



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
GOVERNANCE COMMITTEE
MINUTES
SEPTEMBER 18, 2019**

1. Call to Order and Chair's Remarks

The Florida International University Board of Trustees' Governance Committee meeting was called to order by Board Chair Claudia Puig on Wednesday, September 18, 2019 at 12:32 p.m. at the FIU, Modesto A. Maidique Campus, MARC 290, Earlene and Albert Dotson Pavilion.

General Counsel Carlos B. Castillo conducted roll call of the Governance Committee members and verified a quorum. Present were Trustees Claudia Puig, *Board Chair*; Jose J. Armas, *Board Vice Chair*; Leonard Boord; Gerald C. Grant, Jr.; and Justo L. Pozo.

Trustee Cesar L. Alvarez was excused.

Trustees Dean C. Colson, Michael G. Joseph, Joerg Reinhold, Sabrina L. Rosell, Marc D. Sarnoff, and Roger Tovar and University President Mark B. Rosenberg were also in attendance.

Board Chair Puig welcomed all Trustees and University faculty and staff to the meeting. Chair Puig indicated that the Board will engage with Dr. Belle Wheelan, President of the Southern Association of Colleges and Schools Commission on Colleges, at a future meeting where Dr. Wheelan will discuss the new accreditation standard of board self-evaluation. Chair Puig explained that while the Board looked forward to hearing from Dr. Wheelan at the regularly scheduled September 5, 2019 meetings, her travel plans were cancelled, and the Board of Trustees meetings were postponed in anticipation of Hurricane Dorian's impact on parts of South Florida.

2. Approval of Minutes

Board Chair Puig asked if there were any additions or corrections to the minutes of the Governance Committee meeting held on June 19, 2019. A motion was made and unanimously passed to approve the minutes of the Governance Committee meeting held on Wednesday, June 19, 2019.

3. Action Items

G1. Revisions to Florida International University Annual Accountability Plan, 2019

Provost and Executive Vice President Kenneth G. Furton presented the revisions to FIU's 2019 Accountability Plan for Committee review, noting that the Board of Trustees approved the University's 2019 Accountability Plan at its April 2019 meeting. He explained that the Florida Board of Governors (BOG) reviewed the 2019 university accountability plans at their June 2019 meetings and that the revisions to FIU's 2019 Accountability Plan incorporate comments received from the

BOG as part of the review process. He described the revisions, indicating that in all cases, the proposed goals are now the same as the prior year's approved goals.

A motion was made and unanimously passed that the FIU Board of Trustees Governance Committee recommend that the Florida International University Board of Trustees (1) approve the revisions to Florida International University's Annual Accountability Plan as provided in the Board materials and (2) delegate authority to the University President to perform finish editing as needed and to amend consistent with comments received from the Board of Governors.

G2. Ratification of the revised 2018-2021 Collective Bargaining Agreement between the Florida International University Board of Trustees and the United Faculty of Florida - FIU Chapter

Provost Furton explained that representatives of the BOT and the UFF have engaged in collective bargaining negotiations and that the bargaining teams have reached an agreement on revisions to the terms of the currently in-force 2018-2021 BOT-UFF Collective Bargaining Agreement. He indicated that for academic year 2019-2020, eligible employees will receive a one percent (1.00%) retention increase to their base salaries with a minimum of \$750.00. He pointed out that for academic year 2020-2021, eligible employees will receive a one percent (1.00%) retention increase to their base salaries with a \$750.00 minimum increase. He added that a potential one percent (1.00%) merit-based increase was contingent on the University receiving new recurring funding legally available to be expended on faculty salary increases in excess of the prior year's base funding for faculty salaries.

In response to Trustee Leonard Boord's inquiry, Provost Furton explained that of the 1,331 faculty members under the collective bargaining agreement, 431 earn less than \$75K.

A motion was made and unanimously passed that the FIU Board of Trustees Governance Committee recommend that the Florida International University Board of Trustees (the BOT) ratify the revised 2018-2021 Collective Bargaining Agreement between the BOT and the United Faculty of Florida (UFF) – FIU Chapter.

G3. 2019 Florida Educational Equity Act Report

Director of Equal Opportunity Programs and Diversity Shirlyon J. McWhorter presented the 2019 Florida Educational Equity Act Report for the Committee's review. Ms. McWhorter provided an overview of the University's 2018-19 Florida Equity Report, explaining that the Report is comprised of three areas: enrollment; athletics; and employment. She reported on the University's performance in various areas, including the representation of under-represented groups among full-time First Time in College (FTIC) students, research doctorates awarded, and female students' participation in college athletics.

Ms. McWhorter pointed out that for Fall 2018, 87.1% of the full-time University FTICs were underrepresented minorities and that this number increased from 85% in Fall 2017, indicating that this exceeds the State University System average of 47.2%. She reported that 62.17% of master's degrees were awarded to female students and in terms of continuing trends, she explained that Hispanic students were awarded the largest number of master's degrees and that the majority of doctoral degrees (47.00%) were awarded to Non-resident aliens.

In terms of gender equity in athletics, Ms. McWhorter stated that in Fall 2017, females were 57.4% of students enrolled full-time at the University compared to 51.3% of student-athletes. She reported that construction began in December for the new building to house locker rooms/lounge, coaches' offices, public restrooms and training room for the women's softball program. Relating to employment representation, she explained that the total amount of tenured female faculty increased by 12.06% between Fall 2017 and Fall 2018, that the University has been successful in improving the decline of retained Black tenured faculty, and that FIU made The Chronicle of Higher Education's 2018 "Great Colleges to Work For®" list with Honor Roll designation for the third consecutive year in a row.

A motion was made and unanimously passed that the FIU Board of Trustees Governance Committee recommend that the Florida International University Board of Trustees approve the 2019 Florida Educational Equity Act Report.

4. New Business

G4. FIU Funding Certification Form

On behalf of the Committee, Chair Puig thanked Trustee Dean C. Colson for agreeing to spearhead a Working Group to develop a Certification Form for source of funding. Chair Puig also thanked Trustees Lowell and Alvarez for their willingness to serve on the Working Group. Chair Puig indicated that on September 13, 2019 a noticed meeting was held in which Trustees Colson and Lowell met with members of the administration and explained that as a result of that meeting, a Certification Form has been developed, and has been provided to the Trustees.

General Counsel Castillo referred Trustees to the agenda item page and related FIU Funding Certification Form. He explained that at its April 2019 meeting, the Board of Trustees reviewed the findings relating to the Florida House of Representatives' Report of Investigation into the misuse of funds at UCF and that as a result of this discussion and a request made by Trustee Cesar L. Alvarez, Trustee Marc D. Sarnoff introduced a motion, as new business, requesting that a senior administrator with the appropriate level of authority and expertise be present at every Board meeting to confirm that funds are being appropriated in accordance with BOG policy. General Counsel Castillo indicated that the motion passed unanimously.

General Counsel Castillo pointed out that at the June 19, 2019 Board of Trustees meeting, Sr. VP and CFO Jessell presented the BOG's financial training, "Flavors of Money" and that subsequently a Working Group developed a Certification Form to address source of funding. General Counsel Castillo stated that the proposed FIU Funding Certification Form was developed by the Working Groups' efforts.

General Counsel Castillo presented the Funding Certification Form for Committee review, noting that the Form provides that the Form is required by the FIU Board of Trustees (BOT) and/or a committee of the BOT as a condition for approval of items, containing a funding component, that come for approval before the Board and/or a BOT committee pursuant to the Delegations of Authority from the BOT to the University President or otherwise. He added that the certification reads "This is to certify that the above item has been reviewed and approved, and to the best of our professional judgment and knowledge, the type of funding for the item is authorized by state law and Board of Governors Regulations, and the Trustees may reasonably and in good faith rely on this

certification.” He described the required signatures as the relevant Vice President, the Chief Financial Officer, the General Counsel, and the University President.

In response to Trustee Roger Tovar’s inquiries, General Counsel Castillo indicated that when required, the executed Form would be provided to the Trustees as part of their agenda materials. In terms of implementation, Trustee Colson stated that the requirements set forth in the Form are effective immediately.

Trustee Leonard Boord proposed a motion that requires all of the actions regarding the financial expenditures approved by the BOT today, that the administration within a reasonable period of time or within two weeks, receive all of the appropriate Certification Forms.

General Counsel Castillo restated the motion, namely, that with respect to the action items that come within the purview of the Form with respect to the expenditure of funds and approved by the BOT today, that the Form be provided for those items within two weeks.

A motion was made and unanimously passed that the FIU Board of Trustees Governance Committee recommend that the Florida International University Board of Trustees approve the proposed FIU Funding Certification Form and that with respect to the action items approved today that are within the purview of the Form with respect to the expenditure of funds, that the completed Form be provided for those items within two weeks.

5. Concluding Remarks and Adjournment

With no other business, Board Chair Claudia Puig adjourned the meeting of the Florida International University Board of Trustees Governance Committee on Wednesday, September 18, 2019 at 12:59 p.m.

There were no Trustee requests.