



FLORIDA INTERNATIONAL UNIVERSITY

BOARD OF TRUSTEES

FULL BOARD MEETING

FIU, Modesto A. Maidique Campus, Graham Center Ballrooms

Thursday, September 18, 2025

2:00 PM

or

Upon Adjournment of Previous Meeting

AGENDA

- | | |
|--------------------------------------|------------------------|
| 1. Call to Order and Chair's Remarks | Chair Carlos A. Duarte |
| 2. Public Appearances | Carlos A. Duarte |
| 3. Foundation Report | Adalio T. Sanchez |
| 4. President's Report | Jeanette M. Nuñez |
| 5. Action Items: Consent Agenda | Carlos A. Duarte |

BT1. Minutes, June 2, 2025

BT2. Minutes, June 12, 2025

Finance and Facilities Committee

FF1. Approval of Contracts greater than or equal to \$3M: 1. CDW Government LLC; 2. Agilent Technologies Inc.; 3. Honorlock, Inc.

FF3. Approval of 2025-26 Fixed Capital Outlay Budget

FF4. Amendment to Signature Authority - Authorization to Sign Checks for the University

FF5. Approval of Self-Supporting and Market Tuition Rate College-Credit Programs Annual Report, 2024-25

FF7. Sublease of the FIU Center for Imaging Science to Baptist Outpatient Services, Inc.

FF8. Authorization to Increase Project Budget for the Trish and Dan Bell Chapel and East Loop Road Realignment from \$35.86M to \$38.52M

Academic Policy and Student Affairs Committee

AP1. Tenure as a Condition of Employment Nomination

- AP2. Textbook and Instructional Materials Affordability Annual Report
- AP3. Proposed Amendment to Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct
- AP4. Proposed Amendment to Regulation FIU-106 Nondiscrimination, Harassment and Retaliation (Title VII)
- AP5. Proposed Amendment to Regulation FIU-116 Educational Sites

Governance Committee

- G1. Board of Governors' Statement of Free Expression Endorsement Resolution
- G2. Board Appointments, Florida International University Children's Alliance for Research and Education, Inc.
- G3. Board Appointments, Florida International University Foundation, Inc.
- G4. Approval of the Amendments to the Bylaws of the Florida International University Foundation, Inc.
- G5. Ratification of the Reopener to the 2024-2027 Florida International University Board of Trustees and the United Faculty of Florida-FIU Collective Bargaining Agreement
- G6. Amendments to Omnibus Resolution on Delegations of Authority from the Board of Trustees to President
- G8. University President's Goals, 2025-26

6. Action Items: Non-Consent

Finance and Facilities Committee

Marc D. Sarnoff

- FF2. Approval of 2025-26 Education and General Carryforward Spending Plan and Related Certification
- FF6. Approval of CasaCuba total project budget and authorization for the FIU Foundation to provide funding for the construction of CasaCuba at the Benjamín León, Jr. Building
- FF9. Authorization to Increase Project Budget for the Innovation II Facility from \$69.5M to \$100.6M
- FF10. Authorization to increase budget for the Graham Center expansion from \$46.26M to \$56.26M and re-allocation of \$7.5M CITF from Aquatic Center project and \$2.5M CITF from Track Stadium project to Graham Center Expansion

Governance Committee

Carlos A. Duarte

G7. President's Performance Bonus for Interim Presidency Tenure

7. Status Reports, Board Committees

- Audit and Compliance Committee
- Finance and Facilities Committee
- Academic Policy and Student Affairs Committee
- Governance Committee

Alan Gonzalez

Marc D. Sarnoff

Dean C. Colson

Carlos A. Duarte

8. New Business

Carlos A. Duarte

9. Concluding Remarks and Adjournment

Carlos A. Duarte

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September 18, 2025

Subject: Approval of Minutes of Meetings held June 2, 2025 and June 12, 2025

Proposed Board Action:

Approval of Minutes of the FIU Board of Trustees, Full Board Meetings held on June 2, 2025 and June 12, 2025.

Background Information:

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board Meetings held on June 2, 2025 and June 12, 2025.

Supporting Documentation: Minutes: Full Board Meetings, June 2, 2025 and June 12, 2025

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Full Board

June 2, 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 9:00 AM on Monday, June 2, 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 (*Zoom*); George Heisel; Jesus Lebeña; Alexander M. Peraza; Chanel T. Rowe (*Zoom*); Marc D. Sarnoff; and Alberto R. Taño.

Trustee Yaffa Popack was excused.

Board Chair Tovar welcomed all Trustees, members of the University administration, and the University community. He commented that in February, the Board of Trustees was faced with the all-important task of selecting FIU's next president. He thanked the FIU Presidential Search Committee for their dedication and for giving of their time. He also thanked the Funk Associates search firm. Board Chair Tovar recognized Presidential Search Committee Chair, Carlos A. Duarte, and Vice Chair, Marc D. Sarnoff.

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 Friday, May 30, 2025, four (4) requests to address the Board were received. The following individuals addressed the Board, regarding the agenda items related to the 3.1 Presidential Search and/or BT1. Approval of Presidential Appointment for Confirmation by the Florida Board of Governors:

- Matthew Marr, Associate Professor of Sociology and member of the FIU Faculty Senate and United Faculty of Florida-FIU, congratulated Interim President Jeanette M. Nuñez on her

appointment and conveyed his concerns over interventions by the government of the State of Florida.

- Thomas A. Breslin, Professor of Politics and International Relations, referred to a quote from George Washington, “There is nothing which can better deserve our patronage than the promotion of science and literature. Knowledge is in every country the surest basis of public happiness” and stated that if FIU is to continue growing and reach its goal of being a Top 30 Public University by the year 2030, its excellent administration, faculty, and staff, need the full and active support of the Board of Trustees.
- Tania Lopez, President of the United Faculty of Florida-FIU, shared faculty concerns over the lack of transparency and unilateral decision making, specifically referring to Interim President Nuñez entering into the ICE 287(g) agreement without the prior consultation with the FIU faculty.
- Noemy Diaz-Burgos, two-time alumna, shared her concerns regarding Interim President Nuñez’s comments in the recent University forums relating to diversity being divisive and shared her personal positive experiences with FIU as a diverse space.

Board Chair Tovar thanked the speakers for their comments.

3. Presidential Search Update

Board Vice Chair Duart indicated that over the past several months, the FIU Presidential Search Committee has worked, alongside the experienced executive search firm, Funk Associates, to select a world-class leader to be the University’s next president. He thanked the members of the Presidential Search Committee for their service and thoughtful input. Board Vice Chair Duart also expressed his gratitude to Presidential Search Committee Vice Chair Marc D. Sarnoff and Mr. Bill Funk of the Funk Associates search firm for their valuable assistance.

Board Vice Chair Duart thanked the FIU community for being active participants in the search for the next President of FIU. He noted that the feedback provided via the survey on the Presidential Search website was summarized by the Funk team and is available on the website and has been shared with the Board of Trustees.

Board Vice Chair Duart commented that the Presidential Search Committee worked diligently and thoughtfully in executing its responsibilities and complied with the requirements set forth in Board of Governors Regulation. He indicated that after a thorough review and interview process, the Presidential Search Committee selected three finalists for recommendation to the FIU Board of Trustees. He stated that the three finalists included a sitting president and sitting provost at other institutions, as well as FIU’s Interim President Jeanette M. Nuñez. Board Vice Chair Duart pointed out that two of the finalists indicated that they would only move to the public phase of the search process if selected as the lone candidate and as a result, they withdrew their respective candidacies.

Board Vice Chair Duarte mentioned that the work of the Presidential Search Committee culminated in the Committee unanimously voting, on May 5, 2025, to recommend to the Board of Trustees Interim President Nuñez as the sole finalist to become the seventh president of FIU. Board Vice Chair Duarte stated that, pursuant to Florida law, once the Presidential Search Committee selected Interim President Nuñez as the final candidate to be sent to the Board of Trustees, the 21-day period, where the name of the final candidate became public, began. He commented that on May 21, 2025, the University hosted four (4) open sessions where Interim President Nuñez engaged with faculty, staff, students, and other members of the University community. He added that these sessions, while held in person, were also available for online viewing. He stated that the transcripts of the sessions were provided electronically to the Trustees and are also found on the presidential search website.

Board Vice Chair Duarte pointed out that, as required by Florida Board of Governors Regulation and with the assistance of the Funk Associates team, an employment screening report was completed for Interim President Nuñez. Board Vice Chair Duarte stated that said report encompasses areas related to litigation, criminal, credit, and national sex offender. Board Vice Chair Duarte added that LexisNexis, Google, and social media background checks were also conducted. He indicated that all areas were clear for Interim President Nuñez.

Board Vice Chair Duarte remarked that since her appointment in February, Interim President Nuñez has worked tirelessly and has engaged meaningfully with FIU's students, faculty, staff, and community, focusing on improving the student experience, ensuring research excellence, and establishing and strengthening strategic alliances. He added that Interim President Nuñez is a proud double alumna, earning a bachelor's degree in political science and international relations in 1994 and a master's degree in public administration in 1998. Board Vice Chair Duarte stated that Interim President Nuñez is also a former adjunct faculty member, having taught a graduate-level course on health policy and serving as a guest lecturer over the years.

Board Vice Chair Duarte commented that Interim President Nuñez spent 15 years serving the State of Florida, both as a State Representative and, most recently, as Lieutenant Governor. He added that before serving in government, Interim President Nuñez was Vice President of Governmental Affairs at Jackson Health Systems and held similar leadership positions at Kendall Regional and Aventura Hospital Medical Center. He added that Interim President Nuñez's distinguished career, unique qualifications, and proven commitment to further cement FIU's position as a leader in higher education in Florida and across the country make her an excellent leader for FIU at this pivotal point in the University's journey. Board Vice Chair Duarte stated that on behalf of the Committee, he recommended to the FIU Board of Trustees Mrs. Jeanette M. Nuñez as the finalist to become the seventh president of FIU.

4. Interview Candidate, Mrs. Jeanette M. Nuñez, for president of Florida International University

Board Chair Tovar described the format for the interview with Interim President Nuñez. He noted that while Trustees have been provided with suggested questions, they are welcome to ask their own questions and follow up questions throughout the process.

Questions asked: **please refer to the meeting recording to view the full interview, including responses to the questions listed below*

1. Would you tell us a little about yourself and briefly take us through your career?
2. How would the position of President of FIU fit with your long-term career goals?
3. Our President is responsible for a large and complex leadership portfolio. We are interested in hearing about your management style and philosophy. Specifically, describe your most important values as a leader and give specific examples where you have put them into practice.
4. How do you make FIU a safe spot for Jewish students and is it acceptable to say “death to Jews” on FIU’s campuses regardless of context?
5. The more opportunities our students have to participate in internships, mentorships, and any real work experience in their respective fields of study while they are a student at FIU will significantly increase their chances of obtaining a good paying job upon graduation. I know this firsthand. Can you share with us some of your ideas on expanding those internship opportunities for our students across all FIU colleges? I believe that all of us on this Board have a role to play in creating new channels for our students.
6. Given the challenges that all universities are facing, how will you manage your time?
7. The student journey is the center of the FIU experience. How have you interacted with students and what will you do to enhance student life?
8. During the community sessions, you mentioned that one of the areas for improvement that you have noticed is getting FIU’s message out and that we can do a better job at that. Could you expand on that and let us know what plans or thoughts you may have to improve that?
9. What would the 'first 100 days' of your administration look like? What actions or steps would you be taking during the early days of your presidency?
10. Two of the most valued principles in higher education are shared governance and academic freedom. Please share your thoughts on these core values and how they will be part of your tenure should you be selected to be the next President of FIU.
11. Like most universities across the country, FIU Athletics is not a money-making proposition and I would like to ensure that you are taking into consideration that we spend at least as much on our female student-athletes as we do on our male student-athletes. The student body is funding approximately 60% of the athletic budget and the student body is about 62% female and there is no reason why we should not be allocating a proportionate amount of money on female sports as we are on male sports. What is your view on the expenditure of athletics funds for female student-athletes?

12. How would you prioritize the various needs of the institution's diverse stakeholders?
13. You've mentioned several challenges that we face. Is there one in particular that stands out and how do you plan to help us navigate through that?
14. What have you seen over the past three months and how do you envision your role moving forward as the president of FIU? How will you continue to elevate FIU? What do you envision and how do you envision doing it?

5. Action Items

BT1. Approval of Presidential Appointment for Confirmation by the Florida Board of Governors

Board Chair Tovar explained that pursuant to Florida Board of Governors Regulation 1.002, Presidential Search and Selection, the FIU Board of Trustees must select a final qualified candidate under the position criteria as president-elect for recommendation to the Florida Board of Governors for confirmation. He added that the president-elect must then personally appear before the Florida Board of Governors at a scheduled meeting as part of the confirmation process.

Board Chair Tovar commented that it is the combination of professional experience and an extensive network in South Florida and Tallahassee that makes Interim President Nuñez an ideal leader to help transition FIU into the future. He commented on her engagement and tireless efforts as a champion of FIU.

Trustees conveyed their support of the appointment of Mrs. Jeanette M. Nuñez as President of FIU. Trustees commented that Interim President Nuñez is passionate about FIU and possesses the qualities, attributes, and invaluable connections within the State of Florida to lead FIU now and into the future.

Board Vice Chair Duarte recognized the University's administrative team and stated that the appointment of President Nuñez adds to the strength of the administrative team.

A motion was made and unanimously passed that the Florida International University Board of Trustees select and appoint Mrs. Jeanette M. Nuñez as the seventh President of Florida International University for confirmation by the Florida Board of Governors.

Board Chair Tovar recognized President-Designate Nuñez's spouse, Mr. Adrian Nuñez.

BT2. Approval of Substantive Presidential Contract Terms

Board Chair Tovar explained that the FIU Board of Trustees must approve the substantive terms of the presidential contract. He added that the terms reflected in the Term Sheet are terms he previously discussed with President-Designate Nuñez. He indicated that, as has been the Board's practice, the finalization of the contract with President-Designate Nuñez and execution thereof will be delegated to the Board Chair. Board Chair Tovar pointed out that the contract that will be offered to President-Designate Nuñez is generally similar to prior FIU presidential contracts in that it will include annual goal setting by the FIU Board of Trustees and president, annual evaluation of

the president's performance by the FIU Board of Trustees, and a compensation package.

General Counsel Castillo presented the Term Sheet for the Board's review. He explained that the proposed terms in the contract would include a five-year term to commence upon the Board of Governors' confirmation of President-Designate Nuñez's presidency, which is scheduled for June 18, 2025. He indicated that the annual base salary will be \$925,000, and the annual performance based bonus will be up to \$400,000 and that consistent with the Board's practice, will be awarded annually based on achievement of goals and objectives developed by President-Designate Nuñez and approved by the Board of Trustees. General Counsel Castillo explained that the proposed terms also include an annual retirement supplement of \$245,000; a car allowance of \$12,000 annually; housing in the residence located at the Modesto A. Maidique Campus; out of pocket moving expenses of up to \$25,000 for both moves; the standard University executive service benefits; and miscellaneous benefits as outlined in the Term Sheet. General Counsel Castillo pointed out that severance pay will be set at the maximum amount permitted by state law if there is a termination. He added that there will also be a provision in the contract for outside activities with the prior approval of the Board of Trustees Chair. General Counsel Castillo commented that, if approved by the Board of Trustees, the employment agreement will be executed consistent with the Term Sheet and will be signed after approval by the Board of Trustees, the Foundation's approval of its financial obligations, as applicable, and confirmation of the candidate by the Board of Governors. He stated that the draft employment agreement was shared with the Board of Governors General Counsel for compliance with state law.

A motion was made and unanimously passed that the Florida International University Board of Trustees (i) approve the key terms of the employment agreement for President-Designate Mrs. Jeanette M. Nuñez, as described in the Term Sheet, and (ii) authorize the Chair of the Florida International University Board of Trustees (BOT) to execute, on behalf of the BOT, a contract document consistent with the Term Sheet and including such additional terms and conditions as are typically included in university presidential employment contracts as the Board Chair determines appropriate.

6. New Business

Board Chair Tovar reflected on his tenure as a member of the FIU Board of Trustees and indicated that it is important for boards to evolve and change. He added that within the coming days, he would be submitting his resignation to the Florida Board of Governors.

7. 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 Friday, June 2, 2025 at 10:40 AM.



**Full Board
June 12, 2025
FIU, Modesto A. Maidique Campus, Graham Center Ballrooms**

MINUTES

1. Call to Order and Chair's Remarks

Board Vice Chair Carlos A. Duart convened the meeting of the Florida International University Board of Trustees at 1:00 PM on Thursday, June 12, 2025.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were 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; Marc D. Sarnoff; and Alberto R. Taño.

Trustee Chanel T. Rowe was excused.

Board Vice Chair Duart welcomed all Trustees, members of the University administration, and the University community. He indicated that Roger Tovar submitted his resignation to the Board of Governors, effective close of business June 4, 2025. On behalf of the Board of Trustees, Board Vice Chair Duart thanked Mr. Tovar for his unwavering commitment and invaluable contributions. Board Vice Chair Duart congratulated Foundation Board of Directors Chair Adalio Sanchez, Vice Chair Gerald C. Grant, Jr., Treasurer Marcel L. Navarro, and Secretary Jill Granat for their respective reelection to another term. Board Vice Chair Duart commented that as part of the Board's self-evaluation process, the Board set a goal to attend the annual Florida Board of Governors Trustee Summits. He noted that this year's Summit will be held at the University of Florida on November 5, 2025. He urged Trustees to attend.

2. Public Appearances

There were no requests for public comment.

3. Foundation Report

FIU Foundation Inc. Board of Directors Treasurer Marcel L. Navarro indicated that, to date, \$60M has been raised toward the fiscal year goal of \$90M and that pipeline proposals delivered total \$50M and projected pipeline proposals total \$53M. He added that verbal and pending commitments total \$13M. He commented on the 19th annual Torch Awards and thanked Baptist Health South Florida for their sponsorship. Director Navarro presented a video highlighting the event. He provided a recap of the Foundation Board's June meetings and events. Director Navarro remarked on new alumni engagement initiatives and the work of the Foundation Board's Development Committee. He provided an overview of the areas of critical focus, including fundraising, hiring and staff retention, operational efficiency and Foundation governance, athletics, Baptist Health and Nicklaus

Children's Hospital partnerships, FIU strategic plan initiatives and presidential priorities.

Director Navarro indicated that, for the 10 months ending April 30, 2025 philanthropy totaled \$54.2M and cash received was \$34.9M. He pointed out that, as of April 30, 2025, the FIU Foundation has total assets of approximately \$464.7M and that on a fiscal year-to-date basis, performance of the main investment portfolio is estimated to be 4.24% net of fees. Director Navarro mentioned that it is now estimated that the Foundation's fiscal year-to-date performance to be 7.5% as of May 31, 2025. He stated that the Foundation portfolio performed competitively versus its peers according to the most recent fiscal year data provided by NACUBO (National Association of College and University Business Officers).

4. President's Report

President-Designate Jeanette M. Nuñez thanked Miami-Dade County's legislators and members of the FIU Board of Trustees for their work championing FIU during session. She commented on spring commencement ceremonies where over 5,500 students graduated and congratulated Trustee Francesca Casanova who was among the graduates. President-Designate Nuñez thanked the Trustees that participated in the commencement ceremonies and recognized Dr. Herbert A. Wertheim and the Honorable Robert J. Luck as keynote speakers at the Herbert Wertheim College of Medicine and College of Law commencements, respectively. President-Designate Nuñez noted that faculty accomplishment was recently highlighted at the Faculty Excellence Awards Ceremony. She congratulated Trustee Noël C. Barengo for being named Conference USA 2025 Professor of the Year.

President-Designate Nuñez commented on participating in the annual Commissioner's Summit for State University System and Florida College System presidents and Trustee Chairs. She remarked on her recent trip to Washington D.C. and thanked Trustee George Heisel for joining her and engaging in critical federal advocacy. President-Designate Nuñez mentioned that the Adam Smith Center for Economic Freedom hosted their second annual Champions of Freedom dinner in May and honored exceptional individuals who have made significant contributions to advancing economic and individual freedom. She added that a posthumous award to the Honorable Lincoln Diaz-Balart was bestowed and presented a video highlighting his work and legacy.

President-Designate Nuñez commented on the 19th annual Torch Awards. She noted that on May 19, 2025, FIU executed the agreement with Nicklaus Children's Hospital. She highlighted recent visits with high-ranking officials, including Ambassador Michael (Mike) A. Hammer, Senator Bernardo (Bernie) Moreno, and Florida Attorney General James Uthmeier. President-Designate Nuñez remarked on the recent Foundation Board of Directors meetings and invited the University community to the inaugural presidential speaker series on June 20, 2025.

5. Action Items – Consent Agenda

Board Vice Chair Duart 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, FF1, FF3, and FF4 recommended for Board approval by the Finance and Facilities Committee, and AP1 – AP3 recommended for Board approval by the Academic Policy and Student Affairs Committee.

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

- **BT1. Minutes, March 28, 2025** - Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on March 28, 2025.
- **BT2. Minutes, April 15, 2025** - Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on April 15, 2025.
- **AC1. Proposed Revisions to Audit and Compliance Committee Charter** - Approval of the proposed revisions to the Audit and Compliance Committee Charter.
- **AC2. Proposed Revisions to the Office of Internal Audit Policy and Charter** - Approval of the proposed revisions to the Office of Internal Audit Policy and Charter.
- **FF1. Approval of Contracts greater than \$3,000,000:** 1. Mythics, LLC.; 2. Oracle America, Inc.; and 3. Amazon.com Services LLC - Pursuant to the Delegations of Authority from the Florida International University Board of Trustees to the University President, as reflected in the Resolution on the President's Powers and Duties approved by the Board of Trustees on March 4, 2019, (i) approval, as listed and described in the Board materials, of the University entering into the piggyback agreements, and (ii) authorization for the University President or her designee to execute, on behalf of the University, the aforementioned agreements and related documents and to take all actions necessary to effectuate the above.
- **FF3. Proposed 2025-26 Appropriated Fixed Capital Outlay Budget/Capital Improvement** - Approval of Florida International University's 2025-26 appropriated Fixed Capital Outlay Budget (pending Governor's approval) and authorization for the University President to amend the budget as necessary, consistent with Legislative, Florida Board of Governors' and FIU Board of Trustees directives and guidelines.
- **FF4. Request for Approval of Florida International University's 2026-27 Fixed Capital Outlay Legislative Budget Request Consisting of the five-year Capital Improvement Plan** - Approval of FIU's 2026-27 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan and authorization for the University President to amend the Legislative Budget Request as necessary, consistent with Florida Board of Governors and FIU Board of Trustees directives and guidelines.
- **AP1. Tenure Nominations** - Approval of the Tenure nominations as specified in the Board materials.
- **AP2. Tenure as a Condition of Employment Nominations** - Approval of two (2) candidates for Tenure as a Condition of Employment, as specified in the Board materials.
- **AP3. Proposed Amendment to Regulation FIU-2501 Student Conduct and Honor Code** – Approval of the proposed amendments to Regulation FIU-2501 Student Conduct

and Honor Code, 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.

6. Action Items

FF2. Proposed 2025-2026 University and University Organizations Operating Budgets

Trustee Marc D. Sarnoff, Finance and Facilities Committee Chair, pointed out that the Finance and Facilities Committee met earlier and engaged in a thorough review of the proposed 2025-2026 University and University Organizations operating budget. He added that FIU's total operating budget for fiscal year 2025-26 is approximately \$1.9B. There were no further questions from the Trustees.

A motion was made and unanimously passed that the Florida International University Board of Trustees approve FIU's 2025-26 University and University Organizations Operating Budgets, and authorize the University President to amend the budgets consistent with Legislative, Board of Governors' and FIU Board of Trustees directives and guidelines.

FF5. Ambulatory Care Center Sublease to Baptist Health South Florida, Inc.

Trustee Sarnoff indicated that the Finance and Facilities Committee also reviewed the Ambulatory Care Center sublease to Baptist Health South Florida, Inc. There were no further questions from the Trustees.

A motion was made and unanimously passed that the Florida International University Board of Trustees adopt the Resolution set forth in the Board materials to authorize The Florida International University Health Care Network, Inc., a support organization of FIU, to finalize and execute the Ambulatory Care Center Sublease to Baptist Health Medical Group Physicians, LLC.

7. Status Reports, Board Committees

Finance and Facilities Committee Report

Trustee Sarnoff provided highlights from the Finance and Facilities Committee's earlier meeting. He noted that in addition to agenda items FF2 and FF5 and the items approved as part of the Board's Consent Agenda, the Finance and Facilities Committee also reviewed and approved the \$1.2M piggyback agreement with e-Builder for the purchase of a construction management software that will support the capital planning, construction, and project management lifecycle from planning through closeout of construction projects.

Trustee Sarnoff indicated that Chief Financial Officer and Senior Vice President for Finance and Administration Aime Martinez presented the budget variance for the third quarter of the current fiscal year. He added that University operating revenues were below estimates by \$18.8M or 1.5% and operating expenses were below estimates by \$63.8M or 5.2% with an overall favorable variance of \$45M. Trustee Sarnoff noted that University and University organizations investment earnings totaled \$41.6M and are \$9.7M above plan.

Audit and Compliance Committee Report

Trustee Alan Gonzalez, Audit and Compliance Committee Chair, provided highlights from the Committee's earlier meeting. He noted that the Committee reviewed and approved the respective 2025-26 work plans for the Offices of Internal Audit and University Compliance and Integrity. Committee Chair Gonzalez stated that Ms. Jennifer LaPorta, Chief Compliance and Privacy Officer, provided updates and information regarding third quarter activities and initiatives. Committee Chair Gonzalez indicated that Mr. Trevor L. Williams, Chief Audit Executive, reported on recently completed audits. He added that there are seven (7) ongoing audits in various stages of completion.

Academic Policy and Student Affairs Committee Report

Trustee Dean C. Colson, Academic Policy and Student Affairs Committee Chair, provided highlights from the Academic Policy and Student Affairs Committee's earlier meeting. He noted that Provost and Executive Vice President Elizabeth M. Bejar provided updates on post tenure review and planned new academic program proposals.

8. Election of Officers

Board Vice Chair Duarte commented that Mr. Tovar's resignation from the Board resulted in a vacancy in the Board's Chair position. He explained that the Board's Bylaws provide that in the event of a vacancy in the Chair and/or Vice Chair positions, an election should be held as soon as practical after the vacancy occurs to select a member of the Board, by majority vote, to the applicable vacant position(s). Board Vice Chair Duarte stated that the Board is to elect a Board Chair, by majority vote, from the appointed members for a two-year term that is effective immediately. He opened the floor for nominations of Board Chair. Trustee Gonzalez nominated Board Vice Chair Duarte for the office of Chair of the Board of Trustees. At the request of Board Vice Chair Duarte, Trustee Colson presided over the nomination and election of Board Chair. Trustee Duarte accepted the nomination and he was unanimously elected to the Office of Board Chair. Board Chair Duarte commented on his commitment to the FIU Board of Trustees and the advancement of the University. He also recognized the Board's current and prior leadership.

Board Chair Duarte indicated that his election to the Office of Board Chair resulted in a vacancy in the Office of Board Vice Chair and opened the floor for nominations of Board Vice Chair. Trustee Albert R. Taño nominated Trustee Marc D. Sarnoff for the office of Board Vice Chair. Trustee Sarnoff accepted the nomination and he was unanimously elected to the Office of Board Vice Chair for a two-year term that is effective immediately. Board Vice Chair Sarnoff commented that it is an honor to serve as the Board's Vice Chair. He remarked on his passion for the University and his commitment to public service and acknowledged members of the FIU administration.

9. New Business

Trustee Heisel commented that the trip to Washington D.C. with President-Designate Nuñez was highly successful and commended the FIU in D.C. office.

Board Chair Duarte stated that the Florida Board of Governors has confirmed that FIU has once again ranked #1 in performance-based funding.

10. Concluding Remarks and Adjournment

With no other business, Board Chair Carlos A. Duart adjourned the meeting of the Florida International University Board of Trustees Full Board on Thursday, June 12, 2025, at 1:48 PM.



September 18, 2025

Subject: Approval of Contracts greater than \$3M:

1. *Additional funds and one (1) extension of Contract #PUR-02645, Supplier: CDW Government, LLC*
2. *Contract #PUR-10020, Supplier: Agilent Technologies Inc.*
3. *Contract #PUR-10582, Supplier: Honorlock, Inc.*

Proposed Action:

Pursuant to the Delegations of Authority from the Florida International University Board of Trustees to the University President, as reflected in the Resolution on the President's Powers and Duties approved by the Board of Trustees on March 4, 2019, Florida International University Board of Trustees (i) approval, as listed and described below, the University entering into the contracts and purchase orders and/or change orders to the purchase orders ("Contracts") and (ii) authorization for the University President or her designee to execute, on behalf of the University, the aforementioned Contracts and any future option, renewal, extension, or amendment to a Contract and provide after the fact notice to the Finance and Facilities Committee, so long as the additional expenditure does not increase the amount of the transaction more than 10% of the approved value.

Background Information:

1. Contract PUR-02645 with CDW Government, LLC. FIU is utilizing Master Agreement CNR 01439 awarded to CDW as a result of Request for Proposal RFP Number 683385 solicited by Educational and Institutional Cooperative Services (E&I). The piggyback agreement is for computer equipment and related hardware, software, services and support. This agreement was approved by the FIU Board of Trustees (BOT) on December 5, 2019 with an anticipated total cost of \$60,000,000.00. Spend to date is \$56,979,953.57. Procurement is requesting an additional \$40,500,000.00 to cover the remaining term of the contract ending July 30, 2027 and a one-year extension term ending July 30, 2028.

- **Procurement Method:** Piggyback Agreement
 - **Initial Term:** February 6, 2020 – July 30, 2027
 - **Extension Term:** July 31, 2027 – July 30, 2028
 - **Total Cost:** \$100,500,000.00 (\$60,000,000.00 previously approved by BOT plus an additional \$40,500,000.00 to cover the remaining terms based on historical spend.)
 - **Funding Source:** Various
-

2. Contract PUR-10020 with Agilent Technologies Inc. This agreement was awarded as a result of University of Florida competitive solicitation FY24-ITN-018 Specialty Lab Supplies, Equipment and Services. Agilent provided FIU with a letter confirming we are piggybacking the same pricing structure and terms outlined in UF's contract. A formal piggyback cover agreement was not required by either party.

Agilent is a global leader in life sciences, diagnostics and applied chemical markets. The company provides laboratories worldwide with instruments, services, consumables, applications and expertise.

- **Procurement Method:** Piggyback
 - **Term of Contract:** Five (5) years with the option to renew for two (2) five (5) year periods.
 - **Initial Term:** December 4, 2024 – August 30, 2029 (Note: FIU's effective date is March 10, 2025)
 - **Renewal Term:** Two five-year renewal periods
 - **Cost:** \$10,802,174.05 based on historical average spend (FY2023-25) and estimated spend for remaining term plus renewals.
 - **Funding Source:** Various
-

3. Contract PUR-10582 with Honorlock, Inc. This contract is being requested by Academic Affairs/FIU Online. Approval is requested to enter into a three (3)-year agreement with Honorlock, Inc. for the provision of virtual proctoring services. The proposed contract provides University-wide access to Honorlock's services under a Full-Time Equivalent (FTE) pricing model. The services will be procured via a piggyback on the existing Master Services Agreement between Honorlock and Florida State University (FSU), acting on behalf of Florida Virtual Campus (FLVC), awarded through Competitive Solicitation ITN-6619-6. This agreement will replace FIU's existing contract PUR-07777, which is set to expire on March 29, 2026.

- **Procurement Method:** Piggyback agreement
 - **Term:** January 1, 2026 – December 31, 2028 (three (3) years)
 - **Cost:** \$3,046,082.34
 - **Year 1:** \$1,015,360.78
 - **Year 2:** \$1,015,360.78
 - **Year 3:** \$1,015,360.78
 - **Funding Sources:** Various
-

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*



September 18, 2025

Subject: Approval of 2025-26 Fixed Capital Outlay Budget

Proposed Action:

Florida International University Board of Trustees (BOT) approval of Florida International University's (FIU) 2025-26 Fixed Capital Outlay Budget in accordance with State University System of Florida Board of Governors (BOG) Regulation 14.003 Fixed Capital Outlay Projects – University Budgeting Procedures; and authorize the University President to amend the BOT Fixed Capital Outlay Budget as necessary and report to the BOT and BOG any amendments to the spending plans in a format prescribed by the Chancellor of the BOG.

Background Information:

The 2025-26 Fixed Capital Outlay Budget includes both new projects as well as projects previously approved and authorized by the BOT and BOG where expenditures will take place in 2025-26.

The Fixed Capital Outlay (FCO) projects are listed in the following categories:

- Education & General (E&G) Operating Projects
- Carryforward (CF) - Small Projects
- Carryforward (CF) – Large Projects
- State Appropriated Projects
- Non-Appropriated Projects

FCO projects acquired, constructed, and owned by a University Organization or under a Public Private Partnership are not included in the FCO Budget.

New projects not previously included in prior year's schedules include the following:

Carryforward Projects

- New funding for critical deferred maintenance and infrastructure, including the following projects which are over \$2M:
 - Primera Casa Electrical Rooms Code Compliance Upgrades
 - Ocean Bank Convocation Center Metal Panel Replacement
- Center for Translational Science (CTS) Roof Exhaust Fan Replacement

Non-Appropriated Projects

- Lakeview North and South Stucco and Paint
- University Towers Kitchen and Vanity Remodel

In accordance with BOG instructions, FIU's Fixed Capital Outlay Budget identifies the following items for each FCO project:

<i>Project Title/Name:</i>	Title or name of all currently active and all proposed FCO projects
<i>Project Description:</i>	Description of the project
<i>Total Project Budget Allocation:</i>	Anticipated hard and soft costs to complete the facility
<i>Funding Source and Amount:</i>	Authorized and available for the project
<i>Funds Expended Since Inception:</i>	Amount expended prior to June 30, 2025
<i>Funds to be Expended this Year:</i>	Amount expenditures planned for 2025-26
<i>Remaining Balance:</i>	Estimated balance as of June 30, 2026
<i>Projected Timeline:</i>	Start date and estimated completion date

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*



September 18, 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 April 15, 2025 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:

David H. Snider, Interim Senior Vice President and Chief Financial Officer

Retaining and updating title:

Jeanette M. Nuñez, President

Retaining:

Alexandra Mirabal, Controller and Associate Vice President

Removing:

Aime Martinez

3. and continues to authorize 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, on June 2, 2025, the BOT voted unanimously to name Mrs. Jeanette M. Nuñez as the University's seventh president. Her presidency was confirmed by the Florida Board of Governors on June 18, 2025; and

WHEREAS, Ms. Aime Martinez, who served as Senior Vice President for Finance and Administration and Chief Financial Officer, concluded her employment with FIU effective August 26, 2025, and was replaced, on an interim basis with David H. Snider, who currently holds the position of Interim Senior Vice President and Chief Financial 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, President
David H. Snider, Interim Senior Vice President and Chief Financial Officer
Alexandra Mirabal, Controller and Associate Vice President

- (3) and continues to authorize 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 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*

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September 18, 2025

Subject: Approval of Self-supporting and Market Tuition Rate College-Credit Programs Annual Reports, 2024-25

Proposed Action:

Florida International University Board of Trustees approval of the Florida International University (FIU) Self-supporting and Market Tuition Rate College-Credit Programs Annual Report for 2024-25 in accordance with State University System of Florida Board of Governors (BOG) Regulation 8.002(4)(c) *Self-supporting and Market Tuition Rate Program and Course Offerings*.

Background Information:

BOG Regulation 8.002 requires BOT approval prior to submission of the Annual Report. The Annual Report must include, at a minimum, the following information:

1. *The CIP Code and complete name of each program under which each self-supporting and market tuition rate education program is operating. Additionally, all program majors as defined in Board of Governors Regulation 8.011 must be identified.*
2. *The approval dates for each program's tuition from the university board of trustees and Board of Governors.*
3. *The approved tuition and fees for each program, including costs per credit hour and any additional fees, such that the total cost to the student for each program may be calculated.*
4. *The revenues and expenditures for each degree and major within a college-credit self-supporting or market tuition rate education program.*
5. *Other documentation to demonstrate compliance with this regulation as required.*

The BOG has requested submission of this report by October 1, 2025; documentation of the BOT approval must also be submitted.

In 2024-25, there were 72 programs with enrollment totaling 5,082 students with revenues of \$69,562,036 and expenditures of \$72,937,770. Of these 72 programs, Market Tuition Rate and Self-supporting programs totaled 30 and 42, respectively.

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*

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September 18, 2025

Subject: Sublease of the FIU Center for Imaging Science to Baptist Outpatient Services, Inc.

Proposed Action:

Florida International University Board of Trustees approval of terms and authorization to negotiate and execute a sublease of space at the FIU Center for Imaging Science with Baptist Outpatient Services, Inc.

Background Information:

On November 28, 2023, The Florida International University Board of Trustees, The Florida International University Health Care Network, Inc. and Baptist Health South Florida, Inc. entered into a Master Affiliation Agreement in order to develop an academic medical enterprise that will drive clinical, research and education growth for the benefit of the community by enhancing access to specialized care, spurring the development of novel therapies and leading to a more highly skilled workforce.

In synergy with this development, Baptist Outpatient Services, Inc. a Florida not-for-profit corporation and an affiliate entity of Baptist Health South Florida, Inc. ("Baptist") proposes to partially occupy 2,142 rentable square feet of 3,178 of space in the FIU Center for Imaging Science premises, located on the ground floor of PG5 located at 891 SW 109th Avenue, Miami, FL. The occupancy would be under a three-year sublease with the lessee's right to terminate on 90 days' notice and permitted use for Baptist to offer diagnostic imaging services to the public. The sublease would have a total value of \$741,816 and include the use of existing equipment, routine equipment maintenance, waste removal, janitorial services and utilities. Parking charges will be billed to Baptist incrementally at standard rates based on usage. FIU would install directional signage throughout PG5 and Baptist would install signage on the front door and within the rented premises, all at Baptist's expense and FIU's approval. Baptist would be permitted shared access to install all necessary equipment for connectivity in FIU's IT closet. The tentative occupancy date by Baptist is scheduled between October and November 30, 2025, pending an IT assessment. During the term of the sublease, FIU will have access to the sub-leased space for two and a half days per week, which will allow for continued research and student training by the University.

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*

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September 18, 2025

Subject: Authorization to Increase Project Budget for the Trish and Dan Bell Chapel and East Loop Road Realignment from \$35.86M to \$38.52M

Proposed Action:

Florida International University Board of Trustees authorization to increase the project budget for the Trish and Dan Bell Chapel and East Loop Road Realignment ("Project") from \$35,861,689 to \$38,523,478.

Background Information:

On December 3, 2020, the FIU Board of Trustees (BOT) approved the naming of The Trish and Dan Bell Chapel ("Chapel"), the design of the Chapel, the design of the roadway improvements on the east side of the FIU Modesto A. Maidique Campus (MMC) to accommodate the construction of the Chapel and the future expansion of the Graham Center, and an amendment to the 2010-20 University MMC Campus Master Plan to include the Chapel and roadway improvements as contemplated in the proposed 2015-30 University MMC Campus Master Plan.

The FIU Board of Trustees approved the project budget of \$35,861,689 on September 14, 2023. Subsequently, additional funding of \$13,014 was provided by the FIU Foundation and \$12,276 was received from the Parking Auxiliary to augment the East Loop Road Realignment component of the project.

During the installation of one of the largest precast panels on March 20, 2025, a 1-inch deflection of the supporting steel structure was observed which necessitated the immediate removal of the panel. After several on-site meetings between FIU, the design team, Moss Construction (the Construction Manager) and a third party structural engineer, several design flaws have been identified.

Moss Construction presented a construction change order amounting to \$2,636,499 in response to the design revision developed by the architect and the structural engineer of record. The change order would increase the budget to \$38,523,478 and formally extend the construction schedule by twelve (12) months resulting in a new substantial completion date of July 30, 2026. This change order is under review and has not been formally approved or accepted by the University. The University is exploring options to recover the additional funds required to correct the deficiencies noted above, including litigation. To continue moving forward with the completion of the project in a timely manner and in an abundance of caution, approval of the \$2,636,499 increase in budget is requested as a not-to-exceed amount with the expectation a lesser amount will be agreed upon as negotiations with Moss Construction continue.

The funding sources for the total increased budget are as follows:

Private Funding for Chapel:	\$25,897,748
Funding for Completed East Loop Road	
Unrestricted Treasury Auxiliary Fund Balances:	\$ 3,444,286
CITF (Capital Improvement Trust Fund Appropriations):	\$ 3,000,000
Section 197 Deferred Building Maintenance/Infrastructure:	\$ 3,519,655
Parking and Transportation Auxiliary:	\$ 12,276
FIU Foundation	\$ 13,014
<u>Unrestricted Auxiliary Funds</u>	<u>\$ 2,636,499</u>
Total Project Budget	\$38,523,478

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*



September 18, 2025

Subject: Tenure as a Condition of Employment Nomination

Proposed Action:

Florida International University Board of Trustees approval of one (1) candidate for Tenure as a Condition of Employment (TACOE).

Background Information:

Pursuant to 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 nominee holds tenure at their previous institution and has been selected to receive TACOE based on the caliber of their work.

Supporting Documentation: *Agenda | Academic Policy and Student Affairs Committee Meeting,
September 18, 2025*

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September 18, 2025

Subject: Textbook and Instructional Materials Affordability and Transparency Annual Report

Proposed Action:

Florida International University Board of Trustees approval of the Textbook and Instructional Materials Affordability and Transparency Annual Report.

Background Information:

Pursuant to section 1004.085, Florida Statutes, Education Access and Affordability, requires the Board of Governors and the State Board of Education to annually identify strategies to promote college affordability. Under this statute, all State University System institutions are required to submit a Textbook and Instructional Materials Affordability and Transparency Report that describes the institutional processes of selecting, adopting and posting course materials as well as undergraduate core curriculum course syllabi. In addition, the report must include an overview of institutional initiatives and policies designed to reduce the costs of course materials and promote college affordability.

Pursuant to Florida Board of Governors Regulation 8.003, Textbook and Instructional Materials Affordability and Transparency, each university board of trustees shall provide a report, by September 30 of each year, to the Chancellor of the State University System, in a format determined by the Chancellor.

Supporting Documentation: *Agenda | Academic Policy and Student Affairs Committee Meeting, September 18, 2025*

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September 18, 2025

Subject: Proposed Amendment to Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct

Proposed Action:

Florida International University Board of Trustees approval of the proposed amendments to Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct, 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.

Background Information:

This Regulation is being updated based on changes to the regulatory landscape at state and federal levels. Revisions include nomenclature of employees who must report sexual harassment from "Responsible Employee" to "Mandatory Reporters." Revisions also update terms and definitions to reflect recent guidance and enforcement and add an additional Deputy Title IX Coordinator.

Florida Board of Governors Regulation 1.001(5)(a), University Board of Trustees Powers and Duties, provides, 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 ... 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.

Florida Board of Governors Regulation 6.0105(8), Student Conduct and Discipline, in relevant part, requires university Boards of Trustees to incorporate minimum standards into any process that evaluates whether a student is responsible for sexual misconduct, gender-based discrimination, sexual harassment, sexual assault, dating violence, domestic violence, or stalking.

Supporting Documentation: *Agenda | Academic Policy and Student Affairs Committee Meeting, September 18, 2025*

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September 18, 2025

Subject: Proposed Amendment to Regulation FIU-106 Nondiscrimination, Harassment and Retaliation (Title VII)

Proposed Action:

Florida International University Board of Trustees approval of the proposed amendments to Regulation FIU-106 Nondiscrimination, Harassment and Retaliation, 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.

Background Information:

This regulation is being updated to define the scope of the Regulation and its application to the University community members. The proposed updates also include additional citations to applicable state and federal law, additional definitions and clarifications to terms and procedures, and delineate an alternative resolution process.

Florida Board of Governors' regulation 1.001(5)(a) grants the university board of trustees the power to establish personnel program for all employees.

Regulation 1.001(5)(a)(10) University Board of Trustees Powers and Duties, states in part as follows: "Each board of trustees shall provide for the establishment of the personnel program for all the employees of the university, including the president. ..."

Supporting Documentation: *Agenda | Academic Policy and Student Affairs Committee Meeting, September 18, 2025*

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September 18, 2025

Subject: Proposed Amendment to Regulation FIU-116 Educational Sites

Proposed Action:

Florida International University Board of Trustees approval of the proposed amendments to Regulation FIU-116 Educational Sites, 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.

Background Information:

This regulation is being proposed for amendment in order to align with changes to Board of Governors Regulation 8.009. This regulation's proposed revisions reflect recent amendments to Regulation 8.009 relating to the University's establishment, reclassification, relocation, and closing of educational locations. The revisions define the types of additional campuses and other classifications and provides corresponding procedures for approval related to establishing, reclassifying, relocating, and closing educational locations. The regulation requires the monitoring of enrollment at additional campuses and sites and sets forth procedures in the case that enrollments either increase beyond the level approved by the Board of Governors or decrease, during three (3) consecutive years, below the minimum approved as required by the Board of Governors.

This regulation is being created pursuant to Board of Governors Regulations 1.001 and 8.009.

Supporting Documentation: *Agenda | Academic Policy and Student Affairs Committee Meeting,
September 18, 2025*

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September 18, 2025

Subject: Board of Governors' Statement of Free Expression Endorsement Resolution

Proposed Action:

Having reviewed the State University System of Florida Statement of Free Expression, Florida International University Board of Trustees endorsement of such statement.

Background Information:

On April 15, 2019, the State University System of Florida and its twelve public postsecondary institutions, through the universities' respective presidents, adopted the State University System of Florida Statement of Free Expression (the Statement of Free Expression). The Statement of Free Expression, in pertinent part, provides as follows:

“The State University System of Florida and its twelve public postsecondary institutions adopt this Statement on Free Expression to support and encourage a full and open discourse and the robust exchange of ideas and perspectives on our respective campuses. The principles of freedom of speech and freedom of expression in the United States and Florida Constitutions, in addition to being legal rights, are an integral part of our three-part university mission to deliver a high-quality academic experience for our students, engage in meaningful and productive research, and provide valuable public service for the benefit of our local communities and the state. The purpose of this statement is to affirm our dedication to these principles and to seek our campus communities' commitment to maintaining our campuses as places where the open exchange of knowledge and ideas furthers our mission.

A fundamental purpose of an institution of higher education is to provide a learning environment where divergent ideas, opinions and philosophies, new and old, can be rigorously debated and critically evaluated. Through this process, often referred to as the marketplace of ideas, individuals are free to express any ideas and opinions they wish, even if others may disagree with them or find those ideas and opinions to be offensive or otherwise antithetical to their own world view. The very process of debating divergent ideas and challenging others' opinions develops the intellectual skills necessary to respectfully argue through civil discourse. Development of such skills leads to personal and scholarly growth and is an essential component of the academic and research missions of each of our institutions.”

A complete copy of the State University System of Florida Statement of Free Expression is included in the supporting documentation.

In its Civil Discourse Report of 2022, the Board of Governors included seven recommendations directed to civil discourse. In its third recommendation, the Board of Governors recommended that “the leadership of each university board of trustees, faculty senate, and student government annually review and endorse the Board’s Statement of Free Expression and commit to the principles of civil discourse.”

At its September 22, 2022, December 7, 2023, and September 12, 2024 meetings, the Florida International University Board of Trustees, having reviewed the State University System of Florida Statement of Free Expression, endorsed such statement.

Supporting Documentation: *Agenda | Governance Committee Meeting, September 18, 2025*



September 18, 2025

Subject: Board Appointments, Florida International University Children's Alliance for Research and Education, Inc.

Proposed Action:

Florida International University Board of Trustees approval of the appointments of the individuals listed below and in the board materials, to the Florida International University Children's Alliance for Research and Education, Inc. Board of Directors.

Background Information:

The Florida International University Children's Alliance for Research and Education, Inc. (FIU-CARE) is organized: (i) as a not-for-profit corporation pursuant to Chapter 617, Florida Statutes; (ii) as a university direct support organization pursuant to Sections 1004.29 and 1004.30, Florida Statutes; (iii) pursuant to Board of Governors (BOG) Regulation 9.011; and (iv) pursuant to all other applicable laws and regulations.

The FIU-CARE Board of Directors is requesting that the Florida International University Board of Trustees (the BOT) approve the appointment of the individuals identified below to the FIU-CARE Board of Directors, as follows:

New Director Appointments for two (2) year term:

- Matthew A. Love, MBA, FACHE
- Marcos A. Mestre, MD, MBA
- Balagangadhar R. Totapally, M.D.

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.

Article IV, Section 2 of the FIU-CARE Bylaws requires the FIU Board of Trustees to approve all appointments to the FIU-CARE Board, other than the Chair of the Board of Trustees' representative or the University President or University President's designee.

Supporting Documentation: *Agenda | Governance Committee Meeting, September 18, 2025*

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September 18, 2025

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

Proposed Action:

Florida International University Board of Trustees approval of the appointments of the individuals 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 three (3) new directors on June 7, 2025, all identified below.

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

New Director Appointments for initial one (1) year term:

- Natasha G. Lowell
- Sardou Mertilus '08
- Michael “Mike” R. Torres, CPA '96

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, September 18, 2025*

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September 18, 2025

Subject: Approval of the Amendments to the Bylaws of the Florida International University Foundation, Inc.

Proposed Action:

Florida International University Board of Trustees (BOT) approval of the Amendments to the Bylaws of the Florida International University Foundation, Inc.

Background Information:

On June 7, 2025, the FIU Foundation, Inc. (FIU Foundation) Board of Directors approved amendments to the Bylaws of the FIU Foundation.

The approved revisions to the Bylaws of the FIU Foundation reflect the current existence and reporting structure of various of the Board of Directors' Committees and Sub-committees, as well as certain other non-substantive changes to improve consistency and clarity.

The BOT must approve any amendments to the FIU Foundation Articles of Incorporation and Bylaws before their becoming effective.

Regulation FIU-1502 Direct Support Organizations (2)(a) provides that any amendments to the Articles of Incorporation or Bylaws must be submitted by the President of the University to the BOT for approval prior to becoming effective.

Article 10, Section 1, of the FIU Foundation Bylaws provides that all amendments to the Bylaws of FIU Foundation must be approved by the FIU Board of Trustees, upon recommendation of the President of FIU prior to their effective date.

Supporting Documentation: *Agenda | Governance Committee Meeting, September 18, 2025*

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September 18, 2025

Subject: Ratification of the Reopener to the 2024-2027 Florida International University Board of Trustees and the United Faculty of Florida-FIU Collective Bargaining Agreement

Proposed Action:

Florida International University Board of Trustees (BOT) ratification of the reopener to the 2024-2027 Collective Bargaining Agreement between the Florida International University Board of Trustees (BOT) and the United Faculty of Florida (UFF-FIU).

Background Information:

Representatives of the BOT and UFF-FIU have engaged in collective bargaining and reached an agreement on the reopener to the 2024-2027 BOT-UFF Collective Bargaining Agreement (see Term Sheet). UFF scheduled ratification meetings on September 16 and 17, 2025.

Florida Board of Governors Regulation 1.001(5)(c) provides that each board of trustees shall act as the sole public employer with regard to all public employees of its university for the purposes of collective bargaining and shall serve as the legislative body for the resolution of impasses with regard to collective bargaining matters.

Supporting Documentation: *Agenda | Governance Committee Meeting, September 18, 2025*

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September 18, 2025

Subject: Amendments to Omnibus Resolution on Delegations of Authority from the Board of Trustees to President

Proposed Action:

Florida International University Board of Trustees approval of the amendments to the omnibus Resolution on the Delegations of Authority from the Board of Trustees to the President and delegate to the President authority to approve any subsequent non-material amendments prior to posting.

Background Information:

On March 4, 2019, the Board of Trustees (BOT), in response to the request of the Board of Governors to the universities of the State University System, adopted an omnibus Resolution on Delegations of Authority from the BOT to the President (the Resolution). The Resolution replaced all existing resolutions on delegations of authority to the President, laying out the BOT's delegated authority to the President in one place and following the format of the authority topic areas set forth in the BOG's Best Practices guide for delegations. Those topic areas are:

- i. General University Administration and Oversight
- ii. Academic Programs, Research Program and Student Affairs
- iii. Personnel
- iv. Financial Management
- v. Property and Purchasing
- vi. Miscellaneous Powers and Duties

On December 2022, the BOT amended the Resolution, by separate resolution, to make changes regarding personnel oversight.

Earlier this year, preliminary discussions were held with the then Chair of the BOT to undertake a review of the delegations set forth in the Resolution. In addition, following an audit of Capital Construction Project Administration and Funding, a recommendation was made by the University's Office of Internal Audit that the administration initiate a general review of the Resolution.

As a result, the following proposed amendments to the Resolution are proposed:

A. Construction Projects

The amendments cover changes to the thresholds for major and minor projects, as well as to construction change orders.

The amendments provide for the BOT to delegate to the President authority for projects (typically those not already authorized by the BOT in the Fixed Capital Outlay (FCO) budget or operating budget) up to and including \$5M. That threshold currently is at up to and including \$2M. BOT approval continues to be required for construction projects greater than \$5M.

As for change orders, the proposed amendments provide that (a) change orders on Major Projects meeting the current threshold of \$50K and 5% of the total project cost, would be approved by the Finance and Facilities Committee (FFC), rather than the full BOT; and that (b) the FFC Chair may approve a change order if (i) no regular meeting of the FFC is scheduled within 30 days from the date that the change order is ready to be issued by the University, and (ii) the President (or designee) has determined that approval prior to the next regularly scheduled board meeting is required in order to avoid a negative impact to the University.

The amendments clarify BOT reporting requirements for change orders.

B. Procurement (non-construction)

The amendments cover changes to the thresholds for procurement (non-construction) and provide for an expedited procedure.

The amendments propose that the thresholds for reporting and approval be changed as follows:

- Contracts from \$1M and less than \$3M reported to FFC
- Contracts from \$3M and less than \$5M approved by FFC
- Contracts of \$5M or more approved by Full Board¹

The amendments also provide that already approved contracts (including extensions and renewals) may be increased by up to 10% of the approved value, so long as the change would not change the approval required and is allowed under the contract. Reporting after the fact to the FFC is provided.

In connection with time sensitive procurements, the amendments provide that the administration may request an exception to FFC or BOT approval if (i) no regular meeting of the FFC or the BOT, as applicable, is scheduled within thirty (30) days from the day a contract is ready for signature by the University, and (ii) the President or designee has determined that approval prior to the next regularly scheduled meeting of the FFC or BOT, as applicable, is required in order to avoid a negative impact to the University.

¹ The current thresholds are:

- Contracts from \$500K and up to \$1M are reported to the FFC.
- Contracts greater than \$1M and less than \$3M are approved by the FFC.
- Contracts in the amount of \$3M or greater are approved by the Full Board.

C. Research

The amendments provide for two principal research related clarifications.

First, the amendments clarify that all research-related subawards and subcontracts made to other institutions by FIU are delegated by BOT to the President. The current BOT delegations already provide that all research grants and contracts received by FIU, are delegated to the President. Next, the amendments clarify that any vendor contracts for research purchases (notwithstanding that the source of funds may only be sponsored research dollars) are processed through procurement and subject to the University's competitive solicitation requirements.

D. Personnel

The amendments incorporate into the Resolution revisions previously approved by the BOT (by prior resolution) related to certain personnel, namely, the Chief Compliance and Privacy Officer, Chief Audit Executive, Board of Trustees Corporate Secretary, and General Counsel.

Supporting Documentation: *Agenda | Governance Committee Meeting, September 18, 2025*

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September 18, 2025

Subject: University President's Goals, 2025-26

Proposed Action:

Florida International University Board of Trustees adoption of the President's Performance and Incentive Goals for academic year 2025-26, specifically, that the Board of Trustees (i) affirms that the President's Performance Goals continue to be aligned with the University's goals (i.e., Accountability Plan) and (ii) adopts Performance Bonus Goals.

Background information:

President Jeanette M. Nuñez's Employment Agreement, namely, section 8(b), provides, in relevant part, that within a reasonable period of time following her confirmation as President by the Board of Governors, Jeanette M. Nunez, in collaboration with the Chair of the Board, will provide the Board for its consideration the 2025-26 academic year goals and objectives for her annual performance bonus. Section 8(b) further provides that the Board of Trustees may, in its discretion, tie some or all of the annual performance bonus to the achievement of specific goals and/or objectives, including terms that are consistent with the University's performance-based funding metrics and Accountability Plan.

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: N/A

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September 18, 2025

Subject: Approval of 2025-26 Education and General Carryforward Spending Plan and Related Certification

Proposed Action:

Florida International University Board of Trustees (BOT) approval of the Florida International University (FIU) Education and General (E&G) expenditure plan for carryforward funds in accordance with State University System of Florida Board of Governors (BOG) Regulation 9.007 State University Operating Budgets and Requests and Florida Statute 1011.45 End of Year Balance of Funds; authorization for the University Chief Financial Officer to certify the unexpended amount of funds appropriated to the University from the General Revenue Fund, the Educational Enhancement Trust Fund, and the E&G Student and Other Fees Trust Fund as of June 30, 2025; and authorization for the University President to amend the BOT carryforward expenditure plan as necessary and report to the BOT and BOG any amendments to the spending plans in a format prescribed by the Chancellor of the BOG.

Background Information:

Carryforward Spending Plan

Beginning in 1985, State University System (SUS) institutions received statutory authority to carry forward unexpended E&G funds in the current year operating budget and include these funds in the operating budget the following year. Section 1011.45, Florida Statutes, has since been amended to provide greater specificity on carry forward balance requirements and allowable expenditures from E&G carryforward fund balances and BOG Regulation 9.007 has been amended to reflect these changes. Carry forward balance requirements and authorized expenditures in an E&G Carryforward Spending Plan include:

- *Maintenance of a minimum carryforward balance of 7 percent of the total E&G operating budget*
- *BOT approval of an expenditure plan for carryforward balances in excess of the 7 percent minimum*
- *BOG review and approval of the BOT carryforward expenditure plan*
- *Authorized expenditures in the E&G carryforward expenditure plan may include:*
 - *Commitment of funds to a PECO project that has received a prior appropriation in order to complete the project*
 - *Completion of a renovation, repair, or maintenance project*
 - *Completion of a remodeling or infrastructure project that is survey recommended*
 - *Completion of a repair or replacement project necessary due to damage caused by a natural disaster*
 - *Operating expenditures that support the university mission*
 - *Any purpose specified by the Board, including funding dedicated to building maintenance reserve escrow accounts, or as specified in the General Appropriations Act*

- *A commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor pursuant to s. 252.36, Florida Statutes.*

The E&G carryforward spending plan shall include the estimated cost per planned expenditure and a timeline for completion of the expenditure and may include a reserve fund to be used for authorized expenditures in the following years. The template includes a new minimum 12% spending requirement towards PECO projects or deferred maintenance which is contained in SB 2502, Implementing the 2025-2026 General Appropriations Act. This requirement expires after one year unless the legislature makes it a permanent change in the next legislative session.

Additionally, Section 1011.45 requires the Chief Financial Officer of each university to certify annually, by September 30, the unexpended amount of funds appropriated to the university from the General Revenue Fund, the Educational Enhancement Trust Fund, and the Education & General Student and Other Fees Trust Fund as of June 30 of the previous year. Section 1011.45 also allows the university to spend the minimum carryforward balance of 7 percent if a demonstrated emergency exists and the plan is approved by the university's BOT and the BOG. In accordance with Section 1011.45 and BOG Regulation 9.007, any amendments to the approved E&G carryforward spending plan during the fiscal year shall be reported to the BOG for a time period and in a format prescribed by the Chancellor of the BOG.

The E&G carryforward fund balance as of July 1, 2025, net of accounts receivables, accounts payables, and deferred student tuition and fees, totals \$157,157,794 for the University and \$22,034,417 for the Herbert Wertheim College of Medicine (HWCOM). After the 7 percent statutory reserve of \$49,132,165 for the University and \$3,642,262 for HWCOM; \$4,434,703 of encumbrances for the University and \$1,783,014 for HWCOM; and \$200,000 annual contribution to reserves for new fixed capital outlay projects for the university, the carryforward spending plans total \$103,390,926 for the University and \$16,609,141 for HWCOM.

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*

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



September 18, 2025

Subject: Approval of CasaCuba total project budget and authorization for the FIU Foundation to provide funding for the construction of CasaCuba at the Benjamín León, Jr. Building (“CasaCuba”)

Proposed Action:

Florida International University Board of Trustees approval of the total project budget and the FIU Foundation’s proposed funding plan to provide the University access to funds to commence and complete the construction of CasaCuba. The plan will fund cash needs arising from the timing differential between capital pledge payments and expenses for the construction of the project.

Background Information:

CasaCuba, located at the Benjamín León, Jr. Building, will be a first-of-its-kind destination celebrating Cuban achievements, sharing the Cuban American experience, and showcasing FIU’s Cuba-related collections, expertise, and programming. The facility will provide a vibrant home where visitors can gather, learn, exchange ideas, and engage in dialogue on Cuban culture and affairs.

The total project budget for CasaCuba is now \$41,100,000 (the “Total Budget”). As of August 31, 2025, the FIU Foundation has secured \$28,811,739 in gifts and pledges (including estate commitments), of which \$11,287,937 has been received in cash. An additional \$6,826,770 in cash is projected in fiscal year 2025–26, bringing total cash receipts by the end of 2026 to \$18,114,707.

The FIU Foundation authorized the use of the corpus of the Mackenzie Scott Quasi-Endowment (the “Quasi-Endowment”) to fund the Total Budget cash needs of the CasaCuba project until the completion of the project. The funds drawn will be limited to the lesser of (i) Total Budget net of cash received, or (ii) the corpus of the Quasi-Endowment.

Draws on Quasi-Endowment funds will be permitted only on a reimbursement basis after FIU has first expended all available cash on hand, including pledge payments and new gifts designated for the project. Requests for reimbursement will be accompanied by complete documentation, including reconciled expenditures, invoices, and certification by the University’s Chief Financial Officer (or designee) that the costs align with the approved CasaCuba budget.

Pledge payments and new gifts will continue to be applied first to project expenses. Only after the Total Budget is funded will surplus funds be directed to repay prior draws on the Quasi-Endowment. Restoration of the Quasi-Endowment corpus to its full value will take precedence over the allocation of contributions elsewhere.

To maintain scholarship and programmatic funding during the period of reduced endowment availability, the FIU Foundation has the authority to allocate up to \$1,250,000 within a five-year period from the first request to cover such amounts from its General Reserve and/or Strategic Priority Reserve. Any additional funding needed to preserve the scholarship and academic programming needs beyond the FIU Foundation commitment of \$1,250,000 will be supported by the University.

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*

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



September 18, 2025

Subject: Authorization to Increase Project Budget for the Innovation II Facility from \$69.5M to \$100.6M

Proposed Action:

Florida International University Board of Trustees authorization to increase the project budget for the Innovation II facility ("Project") from \$69,500,000 to \$100,566,473.

Background Information

On June 2, 2016, the FIU Board of Trustees (BOT) approved the original request for Engineering Phase I and Engineering Phase II (name later changed to Innovation I and Innovation II) in the FY17-18 Fixed Capital Outlay Budget request in the amount of \$150,000,000 for both phases, funded with \$105,000,000 in Public Education Capital Outlay (PECO) funds (70%) and \$45,000,000 in future private funds (university matching funds and/or philanthropy) (30%). Phase I has been completed at a cost of \$74,468,274 with shelled space available for future research and Maker Space build-out.

The Innovation II total project budget is currently set at \$69,500,000.

FY22-23 PECO/SFRF	\$33,500,000
FY23-24 PECO	\$15,150,000
<u>Future Private Funds</u>	<u>\$20,850,000</u>
Total Project Budget	\$69,500,000

The "future private funds" is considered the University's commitment to contribute 30% of the funding for the project. Current commitments show \$13,500,000 from the Herbert Wertheim College of Medicine (HWCOC) and \$5,000,000 from the Office of Research and Economic Development (ORED). Note that the PECO/SFRF funds must be disbursed by December 31, 2026. This deadline may require the approval of a request for extension from the Governor's Office.

Since the original Capital Improvement Plan of 2016, the building program has changed significantly, driven by FIU's Strategic Plan 2025-2030 *Experience Impact*. The building was originally conceived as a three- to four-story structure encompassing 75,000 gsf. The design now stands at five stories and 89,538 gsf. Where the original program was influenced primarily by the College of Engineering and Computing, the University Provost provided additional program guidance to ensure Innovation II aligns with our new strategic plan, particularly FIU's academic mission of research, clinical, instructional and work force activities in the areas of health, technology and innovation. The proposed facility now addresses critical space needs identified by ORED,

HWCOM, the Nicole Wertheim College of Nursing and Health Sciences, and the Robert Stempel College of Public Health and Social Work, as well as the College of Engineering and Computing.

The revised program adds an animal care facility (ACF)/vivarium and Maker Space that was not accommodated in Phase 1. The number of offices and classroom spaces was reduced by approximately half and changed to research space. The cost of the vivarium and research space is greater than office and classroom space due to the need for extensive mechanical infrastructure.

Working with the expanded program committee appointed by the Provost, the architect for the facility, Perkins+Will, submitted the revised program on December 13, 2023, which FIU approved on May 15, 2024. Based on the revised program, Perkins+Will then delivered the Advanced Schematic Design (ASD) on January 24, 2025, for a five-story 89,538 gsf facility. Despite the significant increase in program requirements, FIU did not adjust the original budget of \$69.5M; opting to wait for actual cost estimates from the Construction Manager (CM), Skanska USA Building Company, who had been contracted on December 18, 2024. Skanska provided the ASD cost estimate on April 4, 2025 totaling \$68.6M, roughly \$18M over the construction budget of \$50.7M due to the increase in program including the vivarium, Maker Space, and conversion of offices and classrooms to labs and research spaces, all of which require mechanical system upgrades and additional space.

In response, the A/E developed four options to shell various areas of the building, including removal of research spaces and the multipurpose classrooms. After reviewing these options with new CM cost estimates in June 2025, FIU requested three additional options for consideration (seven total) reviewing them in July 2025. Budget deficits ranged from a reduced four-story option with only HWCOM space (\$4.1M deficit) to the full five-story facility (\$33.4M deficit) with 92% of the facility as finished space and only the Maker Space and first floor clinical space as gray shell. Following extensive discussion, including the use of FIU reserves to fund the deficit, FIU opted for the full five-story facility on August 27, 2025, with a total project cost of \$100,566,473.

The current budget deficit of \$33.4M will be funded with unrestricted Treasury funds and Education and General (E&G) carryforward. On approval, the increased budget for Innovation II will be added to the FIU Fixed Capital Outlay (FCO) Plan.

The proposed funding sources for the increased budget are:

FY22-23 PECO/SFRF	\$ 33,500,000
FY23-24 PECO	\$ 15,150,000
HWCOM Commitment	\$ 13,500,000
ORED Commitment	\$ 5,000,000
E&G Carryforward	\$ 4,381,459
<u>Unrestricted Treasury Reserves</u>	<u>\$ 29,035,014</u>
Total Project Budget	\$100,566,473

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*

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

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September 18, 2025

Subject: Authorization to increase budget for the Graham Center expansion from \$46.26M to \$56.26M and re-allocation of \$7.5M CITF from Aquatic Center project and \$2.5M CITF from Track Stadium project to Graham Center Expansion

Proposed Action:

Florida International University Board of Trustees authorization to increase the budget for the Graham Center Expansion ("Project") from \$46,255,655 to \$56,255,655 and re-allocation of \$7.5M Capital Improvement Trust Fund (CITF) from the Aquatic Center Project and \$2.5M CITF from the Track Stadium Project to the Graham Center expansion.

Background Information:

On September 12, 2024, the FIU Board of Trustees approved the Graham Center Expansion project with a budget of \$46,255,655, funded primarily by Capital Improvement Trust Fund (CITF) allocations and auxiliary support. The project scope included a new 15,000 SF grand ballroom, additional meeting rooms and related spaces.

Subsequent design development with ikon.5 Architects and University leadership led to the selection of the Beacon of Enlightenment concept on May 23, 2025, which establishes an iconic, student-centered presence along the Avenue of the Professions.

To remain within the original budget, several critical program elements were either omitted or reduced, including:

- **Enclosed walkway and expanded ballroom lobby (\$6.6M):** Guests parking in the Gold or Blue Garages currently must enter the Graham Center from the south entrance, walk through the building, exit to the outside, and then re-enter at the ballroom wing. This creates a fragmented and exposed path of travel that disrupts the guest experience. An enclosed walkway would provide continuity throughout the building, allowing seamless navigation to the ballrooms without exposure to the elements. This improvement would also expand the lobby for the current ballroom, enhancing its programmatic flexibility. Finally, the entire north façade of the Graham Center would be refreshed and modernized, further elevating the most student-centric building on the Modesto A. Maidique MMC campus.
- **Renovate existing ballroom and additional meeting spaces (\$3.4M):** Updating the existing ballroom to match the new expansion, along with reinstating reduced meeting and storage areas, ensures design consistency, maximizes functionality, and supports long-term program delivery.

The absence of these scope components would severely limit the long-term functionality, student experience, and auxiliary revenue potential of the project. To ensure the Graham Center expansion is completed to its full potential, an additional \$10 million in CITF funding is required.

It is proposed that funding be reallocated from other projects with available CITF balances, specifically \$7.5M from the Aquatic Center Project and \$2.5M from the Track Project, towards the Graham Center expansion. This reallocation ensures that the University delivers a project of preeminent quality that will support the growing programmatic needs of 56,000+ students, strengthen community partnerships, and provide premier event facilities. The Student Government Association President and University Trustee, Francesca Casanova, has been consulted and is supportive of this reallocation.

Present Approved Budget: \$46,255,655

Received:

Previous CITF Allocations:	\$ 29,733,926
Graham Center Auxiliary:	<u>\$ 2,000,000</u>
	\$ 31,733,926

Projected:

CITF Allocation 2025-26:	\$ 6,333,631
CITF Allocation 2026-27:	\$ 6,398,377
Business Services Auxiliary:	\$ 1,080,000
Graham Center Auxiliary:	<u>\$ 709,721</u>
	\$ 14,521,729

The proposed funding sources for the increased budget are as follows:

Previously Approved CITF and Auxiliary Budget:	\$ 46,255,655
Reallocation from Aquatic Center Project:	\$ 7,500,000
Reallocation from Track Project:	<u>\$ 2,500,000</u>
Total Project Budget	\$ 56,255,655

Supporting Documentation: *Agenda | Finance and Facilities Committee Meeting, September 18, 2025*

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



September 18, 2025

Subject: President's Performance Bonus for Interim Presidency Tenure

Proposed Action:

The Florida International University Board of Trustees (BOT) will, in its discretion, issue a performance bonus for the President for the interim presidency term, in accordance with the President's employment agreement.

Background Information:

Pursuant to President Jeanette M. Nuñez's Employment Agreement, namely, section 8(a), on April 15, 2025, the Board and President Nuñez established her goals and objectives for the term of the Interim President Employment Agreement. President Nuñez is eligible for an annual performance bonus related to these goals and objectives in accordance with this Agreement.

Carlos A. Duarte, Chair of the BOT and the Governance Committee, will lead a review of the President's performance during the interim presidency term. The Committee shall issue for BOT approval a recommended performance bonus.

For this initial review, President Nuñez is eligible for a maximum annual performance bonus in an amount equal to the number of days of service during which her initial goals and objectives apply divided by 365 days. The current review begins on February 17, 2025, the date President Nuñez began her service as Interim President through the date her presidency was confirmed by the Florida Board of Governors on June 18, 2025. As such, the maximum allowable incentive compensation award, under this Agreement, is \$42,616.44 (calculated as follows: \$127,500 x 122 days/365 days).

Supporting Documentation: *Agenda | Governance Committee Meeting, September 18, 2025*

Facilitator/Presenter: Carlos A. Duarte, Chair, Board of Trustees

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