



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. Duarte, *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.