenant Governor Nuñez was the vice president of governmental affairs at Jackson Health Systems and held similar leadership positions at Kendall Regional Medical Center and Aventura Hospital and Medical Center. Board Chair Tovar noted that Lieutenant Governor Nuñez has taught as adjunct faculty at FIU, in the Stempel College of Public Health and Social Work.

Board Chair Tovar mentioned that it is the combination of professional experience and an extensive network in South Florida and Tallahassee that makes Lieutenant Governor Nuñez an ideal leader to help transition FIU into the future. He pointed out that one of the key characteristics that are sought out in a president is the ability to advocate for the university. Board Chair Tovar added that he can think of no better advocate for FIU than a two-time alumna from South Florida, who has the experience of having served in the Florida Legislature and her time as Lieutenant Governor. He stated that because Lieutenant Governor Nuñez is available at this moment, it is appropriate to name her interim president while the University prepares to launch a search for the seventh president of FIU.

Board Chair Tovar commented that the Board of Trustees will continue to support strategic decisions that improve the success of FIU students and faculty and increase rankings and national recognition. He noted that President Jessell has agreed to accept a new role as Senior Vice President and Chief Administrative Officer.

Board Chair Tovar outlined the following proposed action for the Board's consideration:

- 1. That Jeanette M. Nuñez, effective on February 17, 2025, be appointed Interim President of the University and that because it is in the best interests of the University, that she be delegated, consistent with Regulation 1.001(5)(e) of the Board of Governors, full authority to serve as the Interim President pending confirmation of her appointment by the Board of Governors.
- 2. That the Board of Trustees delegate to the Chair the authority (i) to negotiate and execute, on behalf of the Board, an Interim President employment agreement with Jeannette M. Nuñez and a modification to the employment agreement of President Kenneth A. Jessell to provide for President Jessell's new role with the University, and (ii) to report timely to the Board on the outcome of these items; and
- 3. That the Board of Trustees delegate to the Chair the authority, pursuant to Regulation 1.002(b)(1) of the Board of Governors, after the presidential search and selection committee is formed, to obtain an executive compensation analysis and retain the services of an executive search firm/consultant to assist with the forthcoming presidential search.

Trustee Dean C. Colson commented that Florida's Governor and the House and Senate leadership have been enormously supportive of higher education over the past six (6) years. He mentioned that the future of FIU is important to Florida's Governor, and that FIU is fortunate that a person with the Lieutenant Governor's talent and love for FIU and South Florida and demonstrated passion for higher education wants to be the University's president. Trustee Colson conveyed his admiration and respect for President Jessell. He stated that under the leadership of President Jessell and Provost and Executive Vice President Elizabeth M. Bejar, the University has made exceptional progress. Trustee Colson concurred with Board Chair Tovar regarding funding, noting that while FIU is No. 1 in the state in performance-based funding, it is second to last in funding per student. Trustee Colson added that FIU's success is remarkable but to go to the next level, the funding formula must change. He commented on the need for significant increases in state funding and that he thinks that Lieutenant Governor Nuñez can help make that a reality. Trustee Colson remarked that more and more non-traditional presidents are leading universities. He noted that this can work as long as respect for free speech, academic freedom, and the critical role of shared governance are not compromised. Trustee Colson further stated that he believes FIU will be thriving over the next decade and thanked Board Chair Tovar for navigating the University to where the hiring of Lieutenant Governor Nuñez is additive to the strength of the current leadership team.

Trustee Noël C. Barengo noted that as Chair of the Faculty Senate, he expressed the Faculty Senate's deep concern over what they see as another effort by the Governor's office to interfere with public higher education. He expressed their disappointment with the proposal. Trustee Barengo stated that under President Jessell's leadership, FIU has achieved preeminent status in the State University System and has been the top-ranked university in Florida's Performance-Based Funding Model for the third time in four years. He added that FIU has soared into the list of the Top 50 public universities and of the Top 100 US universities in the latest rankings published by U.S. News

& World Report. He asked what made this change necessary. Trustee Barengo commented that the Board of Trustees lauded the work of President Jessell, giving him the highest performance ranking in each of his reviews and inquired as to what changed. He asked why President Jessell needs to step down from his position right away instead of completing his contract.

Trustee Barengo pointed out that the Faculty Senate's opposition is regarding the proposal of early termination of President Jessell's contract and the effort to interfere with public higher education. He added that the Faculty Senate appreciates Lieutenant Governor Nuñez's ties to the local community and her close relationship with the University as a two-time alumna. Trustee Barengo remarked that the Faculty Senate anticipates that she, in her role as interim President of FIU, will follow the shared academic governance process, support faculty, staff and students, respect the United Faculty of Florida Collective Bargaining Agreement, which is legally binding, and step up to defend FIU's interests whenever needed. Trustee Barengo invited Lieutenant Governor Nuñez to attend the Faculty Senate Meeting on February 18, 2025.

Trustee Barengo mentioned that the Faculty Senate expects that the Presidential Search Committee will develop a position description that is consistent with FIU's mission, strategic plan and aspirational goals, and specify in detail the desired qualifications, background and characteristics for the next President of FIU. He added that the Faculty Senate also expects that the search for the next President of FIU shall be conducted with transparency, shall be national in scope, and designed to attract highly qualified candidates. Trustee Barengo indicated that the Faculty Senate thanks President Jessell for his service, accomplishments and leadership.

Board Chair Tovar thanked the faculty for their comments and input. He reiterated that President Jessell is not being terminated. He noted that President Jessell, in the spirit of where the University is and the opportunity that has presented itself, would move into another position. Board Chair Tovar commented on the evolving role of a university president.

Trustees thanked President Jessell for his leadership and expressed that Lieutenant Governor Nuñez will bring great opportunities propelling the University forward.

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

- 1. That Jeanette M. Nuñez, effective on February 17, 2025, be appointed Interim President of the University and that because it is in the best interests of the University, that she be delegated, consistent with Regulation 1.001(5)(e) of the Board of Governors, full authority to serve as the Interim President pending confirmation of her appointment by the Board of Governors.
- 2. That the Board of Trustees delegate to Chair Tovar the authority (i) to negotiate and execute, on behalf of the Board, an Interim President employment agreement with Jeannette M. Nuñez and a modification to the employment agreement of President Kenneth A. Jessell to provide for President Jessell's new role with the University, and (ii) to report timely to the Board on the outcome of these items; and

3. That the Board of Trustees delegate to Chair Tovar the authority, pursuant to Regulation 1.002(b)(1) of the Board of Governors, after the presidential search and selection committee is formed, to obtain an executive compensation analysis and retain the services of an executive search firm/consultant to assist with the forthcoming presidential search.

Trustee Barengo voted against the motion.

President Jessell commented on what it means to be a Panther. He expressed his confidence in Lieutenant Governor Nuñez and stated that he looks forward to supporting her and continuing to support FIU's students, faculty, staff, alumni, donors and community. Board Chair Tovar commented on FIU's significance for the South Florida community and that the University's future is bright. Trustee Colson suggested that Board Chair Tovar reach out to the Florida Board of Governors to ask that they once again look at their rules and processes for selecting presidents. Trustee Colson added that their rules did not anticipate the reality of an engaged Governor's office involved in the hiring of university presidents. Trustee Colson mentioned that the Florida Board of Governors may be able to suggest a more streamlined process whereas the University would not need to expend the time and expense of a full presidential search when FIU transitions from interim to a permanent president when the probable results of the search are already known.

4. Concluding Remarks and Adjournment

Board Chair Roger Tovar adjourned the Special Meeting of the Florida International University Board of Trustees on Friday, February 7, 2025, at 11:01 AM.



Full Board February 13, 2025 FIU, Modesto A. Maidique Campus, Graham Center Ballrooms

MINUTES

1. Call to Order and Chair's Remarks

Board Chair Roger Tovar convened the meeting of the Florida International University Board of Trustees at 1:03 PM on Thursday, February 13, 2025.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Roger Tovar, *Board Chair*, Carlos A. Duart, *Board Vice Chair*, Noël C. Barengo; Francesca Casanova; Dean C. Colson; Alan Gonzalez; George Heisel; Jesus Lebeña; Alexander M. Peraza; Yaffa Popack; Chanel T. Rowe (Zoom); Marc D. Sarnoff; and Alberto R. Taño.

Board Chair Tovar welcomed all Trustees, members of the University administration, and the University community. He also extended a special welcome to newly appointed Trustees, George Heisel, Jesus Lebeña, and Alexander M. Peraza. Board Chair Tovar indicated that Trustee Heisel replaces Gene Prescott and Trustees Lebeña and Peraza replace Francis A. Hondal and Natasha Lowell on the Board. On behalf of the Board, Chair Tovar thanked Gene Prescott, Francis A. Hondal, and Natasha Lowell for their service.

Board Chair Tovar commented that, after months of discussion and work with Nicklaus Children's Hospital, the Board of Trustees will be voting on the master affiliation agreement with Nicklaus Children's Hospital as part of today's Full Board agenda items. He welcomed the following members of the Nicklaus Children's Hospital leadership team: Matthew Love, President and CEO; Dr. Saima Aftab, Senior Vice President, Chief Strategy Officer, and President of Network Development; Dr. Marcos Mestre, Senior Vice President and Chief Clinical Operations Officer; Dr. Rani Gereige, Executive Director of Medical Education and Designated Institutional Official; Kevin Snyder, Vice President and Chief Marketing Officer; Francis Forte, Executive Director, Marketing and Communications; and Shira Kastan-Goldstein, Government Affairs Consultant. Board Chair Tovar also welcomed Alex Soto, Board Member and JC Mas, Board Emeritus Director of the Nicklaus Children's Health System Board of Directors and Michael Saltzman, Senior Partner in Strategic Transformation and Karl Banty, Partner in Strategic Transformation of the Chartis Healthcare team.

Board Chair Tovar commented on the transformative collaboration with Baptist and thanked Trustee Dean C. Colson for his leadership and recognized the members of the University's leadership for their work relative to the collaborations with Baptist and Nicklaus.

2. Public Appearances

At the request of Board Chair Tovar, General Counsel Castillo addressed the public appearance requests. General Counsel Castillo explained that Section 9 of the Board of Trustees Bylaws governs public appearances before the Board of Trustees and sets forth registration procedures, time limits for speakers, and rules of decorum. He delineated the rules of decorum. General Counsel Castillo commented that, pursuant to Section 9.1 of the Bylaws, a person who desires to be heard on a matter before the Board must register by 11:00 AM on the business day before the subject meeting by completing a public comment form. General Counsel Castillo indicated that as of 11:00 AM on Wednesday, February 12, 2025, one (1) request to address the Board was received. The following individual addressed the Board, regarding AP1. Proposed Amendment to Regulation FIU-1103 Textbook and Instructional Materials Affordability and Transparency, after their name was called: Tania Lopez, President of United Faculty of Florida-FIU, commented on faculty's continued commitment to collaboration and shared governance and that the proposed changes to FIU-1103 fail to exhibit trust in the faculty. She also commented on the need to address the hiring and retention of more permanent faculty and filling more faculty positions, which have the greatest impact on students through teaching and research.

Board Chair Tovar thanked the speaker for their comments.

3. Foundation Report

FIU Foundation Inc. Board of Directors Chair Adalio T. Sanchez indicated that, to date, \$44.2M has been raised toward the fiscal year goal of \$90M. He indicated that, as of February 10, 2025, pipeline proposals delivered total \$53M and projected pipeline proposals total \$70M. Foundation Board Chair Sanchez provided updates regarding staffing, recruitment, and retention. He commented on Panther Alumni Week and on the 19th Torch Awards, which is scheduled for May 17, 2025. He remarked on the Foundation Board of Directors February meetings. Board Chair Sanchez also commented on the All in Scholarship initiative. He noted that as reported at the Board of Trustees November meeting, the Foundation contracted with Huron | GG+A to conduct a philanthropic growth and optimization study. He added that GG+A presented highlights from the study at the Foundation Board's February meetings.

Foundation Board Chair Sanchez indicated that, for the six (6) months ended December 31, 2024, philanthropy totaled \$39.4M and cash received by the Foundation and University was \$21.8M. He pointed out that as of December 31, 2024, the FIU Foundation has total assets of approximately \$458.7M and that on a fiscal year-to-date basis, performance of the main investment portfolio is estimated to be 3.41% net of fees. Foundation Board Chair Sanchez recognized and thanked University President Kenneth A. Jessell for his leadership of FIU and collaborative efforts with the Foundation Board.

4. President's Report

University President Kenneth A. Jessell stated that in December 2024, FIU hosted the Knight Foundation and their Board of Trustees and formally welcomed its new football Head Coach, Willie Simmons. President Jessell remarked on fall commencement and on the start of the spring semester. President Jessell commented on the University's 34th annual Reverend Martin Luther King, Jr. commemorative breakfast, events taking place at FIU in D.C. or nearby on presidential inauguration

weekend, and on the inauguration of the CasaCuba site. He commented on the second edition of the FIU Research magazine.

President Jessell commented on the University's rise to Top 50 best public university and Top 100 best national university in *US. News & World Report* rankings, No. 1 ranking in Performance Based Funding metrics among the State University System, and designation as a Preeminent State Research University. He acknowledged the University's outstanding faculty who are engaged in world-class teaching and groundbreaking research and the talented staff who support faculty, students, and FIU community. President Jessell commended the University's engaged and hardworking student body. He recognized FIU's growing alumni base and amazing donors and community leaders. President Jessell thanked the University's leadership and expressed his gratitude to the Board of Trustees for their service. He stated that he looked forward to continuing to support the FIU community as he did prior to serving as the University's president.

5. Action Items - Consent Agenda

Board Chair Tovar indicated that, in addition to Full Board minutes, the Consent Agenda includes action items AC1 and AC2 recommended for Board approval by the Audit and Compliance Committee and AP1 and AP2 recommended for Board approval by the Academic Policy and Student Affairs Committee.

Board Chair Tovar noted that the Academic Policy and Student Affairs Committee reviewed updated actions related to AP2, which now also excludes the Interim President from the requirements for a personnel security clearance at this time and appoints the Senior Vice President and Chief Administrative Officer as the Interim Senior Management Official.

A motion was made and unanimously passed to accept the amended Consent Agenda, and members of the Board approved the following actions:

- **BT1. Minutes, November 21, 2024 -** Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on November 21, 2024.
- AC1. Acceptance of Performance Based Funding and Preeminent Metrics Data
 Integrity Audit Report and Approval of Data Integrity Certification Florida
 International University Board of Trustees acceptance of the Audit Report Audit of
 Performance Based Funding and Preeminent Metrics Data Integrity and approval of the
 Performance Based Funding and Preeminence Status Data Integrity Certification, as
 executed by the University President.
- AC2. Office of Internal Audit External Quality Assurance Review, November 2024 –
 Florida International University Board of Trustees approval of the independent assessor's
 report, Office of Internal Audit External Quality Assurance Review, November 2024.
- AP1. Proposed Amendment to Regulation FIU-1103 Textbook and Instructional Materials Affordability and Transparency – Florida International University Board of Trustees approval of the proposed amendments to Regulation FIU-1103 Textbook and

Instructional Materials Affordability and Transparency, and delegation of authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the Florida Board of Governors or as a result of the regulation-making process.

• AP2. Updated Continued Exclusion of Trustees other than the Board Chair, Updated Continued Exclusion of the Board of Trustees Corporate Secretary, exclusion of the Interim President, appointment of the Senior Vice President and Chief Administrative Officer as the Interim Senior Management Official and appointment of the updated members of the Key Management Personnel - Florida International University Board of Trustees (BOT) adoption of a Resolution that updates the exclusion of the named members of the FIU BOT and the Interim President, continues the exclusion of the BOT Corporate Secretary from the requirements for a personnel security clearance, appoints the Senior Vice President and Chief Administrative Officer as the Interim Senior Management Official and appoints the updated members of the Key Management Personnel.

6. Action Item

AP3. Master Affiliation with Nicklaus Children's Hospital

Academic Policy and Student Affairs Committee Chair Dean C. Colson pointed out that the Academic Policy and Student Affairs Committee engaged in a thorough review of the Master Affiliation with Nicklaus Children's Hospital. There were no further questions from the Trustees.

A motion was made and unanimously passed for Florida International University Board of Trustees adoption of the Resolution set forth in the Board materials to:

- Authorize FIU to finalize and execute the Master Affiliation Agreement between FIU and Nicklaus Children's Hospital, which will expand the Parties' tripartite mission (Education, Research, Clinical) and will provide new financial opportunities available to FIU and/or Nicklaus Children's Hospital because of the alliance;
- Establish a health services support organization that will serve to coordinate, enhance and help facilitate oversight of the relationship between FIU and Nicklaus Children's Hospital; and
- 3. Provide authorizations and delegations to the Chair of the Board of Trustees and/or President as described in the Board materials.

7. Status Reports, Board Committees Audit and Compliance Committee Report

Trustee Alan Gonzalez, Audit and Compliance Committee Chair, provided highlights from the Audit and Compliance Committee's earlier meeting. He stated that Ms. Jennifer LaPorta, Chief Compliance and Privacy Officer, provided updates regarding second quarter activities and initiatives, including compliance trainings and notifications, prohibited expenditures, Ethical Panther Hotline, and foreign influence. Committee Chair Gonzalez indicated that Mr. Trevor L. Williams, Chief

Audit Executive, reported on recently completed audits. Committee Chair Gonzalez added that there are eight (8) ongoing audits in various stages of completion and that Mr. Williams also provided a follow-up status report on prior audit recommendations.

Finance and Facilities Committee Report

Trustee Marc D. Sarnoff, Finance and Facilities Committee Chair, provided highlights from the Finance and Facilities Committee's earlier meeting. He indicated that the Committee reviewed and approved procurement actions related to the renewal of Comprehensive Research Membership with EAB Global Inc. and agreement with Podium Education. He added that EAB Global Inc. provides colleges and universities with access to research forums, strategic insights, decision tools, innovative working sessions, and strategic advice. He indicated that the three (3) year renewal brings the total spend to over \$1.5M since the contract's inception in 2022. Committee Chair Sarnoff pointed out that Podium Education provides student access to the Global Career Accelerator Program, which is a for-credit, online program that equips college students with in-demand skills, real-world experience, and a pathway to a successful career. He noted that the agreement, inclusive of the three (3) year renewal, brings the total spend to \$2.4M since the contract's inception in 2024.

Committee Chair Sarnoff commented that Senior Vice President for Administration and Chief Financial Officer Aime Martinez presented the financial performance review for the second quarter of fiscal year 2024-25 and reported that University operating revenues were below budget by \$9.4M or 1.0% and operating expenses were below budget by \$31.9M or 4.1%, resulting in a net favorable variance of \$22.5M. Committee Chair Sarnoff stated that University and Direct Support Organization investment earnings of \$32.8M are \$11.7M above plan. He remarked that Sr. VP and CFO Martinez provided an update on the future student residence facility that will be located at the Modesto A. Maidique Campus. Committee Chair Sarnoff added that the University is finalizing a proposal of 1,174 beds with an estimated project cost of \$238.3M for the Board's review at a future meeting once the construction manager is selected and analyzes the project.

Academic Policy and Student Affairs Committee Report

Committee Chair Colson provided highlights from the Academic Policy and Student Affairs Committee's earlier meeting. He commented that, as required by Florida Board of Governors Regulation, Executive Vice President and Provost Elizabeth M. Bejar presented an annual overview of Alternative Admissions.

Board Chair Tovar indicated that, as was approved by the Board of Trustees at its February 7, 2025 Special Meeting, Dr. Jessell has agreed to continue working at FIU as the Senior Vice President and Chief Administrative Officer through, at a minimum, December 31, 2027. Board Chair Tovar added that Dr. Jessell's current contract will be honored through the remainder of the term ending November 2025. Board Chair Tovar noted that Dr. Jessell's salary will be approximately half of his current presidential salary. Board Chair Tovar stated that Mrs. Jeanette M. Nuñez will have a contract as interim president with almost identical terms as to the contract that Dr. Jessell currently has as the University's president.

Board Chair Tovar commented that Dr. Jessell is a beloved and respected president. Board Chair Tovar thanked Dr. Jessell for his service and for agreeing to continue to serve the University in his

new role. Trustees commended Dr. Jessell and commented that he is a compassionate leader who has elevated the University and led FIU through challenging times.

8. New Business

No new business was raised.

9. Concluding Remarks and Adjournment

With no other business, Board Chair Roger Tovar adjourned the meeting of the Florida International University Board of Trustees Full Board on Thursday, February 13, 2025, at 2:04 PM.



Subject: Proposed Amendment to Regulation FIU-1111 Employee Debt Collection

Proposed Action:

Florida International University Board of Trustees approval of the proposed amendments to Regulation FIU-1111 Employee Debt Collection and delegation of authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the Florida Board of Governors (BOG) or as a result of the regulation-making process.

Background Information:

This regulation is being updated to 1) clarify that notice will be provided by email prior to a set-off of debt (Section 4), and 2) add a section setting forth recoupment process to be used when there is an accidental overpayment of wages (Section 5).

Florida Board of Governors, 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.

Pursuant to Florida Statutes Section 1010.03, Delinquent accounts, the University is directed to exert every effort to collect delinquent accounts.

Supporting Documentation: Agenda | Finance and Facilities Committee Meeting, April 15, 2025





Subject: University Depositories, Amendment to Signature Authority, and Authorization to Transfer Funds

Proposed Action:

Florida International University Board of Trustees (BOT) adoption of resolution that pursuant to Section 1011.42, Florida Statutes:

- 1. continues to designate the financial institutions approved by the BOT on December 5, 2019 as University depositories; and
- 2. amends the signature authority approved by the BOT on March 3, 2022 to designate the following officers and employees of the University as authorized to sign checks to pay legal obligations of the University from any and all designated University depositories:

Adding:

Jeanette M. Nuñez, Interim President

Retaining and updating titles:

Aime Martinez, Senior Vice President for Finance and Administration and Chief Financial Officer Alexandra Mirabal, Controller and Associate Vice President

Removing:

Kenneth A. Jessell, Senior Vice President and Chief Administrative Officer

3. and authorizes the University president or her designee to transfer funds from one depository to another, within a depository, to another institution, or from another institution to a depository for investment purposes and may transfer funds to pay expenses, expenditures, or other disbursements, evidenced by an invoice or other appropriate documentation.

RESOLUTION

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

WHEREAS, the BOT selected Mrs. Jeanette M. Nuñez as Interim President of Florida International University effective February 17, 2025 and on February 20, 2025, the Florida Board of Governors approved the BOT's appointment of Mrs. Nuñez as Interim President of Florida International University; and

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WHEREAS, Dr. Kenneth A. Jessell concluded his service as President of Florida International University on February 16, 2025 and effective February 17, 2025 began serving as the University's Senior Vice President and Chief Administrative Officer.

NOW THEREFORE, BE IT RESOLVED, that pursuant to Section 1011.42, Florida Statutes, the BOT:

(1) continues to designate the following banking institutions as University depositories:

Bank of America, N.A. Charlotte, NC

U.S. Bank, N.A. Cincinnati, OH

Regions Bank, N.A. Birmingham, AL

JP Morgan Chase Bank, N.A. Columbus, OH

(2) updates its official records to designate the following officers and employees of the University as authorized to sign checks to pay legal obligations of the University from any and all designated University depositories:

Jeanette M. Nuñez, Interim President Aime Martinez, Senior Vice President for Finance and Administration and Chief Financial Officer Alexandra Mirabal, Controller and Associate Vice President

(3) authorizes the University president or her designee to transfer funds from one depository to another, within a depository, to another institution, or from another institution to a depository for investment purposes and may transfer funds to pay expenses, expenditures, or other disbursements, evidenced by an invoice or other appropriate documentation.

Background Information:

A. Legal Authority

Section 1011.42(1)(6)(7), Florida Statutes (2024) University depositories; deposits into and withdrawals from depositories, states in relevant part:

- (1) The board of trustees of each university shall designate the depositories in which any university funds may be deposited. No bank shall be designated unless it is a qualified depository as provided by Florida Statutes.
- (6) The university president or his or her designee, after having been specifically authorized by the university board of trustees, may transfer funds from one depository to another, within a depository, to another institution, or from another institution to a

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depository for investment purposes and may transfer funds to pay expenses, expenditures, or other disbursements, evidenced by an invoice or other appropriate documentation.

(7) The university board of trustees shall specifically designate and spread upon the minutes of the board the legal name and position title of any university employee authorized to sign checks to pay legal obligations of the university.

Supporting Documentation: N/A





Subject: Proposed Amendment to Regulation FIU-108 Access to Student Education Records

Proposed Action:

Florida International University Board of Trustees approval of the proposed amendments to Regulation FIU-108 Access to Student Education Records, and delegation of authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the Florida Board of Governors (BOG) and as a result of the regulation-making process.

Background Information:

Regulation FIU-108 Access to Student Education Records is being amended to include updates to the University's use and integration of the Microsoft 365 platform; updating permissible internal disclosures to include University email addresses; defining who is a "University Official"; updating terms, titles, language and applications; and clarifying that directory information includes photographs that are independent of any additional personal identifiers.

The Family Educational Rights and Privacy Act (FERPA) codified in 20 U.S.C. section 1232g, and sections 1002.225 and 1006.52 of Florida Statutes requires that institutions maintain student education records in a confidential and secure manner.





Subject: New Program Proposal: Bachelor of Science in Business and Government Leadership

Proposed Action:

Florida International University Board of Trustees approval of the Bachelor of Science in Business and Government Leadership (CIP 30.5101) new program proposal.

Background Information:

In response to the Florida Legislature's establishment of the Adam Smith Center for Economic Freedom (s. 1004.64991, 2024 Florida Statutes), Florida International University faculty propose the implementation of a new Bachelor of Science (BS) degree in Business and Government Leadership (CIP code: 30.5101). The proposed degree will respond to the increasing workforce demand for skilled professionals who are equipped to lead in a number of fields, including business management, government, and organizational leadership.

The BS in Business and Government Leadership is comprehensive. It is designed to provide students with foundational knowledge in economics, management, communications, and political leadership, while fostering critical thinking and practical decision-making abilities. Students will be positioned for employment as business and management analysts, communications specialists, or legislative aides.

The baccalaureate degree will address the growing demand for skilled professionals equipped to lead in various sectors (e.g., business, government, nonprofit organizations), with a focus on free market principles and interdisciplinary leadership skills. Particularly in South Florida, the business and professional services sector continues to expand, driven by the region's role as a hub for international trade and governance. For example, the Florida Department of Economic Opportunity projects the percent of management analyst job openings to grow by approximately 15% statewide by 2031. FIU aims to help meet this growing need with the new BS in Business and Government Leadership.

Each university board of trustees shall approve new degree programs at the bachelor's, master's, and specialist levels for implementation in accordance with section (4) of Florida Board of Governors Regulation 8.011 – Academic Degree Program Coordination and Approval.





Subject: New Program Proposal: Master of Science in Business and Government Leadership

Proposed Action:

Florida International University Board of Trustees approval of the Master of Science in Business and Government Leadership (CIP 52.0213) new program proposal.

Background Information:

In response to the Florida Legislature's establishment of the Adam Smith Center for Economic Freedom (s. 1004.64991, 2024 Florida Statutes), Florida International University (FIU) faculty propose the implementation of a new Master of Science (MS) degree in Business and Government Leadership (CIP code: 52.0213). The proposed degree will prepare seasoned and aspiring leaders to address the complexities of leadership in free market societies.

The MS in Business and Government Leadership is interdisciplinary. The curriculum is designed to equip students with the skills required to ask critical questions, propose innovative solutions, and navigate complex organizational environments. Students will be positioned for employment as managers across a variety of sectors. The U.S. Bureau of Labor Statistics and the Florida Department of Economic Opportunity project more than 36,000 leadership-related job openings in Florida, and 284,000 nationally, within the next 6 to 7 years. In Florida, the percentage of leadership job openings is expected to grow by 10-15% over the next decade, reflecting a robust need for skilled professionals in South Florida's dynamic business and government sectors. FIU aims to help meet this need through the establishment of the new MS in Business and Government Leadership.

Each university board of trustees shall approve new degree programs at the bachelor's, master's, and specialist levels for implementation in accordance with section (4) of Florida Board of Governors Regulation 8.011 – *Academic Degree Program Coordination and Approval.*





Subject: Program Termination: Master of Science in Telecommunications and Networking

Proposed Action:

Florida International University Board of Trustees termination of the Master of Science in Telecommunications and Networking (CIP 14.1004).

Background Information:

The faculty in the College of Engineering and Computing propose to terminate the Master of Science (MS) in Telecommunications and Networking.

To better support Florida Board of Governors goals concerning degree productivity and to streamline resources, faculty propose restructuring the MS in Telecommunications and Networking degree as a new curricular track under the existing MS in Information Technology program. The new track will be entitled "Telecommunications." Students currently enrolled in the MS in Telecommunications and Networking will be given the option to remain enrolled in the degree, completing the program by a final phase-out term of Summer 2026, or to change to the new track. Prospective students interested in pursuing study in telecommunications will be able to do so by enrolling in the MS in Information Technology.

Section (1)(d) of Florida Board of Governors Regulation 8.012 Academic Program Termination and Temporary Suspension of New Enrollments states, in relevant part, that each university Board of Trustees has the responsibility and authority to approve the termination of degree programs at all levels (with the exception of master's degree programs in nursing).





Subject: Board Appointment, Florida International University Foundation, Inc.

Proposed Action:

Florida International University Board of Trustees approval of the appointment of the individual listed below and in the board materials, to the Florida International University Foundation, Inc. Board of Directors.

Background Information:

The Board of Directors of the Florida International University Foundation, Inc. (the "FIU Foundation"), a direct support organization ("DSO") of Florida International University, appointed one (1) new director on February 8, 2025, identified below.

The FIU Foundation is requesting that the Florida International University Board of Trustees (the BOT) approve the appointment of said individual to the FIU Foundation Board of Directors, as follows:

New Director Appointment for initial one-year term:

• Francis A. Hondal '87, MBA '94

The BOT approved amendments to Regulation FIU-1502, Direct Support Organizations, at its March 4, 2019 meeting. Pursuant to FIU-1502, the BOT shall approve all appointments to the governing body of each DSO, other than the BOT Chair's representative(s) or the President or President's designee.

Florida Board of Governors Regulation 9.011(9) University Direct Support Organizations and Health Services Support Organizations, provides, in relevant part, that the university board of trustees shall approve all appointments to any DSO board other than the chair's representative(s) or the president or president's designee.

Florida Statute 1004.28(3) Direct-support organizations; use of property; board of directors; activities; audit; facilities, provides, in relevant part, that "the university board of trustees shall approve all appointments to any direct-support organization..." other than the BOT Chair's representative(s) or the President or President's designee.

Supporting Documentation: Agenda | Governance Committee Meeting, April 15, 2025





Subject: University President's Performance and Incentive Goals, 2025-26

Proposed Action:

Florida International University Board of Trustees adoption of the Interim President's Performance and Incentive Goals for fiscal year 2025-26.

Background information:

The Interim President's Performance and Incentive Goals are related to, and in furtherance of, FIU's Experience Impact 2030 Strategic Plan goals, Accountability Plan, the Board of Governors' strategic plan and performance model, and other priorities as established by the Board of Trustees and/or the Board of Governors. The three strategic focus areas of Experience Impact 2030 address complex and demanding challenges in the areas of Environment and Environmental Resilience, Health, and Technology and Innovation.

Paragraph 6 of the Interim President's employment agreement provides as follows:

6. Performance Goals and Incentive Compensation. On or before on April I, 2025, the Interim President will provide the Board Chair with a list of proposed goals and objectives for the fiscal year 2025-2026. The proposed goals and objectives shall be related to, and in furtherance of, the University's strategic plan goals, work plan and accountability report, and the Board of Governors' strategic plan and performance funding model, and other priorities as established by the Board or the Board of Governors. The Board, or a Committee thereof, and the Interim President shall agree upon finalized goals and objectives for initial evaluation period.

Florida Board of Governors Regulation 1.001(5)(a) states, in relevant part, 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.

Supporting Documentation: Agenda | Governance Committee Meeting, April 15, 2025





Subject: Naming of the FIU Softball Stadium as "Baptist Health Softball Stadium"

Proposed Action:

Florida International University Board of Trustees approval of the naming of the FIU Softball Stadium as "Baptist Health Softball Stadium".

Background Information:

The University, through its third-party multimedia license holder Van Wagner Sports and Entertainment LLC, and Baptist Health South Florida, Inc. ("Sponsor") have agreed to enter into a Naming Rights and Sponsorship Agreement (the "Agreement"). The initial term of the Agreement is five (5) years (September 2024—August 2029) and requires from the Sponsor total cash payments of \$2,500,000, which are payable in bi-annual installments of \$250,000, together with \$80,000 in services per annum provided by the Sponsor. Thereafter, the Sponsor has the right of exclusive negotiation to renew or extend the Agreement within the first three (3) months (September 1, 2028 – November 30, 2028) of the final year of the term of the Agreement.

Pursuant to the Agreement, the Sponsor will acquire the exclusive rights to serve as the hospital, healthcare system, medical team, sports medicine provider, telehealth provider, and virtual care app of FIU Athletics.

Sponsorship benefits include:

- Signage at FIU Athletics venues
- Game day sponsorships
- Weightroom naming rights at Landon Football Fieldhouse
- Presenting Sponsor at FIU First Night, Football Spring Showcase and Panther talk

Sponsor is providing the following services to FIU at its sole expense: a designated physician to act as FIU's team physician for agreed upon FIU athletics programs; in person game day coverage for all Football games, all home Men's and Women's Basketball games, and all home Men's and Women's Soccer games; and in person training room visits.

Additionally, pursuant to the Agreement, the FIU Softball Stadium, pending FIU Board of Trustees approval, will be named "Baptist Health Softball Stadium".

Florida Board of Governors Regulation 9.005(a), Naming of Buildings and Facilities, provides, in relevant part, that "[t]he naming of any University Facility must be approved by the board of trustees as a noticed, non-consent agenda item."

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Supporting Documentation: N/A

Facilitator/Presenter: Marc D. Sarnoff, Chair, Finance and Facilities Committee



Subject: Request for Approval to Seek a New Institutional Accreditor

Proposed Action:

Florida International University Board of Trustees authorization for the University to seek approval from the United States Department of Education to apply for accreditation by the Higher Learning Commission.

Background Information:

In the United States, accreditation of entire institutions historically was overseen by accrediting agencies associated with particular regions of the country. Accordingly, as an institution located in the southeastern region of the United States, Florida International University (FIU) is a member of, and has been accredited by, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) since 1974. The SACSCOC most recently reaffirmed FIU's accreditation in December 2021.

In 2020, changes to federal regulation removed the geographic restrictions associated with the accreditation of higher education institutions in the United States. In effect, these regulatory changes offered institutions the opportunity to seek accreditation from a federally recognized accrediting agency outside of a particular geographic region. The Florida Legislature responded to these federal changes in 2022, enacting a law requiring the Board of Governors to "identify and determine accrediting agencies or associations best suited to serve as an accreditor for public postsecondary institutions" (s. 1008.47(2)(a), 2024 Florida Statutes). The legislation also requires higher education institutions to initiate the process of changing accreditors in the year following either reaffirmation of accreditation or the fifth-year review; according to this legislation, FIU must begin the process of changing accreditors by 2028. Institutions may opt to begin the process earlier.

On August 26, 2022, the Board of Governors determined the Higher Learning Commission (HLC) to be the agency best suited to serve as an accreditor for the constituent institutions of the State University System of Florida. Although FIU has not reached its legislatively mandated deadline to begin changing accreditors, university leadership has opted to initiate this transition well before the 2028 deadline. To do so, the FIU Board of Trustees must first provide authorization for the university to pursue membership by another accreditor. Upon receiving this authorization by the FIU Board of Trustees, the university will submit a formal request to the United States Department of Education, indicating the intent to seek accreditation by HLC. This request will describe reasonable cause for the change and provide evidence for how such a change will benefit FIU and its students.

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The reasons for seeking HLC accreditation include:

- (1) Strategic Alignment: HLC prioritizes student success, seeking to monitor institutional effectiveness relative to student outcomes and institutional success metrics. This focus closely aligns with FIU's strategic planning processes, both past and present, which emphasize data-driven decision making to achieve established student success, research excellence, and community impact metrics guided by the institution's mission and vision.
- (2) Shared Governance: HLC has a strong shared governance process in which member institutions actively engage in the development and vetting of policies and standards, along with implementation timelines that are well-planned and synchronized with the academic year.
- (3) Peers: HLC membership includes more public institutions in the Association of American Universities (AAU) than any other institutional accreditor, and more institutions highly ranked by the *U.S. News and World Report*. This membership composition is better suited to FIU's status as a top-50 public research university.
- (4) Membership Support: HLC displays a strong commitment to supporting member institutions, offering elective programs for knowledge and skill development in higher education professionals. These include multiyear academies designed to facilitate institution-wide change, a credential lab to assist institutions with the development of short-term postsecondary credentials, and ongoing training resources related to processes and procedures. HLC also has been highly responsive to Florida institutions interested in pursuing membership: In 2023, HLC leadership began offering special sessions at its annual meetings—sessions tailored particularly to those institutions seeking accreditation. Furthermore, HLC is the largest institutional accreditor, with a well-established administrative infrastructure and the resources required to accept new members.

If granted approval by the Department of Education, FIU will begin the process of applying for membership in HLC. The anticipated length of time required to fully transition is approximately 24 months, during which time FIU will be required to maintain its accreditation status with SACSCOC. FIU must continue to comply with SACSCOC standards, policies, and processes until HLC confers an initial accreditation status on the institution, and until the Department of Education provides written acknowledgement of this accreditation change.

Supporting Documentation: Agenda | Academic Policy and Student Affairs Committee Meeting,

April 15, 2025

Facilitator/Presenter: Dean C. Colson, Chair, Academic Policy and Student Affairs

Committee



Subject: Florida International University Annual Accountability Plan, 2025

Proposed Action:

Florida International University Board of Trustees approval of (1) Florida International University's Annual Accountability Plan as provided in the Board materials and (2) delegation of authority to the University President to perform finish editing as needed and to amend consistent with comments received from the Florida Board of Governors (BOG).

Background Information:

BOG Regulation 2.002(2)(3), University Accountability Plans, provides, in relevant part, that each university's accountability plan 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; and each board of trustees shall prepare an accountability plan and submit updates on an annual basis for consideration by the Board of Governors. The accountability plan shall outline the university's top priorities, strategic directions, and specific actions for achieving those priorities, as well as progress towards previously approved institutional and System-wide goals.

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: Agenda | Strategic Planning Committee Meeting, April 15, 2025

Facilitator/Presenter: Carlos A. Duart, *Chair, Strategic Planning Committee*

