



# FLORIDA INTERNATIONAL UNIVERSITY

## BOARD OF TRUSTEES

### FULL BOARD MEETING

Wednesday, June 19, 2019  
2:00 p.m. *\*approximate start time*  
Florida International University  
Modesto A. Maidique Campus  
Graham Center Ballrooms

### AGENDA

- |   |                      |
|---|----------------------|
| 1. Call to Order and Chair's Remarks  | Chair Claudia Puig   |
| 2. Public Appearances   | Claudia Puig         |
| 3. Foundation Report  | Richard Brilliant    |
| 4. Board of Trustees Self Evaluation Survey   | Gerald C. Grant, Jr. |
| 5. President's Report   | Mark B. Rosenberg    |
| 6. Financial Training   | Kenneth A. Jessell   |
| 7. Action Items – Consent Agenda  | Claudia Puig         |
| BT1. Minutes, April 18, 2019  |                      |
| BT2. Minutes, May 24, 2019  |                      |
| FF4. Proposed 2019-20 Fixed Capital Outlay Budget   |                      |
| FF5. Request for Approval of Florida International University's 2020-21 Fixed Capital Outlay Legislative Budget Request, Consisting of the five-year Capital Improvement Plan |                      |
| FF6. Public Safety and Emergency Management Facilities Expansion-Amendment  |                      |
| AP1. Tenure Nominations   |                      |
| AP2. Tenure as a Condition of Employment Nominations  |                      |
| AP5. Program Termination: Bachelor of Architecture  |                      |
| AP6. Program Termination: Bachelor of Interior Design   |                      |
| AP7. Program Termination: Bachelor of Landscape Architecture  |                      |

**7. Action Items – Consent Agenda** *(Continued...)*

AP8. New Program Proposal: Bachelor of Fine Arts in Digital Arts

G1. Direct Support Organizations Board Appointments

**8. Action Items**

**FF1. Proposed 2019-20 University and DSO Operating Budgets** Leonard Boord

**FF2. Proposed Amendments to Regulation FIU-1101 Tuition and Fees Schedule and FIU-1114 Tuition and Fee Refunds** Leonard Boord

**FF3. Amendment of FIU-1105 University Traffic and Parking Regulation** Leonard Boord

**AP3. Revisions to Regulation FIU-2501 Student Code of Conduct** Cesar L. Alvarez

**AP4. Revisions to Regulation FIU-2505 Alcoholic Beverages** Cesar L. Alvarez

**G2. University President’s Employment Agreement** Claudia Puig

**9. Status Reports, Board Committees**

- Audit and Compliance Committee Report Gerald C. Grant, Jr.
- Finance and Facilities Committee Report Leonard Boord
- Academic Policy and Student Affairs Committee Report Cesar L. Alvarez
- Governance Committee Report Claudia Puig

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

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

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Approval of Minutes of Meeting held April 18, 2019**

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**Proposed Board Action:**

Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Thursday, April 18, 2019, at the Modesto A. Maidique Campus, Graham Center Ballrooms.

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**Background Information:**

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meeting held on Thursday, April 18, 2019, at the Modesto A. Maidique Campus, Graham Center Ballrooms.

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**Supporting Documentation:** Minutes: Full Board Meeting, April 18, 2019

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**FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES  
FULL BOARD MEETING  
APRIL 18, 2019  
MINUTES**

**1. Call to Order and Chair's Remarks**

Board Vice Chair Jose J. Armas convened the meeting of the Florida International University Board of Trustees at 1:38 pm on April 18, 2019, at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Jose J. Armas, *Board Vice Chair*; Cesar L. Alvarez; Leonard Boord; Dean C. Colson; Gerald C. Grant, Jr.; Michael G. Joseph; Natasha Lowell; Justo L. Pozo; Joerg Reinhold; Sabrina L. Rosell; Marc D. Sarnoff; and Roger Tovar.

Board Chair Claudia Puig was excused.

Board Vice Chair Armas welcomed all Trustees and University faculty and staff. On behalf of the Board, he congratulated Sabrina L. Rosell on being elected to a second term as Student Government President for the Modesto A. Maidique Campus.

Board Vice Chair Armas indicated that FIU is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award associate, baccalaureate, master's, and doctoral degrees and that section 4 of the SACSCOC 2018 Principles of Accreditation requires governing boards to regularly evaluate their responsibilities and expectations as a Board. He explained that every odd year in the Spring, Board of Trustees members will receive and complete an electronic survey to evaluate Board performance and understanding of its roles and responsibilities and that the survey results will then be shared at the next regularly scheduled Full Board Meeting in June.

Board Vice Chair Armas indicated that during the last Board of Governors meeting, it was reported that a firm was engaged to review university management and accounting controls and business processes to determine risks and improvements. He explained that each university will receive an individual report and the Board of Governors will receive a system report and that the final product will be discussed at the October Board of Governors meeting. He then urged Trustees to save the date for the next Trustee Summit, which is scheduled for October 29, 2019.

## **2. Public Appearances**

*There were no public appearances.*

## **3. Foundation Report**

Senior Vice President for University Advancement Howard R. Lipman presented the Foundation Report. He indicated that the Next Horizon Campaign for FIU began in 2009 and that \$491M has been raised to date and added that \$45.9M has been raised fiscal year-to-date towards the \$65M goal. He then highlighted recent gifts, namely \$1M to support to the Dean of the Herbert Wertheim College of Medicine from Dr. Albert and Mrs. Debbie Tano and \$378,000 in operating funds to support the Simmons+Hernandez Fellows Program in the FIU Embrace initiative from Drs. Jeffrey Simmons and Yolangel Hernandez Suarez. Sr. VP Lipman described the Next Horizon media campaign in terms of digital, paid media, and earned media. He then reported that as of March 31, 2019, the Foundation's investment portfolio totaled at approximately \$286M.

## **4. President's Report**

University President Mark B. Rosenberg indicated that former University Vice Provost for Student Access and Success and Vice President of Human Resources, Jaffus Hardrick was recently appointed as President of Florida Memorial University. President Rosenberg added that former University Vice President for Engagement Irma Becerra-Fernandez was recently installed as President of Marymount University in Virginia.

President Rosenberg presented a summary of the findings relating to the Public Integrity & Ethics Committee of the Florida House of Representatives' Report of Investigation into Unauthorized Use of Appropriated Funds for Fixed Capital Outlay Projects at the University of Central Florida. Trustees engaged in a substantive discussion in terms of the report findings. Trustee Dean C. Colson stated that while the Board of Trustees is able to rely on the experience of President Rosenberg who served as Chancellor to the Florida Board of Governors (BOG), there is an expectation for the BOG to provide a template in order to standardize training requirements. Trustee Leonard Boord shared the National Association of Corporate Directors as a resource for training and education, adding that there were associated membership and course fees and stated that there are also internal and external auditing teams that provide necessary checks and balances. Trustee Gerald C. Grant, Jr. concurred that while the independent auditing team provides an appropriate level of checks and balances, Trustees could benefit from training to expand understanding in critical areas. Trustee Cesar L. Alvarez added that it is the responsibility of the administration and staff to be knowledgeable in regulation, policy and law.

As a consequence, President Rosenberg explained that Board member onboarding will become increasingly comprehensive and thoughtfully segmented. He then noted that the Board of Trustees will engage in a discussion at a future meeting as it relates to the March 28, 2019 Board of Governors presentation titled, Flavors of Money.

President Rosenberg explained that FIU joined the State University System of Florida and the other 11 state universities in adopting a Statement on Free Expression.

General Counsel Castillo provided an update on the recent security incident that occurred as a result of the break-in that took place in late February at FIU's Modesto A. Maidique Campus, specifically the office of Human Resources. He explained that the University concluded that the personally identifiable information of approximately 5,500 FIU employees was contained in the device stolen during the burglary and there is no evidence, to date, that any information contained within the device has been either accessed or misused. He reported that the suspect was arrested and is currently being prosecuted and that a portion of the stolen property has been recovered and is now undergoing forensic examination by a third-party expert. He described the legally required notices which were transmitted to all affected employees after invoking the University's cyber security insurance policy. In response to an inquiry from Trustee Justo L. Pozo, General Counsel Castillo explained that the suspect was external to the University.

## 5. Action Items – Consent Agenda

Board Vice Chair Armas noted that the Finance and Facilities Committee recommended approval by the Board of action item FF2 and that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1-AP2 contained in the Consent Agenda.

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

- **BT1. Minutes, March 4, 2019:** Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Monday, March 4, 2019, at the FIU, Modesto A. Maidique Campus, MARC 290, Earlene and Albert Dotson Pavilion.
- **FF2. Biscayne Bay Campus Aquatic Center Repair and Renovation** – Approve up to \$2,000,000 in structural repairs to the Aquatic Center at the Biscayne Bay Campus (BBC) utilizing unexpended Activity and Service (A&S) fee funds and approve a request to the Florida Board of Governors (BOG) authorizing reimbursement of (A&S) fee funds expended for Aquatic Center repairs from the Capital Improvement Trust Fund (CITF) fees allocation and a reduction of the same amount in CITF fees previously approved for the Graham University Center expansion.
- **AP1. Proposed Regulation FIU-2504 Student Religious Observances, Practices, and Beliefs** - Approve the proposed Regulation FIU-2504 Student Religious Observances, Practices, and Beliefs.
- **AP2. Honorary Degree Nomination** - Endorse Mr. Charles R. “Chipper” Wichman, Jr. as a recipient of a doctoral degree *honoris causa* from Florida International University.

## 6. Action Items

### FF1. CasaCuba Building

Trustee Board, Finance and Facilities Committee Chair, presented the CasaCuba building agenda item for the Board's review, indicating that the Committee engaged in substantive discussion on the project, including academic programming, fundraising requirements, design cost and timeline, and

site location. He explained that the Committee amended the proposed action and then proceeded to read the amended action as recommended by the Committee for Board approval.

A motion was made and unanimously passed that the FIU Board of Trustees approve the design phase for CasaCuba utilizing funds from donors and the corresponding amendment of the University Campus Master Plan, and upon further review of the design, funding, and other data, the Board will consider approval for construction of CasaCuba.

Trustee Boord provided highlights of the Committee's meeting earlier in the day. He reported that in terms of the Financial Statement Audit for the fiscal year ending on June 30, 2018, the University received an unqualified, opinion. He explained that the financial statements presented fairly, in all material respects, the respective financial position of FIU and of its aggregate discretely presented component units and the respective changes in financial position and cashflows.

Trustee Boord described the new business agenda item that the Committee approved, which related to the Agreement for Integrated Branding Marketing and Communication Services. He reported that the University posted an Intent to Negotiate (ITN) and based on the evaluations of the five proposals received, the ITN Committee selected "160over90" to create and execute effective brand marketing for the University as a whole. He stated that the agreement is for an initial term of three years with the option to renew and that the Committee will monitor closely the efficiencies of this initiative.

### **AP3. University Strategic Plan 2020-2025**

Trustee Cesar L. Alvarez, Academic Policy and Student Affairs Committee Chair, noted that beginning in November, the Committee has met monthly to develop the University's Strategic Plan 2020-25. Provost and Executive Vice President Kenneth G. Furton provided a brief overview of the University's Strategic Plan 2020-25, stating that FIU's three strategic priorities relate to amplifying learner success and institutional affinity, accelerating preeminence and research innovation impact, and assuring responsible stewardship, remain as previously presented to the Board of Trustees. He explained that the strategic plan framework proposes to maintain student headcount flat at the undergraduate level in order to focus efforts on increasing student success, ensuring timely graduation, and aligning curriculum with career needs. He then described the University's possible rankings within U.S. News & World Report Top 50 Public universities in terms of the University's performance in relation to the University's strategic plan goals.

A motion was made and unanimously passed that the FIU Board of Trustees approve the University Strategic Plan 2020-2025.

### **G1. Florida International University Annual Accountability Plan, 2019**

Vice Chair Armas noted that the Governance Committee met earlier in the day and conducted a comprehensive review of FIU's 2019 Annual Accountability Plan.

A motion was made and unanimously passed that the FIU Board of Trustees approve Florida International University's Annual Accountability Plan as provided in the Board materials and



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. President's Management Review**

Board Vice Chair Armas explained that the Governance Committee also met to undertake the assessment of President Rosenberg's accomplishments for the 2017-18 academic year relative to the Board-approved goals and his overall performance. Board Vice Chair Armas indicated that on behalf of the Committee, Chair Puig presented a written assessment and recommended performance rating for Board consideration.

A motion was made and passed by the FIU Board of Trustees granting a "Superior" performance rating to President Mark B. Rosenberg for his leadership of Florida International University during the 2017-18 academic year.

## **G3. University and President's Performance Goals, 2019-20**

Board Vice Chair Armas noted that President Rosenberg submitted a list of goals to be considered for his 2019-20 management review. He stated that the goals were taken directly from the University's Accountability Plan.

A motion was made and unanimously passed that the FIU Board of Trustees adopt the University and President's Performance Goals for the 2019-20 academic year as included in the Board materials.

## **7. Status Reports, Board Committees**

### **Governance Committee Report**

On behalf of Board Chair Claudia Puig, Board Vice Chair Armas provided highlights from the Committee's meeting earlier in the day. He indicated that as per Dr. Rosenberg's employment agreement, the Board may, in its discretion, annually award Dr. Rosenberg incentive compensation of up to \$100,000 for the 2017-18 academic year. He explained that the Board has delegated the Governance Committee with the responsibility of carrying out the review and award of incentive compensation. He stated that the Governance Committee awarded \$100,000 in incentive compensation to President Rosenberg and that the Committee also approved the 2019-20 incentive compensation goals.

### **Finance and Facilities Committee Report**

*Provided as part of action item FF1.*

### **Academic Policy and Student Affairs Committee Report**

Trustee Alvarez noted that all action items reviewed by the Committee have been approved by the Full Board.

### **External Relations Committee Report**

Trustee Marc D. Sarnoff, External Relations Committee Vice Chair, provided highlights from the Committee's meeting earlier in the day. He reported that Senior Vice President of External Relations Sandra B. Gonzalez-Levy provided an update on the status of the University's marketing and public

relations review, and noted that, in coordination with the Division of Human Resources, all colleges, schools and units reviewed and updated all marketing positions to align with the approved definition for a marketing role. Trustee Sarnoff reported that Vice President of Governmental Relations Michelle L. Palacio provided an overview of the 2019 legislative session and discussed the Future of Health Innovations DC Fly-in and the FIU President's Council Fly-in.

### **Athletics Committee Report**

Trustee Pozo, Athletics Committee Chair, provided highlights from the Committee's meeting earlier in the day, reporting that Executive Director of Sports and Entertainment Pete Garcia introduced FIU Panthers Football Quarterback James Morgan and FIU Men's Basketball Coach Jeremy Ballard. Trustee Pozo indicated that Mr. Garcia provided an overview of athletic team performance in terms of C-USA rankings, championships, and national finishes. Trustee Pozo stated that Senior Vice President of Academic and Student Affairs Elizabeth M. Bejar provided an academic update and also reported that Conference USA recently released the Commissioners Honor Roll where FIU totaled the highest number of student-athletes on the honor roll with 246 members. Trustee Pozo further stated that Mr. Garcia presented a fundraising update, describing that the fundraising goal for the following fiscal year was raised by 67%.

### **8. New Business**

Trustee Alvarez requested that a member of the administration be appointed in order to provide assurances to the Board of Trustees, at every meeting, that the items being reviewed comply with all applicable regulations, policies, and laws.

Trustee Sabrina L. Rosell provided an overview of Student Government activities and initiatives, namely Pantherization efforts at the Engineering Center, veterans parking, and on-campus FIU Day.

Relating to Trustee Alvarez' prior request, Trustee Sarnoff introduced a motion, 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 Board of Governors policy. The motion was unanimously passed.

President Rosenberg introduced a video that highlighted student-athletes.

### **9. Concluding Remarks and Adjournment**

With no other business, Board Vice Chair Jose J. Armas adjourned the meeting of the Florida International University Board of Trustees Full Board meeting on Thursday, April 18, 2019 at 2:44 pm.

*There were no Trustee requests.*

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Claudia Puig  
*Chair*  
*FIU Board of Trustees*

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Mark B. Rosenberg  
*Corporate Secretary*  
*FIU Board of Trustees*

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Approval of Minutes of Meeting held May 24, 2019**

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**Proposed Board Action:**

Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Friday, May 24, 2019, via conference call.

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**Background Information:**

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meeting held on Friday, May 24, 2019, via conference call.

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**Supporting Documentation:** Minutes: Full Board Meeting, May 24, 2019

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**FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES  
FULL BOARD MEETING  
MAY 24, 2019  
MINUTES**

**1. Call to Order and Chair's Remarks**

Board Chair Claudia Puig convened the meeting of the Florida International University Board of Trustees at 9:04 a.m. on Friday, May 24, 2019, via conference call.

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

Trustee Jose J. Armas, *Board Vice Chair*, and Trustee Roger Tovar were excused.

Board Chair Puig stated that the Board's Bylaws provide that the Board Chair may, in consultation with the Corporate Secretary, allow an item to be presented to the Full Board without prior consideration by a Board committee when circumstances warrant. Chair Puig added that she and President Rosenberg were in agreement that to proceed directly to a Full Board meeting without a prior Committee Meeting would provide the most expeditious and efficient means by which to review this time-sensitive matter.

**2. Public Appearances**

*There were no public appearances.*

**3. Action Item**

**FIU *Next Horizon* 2025 Strategic Plan alignment to 2025 Florida Board of Governors System Strategic Plan goals and FIU's five-year Preeminence plan**

University President Mark B. Rosenberg explained that the Florida Board of Governors (BOG) requires Board of Trustees approval of the crosswalk illustrating the alignment between the FIU *Next Horizon* 2025 Strategic Plan and the 2025 Florida Board of Governors System Strategic Plan goals.

Senior Vice President of Academic and Student Affairs Elizabeth M. Bejar presented the crosswalk pertaining to the FIU *Next Horizon* 2025 Strategic Plan alignment to 2025 Florida Board of Governors System Strategic Plan goals. She stated that the table delineates University goals approved by the Board of Trustees as part of the FIU *Next Horizon* 2025 Strategic Plan and the 2019

Accountability Plan and that the BOG 2025 goals are system-wide and do not specify each institution's proportion of contribution to achieving said goals.

In response to an inquiry from Trustee Cesar L. Alvarez in regards to the performance indicator relating to freshman in top 10% of graduating high school class, Sr. VP Bejar explained that the BOG's target of 50% reflects a system-wide goal of retaining talent in the state of Florida and added that the University's goal accounts towards its individual contribution of 27%.

In response to an inquiry from Trustee Dean C. Colson relating to the performance indicator pertaining to faculty membership in the National Academies, Sr. VP Bejar indicated that the University's target of 20 in terms of 2025 strategic plan goals differs from the preeminent metric goal of 8, as the latter does not recognize National Academies of Inventors members. In an effort to add clarity, Trustee Colson requested that a footnote be included. Relating to enrollment, Trustee Colson requested the inclusion of a statement that notes that the University will maintain current student headcount and representation levels through 2025.

Sr. VP Bejar explained that the BOG requires all State universities, which have been designated as an emerging preeminent state research university, to develop a preeminence plan. She provided an overview of the University's five-year preeminence plan, indicating that the plan details eight of the 12 preeminent metrics achieved qualifying the University as an emerging preeminent institution. She stated that the plan also illustrates current performance in addition to five-year goals and mentioned that three additional preeminent metrics have been targeted for attainment within the next five years in order to position the University to reach 11 of the 12 metrics required to reach preeminence recognition.

Trustee Gerald C. Grant, Jr. commended the University's progress over the past five years.

General Counsel Castillo read a statement submitted by Trustee Roger Tovar in anticipation of the Board's telephonic meeting, indicating that Trustee Tovar stated that "Unfortunately I cannot participate today as I am on an airplane. I have been briefed in detail by President Rosenberg regarding the FIU *Next Horizon* 2025 Strategic Plan alignment to 2025 Florida Board of Governors System Strategic Plan goals and FIU's five-year Preeminence plan and although I am not able to vote today by proxy or mail I am in full support of and in favor of today's agenda item."

A motion was made and unanimously passed that the FIU Board of Trustees approve the FIU *Next Horizon* 2025 Strategic Plan alignment to 2025 Florida Board of Governors System Strategic Plan goals and FIU's five-year Preeminence plan.

#### **4. New Business**

Sr. VP Bejar explained that due to a scheduling change, the BOG's next meetings will now be held June 11-13, 2019 and therefore, predate the Board of Trustees June meetings. She indicated that during the BOG's June meetings, the University is scheduled to present for the BOG's approval, the FIU *Next Horizon* 2025 Strategic Plan, the 2019 Accountability Plan, and the proposal for the PhD in Engineering and Computing Education, all of which she noted have been approved by the Board of Trustees. Sr. VP Bejar explained that a correction was made relating to a table within the

Accountability Plan. She mentioned that a table of future potential academic offerings was included and that in that table it was noted that a Doctor of Design program is currently being discussed and was inadvertently listed as a Program of Strategic Emphasis. Sr. VP Bejar explained that the table has been corrected and submitted to the BOG.

President Rosenberg indicated that he is part of the Florida delegation visiting Israel as part of the trip headed by Governor Ron DeSantis. President Rosenberg added that Governor DeSantis is expected to make an announcement relating to a \$5.2 million National Institute of Mental Health grant to fund a collaboration between researchers at FIU and Tel Aviv University. President Rosenberg stated that the grant will test a novel treatment for child social anxiety disorder and has the potential to open new therapies to help children with this condition.

### **5. Concluding Remarks and Adjournment**

With no other business, Board Chair Claudia Puig adjourned the meeting of the Florida International University Board of Trustees Full Board meeting on Friday, May 24, 2019 at 9:24 a.m.

*There were no Trustee requests.*

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Claudia Puig  
*Chair*  
*FIU Board of Trustees*

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Mark B. Rosenberg  
*Corporate Secretary*  
*FIU Board of Trustees*

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Proposed 2019-20 Fixed Capital Outlay Budget/Capital Improvement**

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**Proposed Board Action:**

Approve Florida International University's 2019-20 Fixed Capital Outlay Budget and authorize the University President to amend the budget as necessary, consistent with Legislative, Florida Board of Governors', and BOT directives and guidelines.

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**Background Information:**

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

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

The capital outlay budget is part of the annual budget and shall be based upon and in harmony with the BOT's capital outlay plan. The budget shall designate the proposed capital outlay expenditures by project for 2019-20 from all fund sources, as amended.

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Request for Approval of Florida International University's 2020-2021  
Fixed Capital Outlay Legislative Budget Request, consisting of the five-year  
Capital Improvement Plan**

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**Proposed Board Action:**

Approve FIU's 2020-2021 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan (CIP) and authorize the University President to amend the Legislative Budget Request as necessary, consistent with Florida Board of Governors and BOT directives and guidelines.

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**Background Information:**

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

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Public Safety and Emergency Management Facilities Expansion-Amendment**

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**Proposed Board Action:**

Approve an amendment to the budget for the expansion of space within Parking Garage 5 “Market Station” (PG-5) to provide additional hardened space for Public Safety and Emergency Management Operations including offices, emergency operations center, planning conference breakout/meeting rooms, locker room and showers, storage, and sleeping space.

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**Background Information**

The Florida International University Board of Trustees (the BOT) approved the expansion of the Public Safety and Emergency Management Operations facility at Parking Garage 5 at the February 27, 2018 meeting. The BOT-approved budget associated with the expansion was \$5,500,000, paid from unrestricted auxiliary funds.

The expansion utilizes approximately 9,000 square feet of space on the second floor of PG-5, just east of the existing space utilized by Public Safety and Emergency Management, to provide a large emergency operations center, food storage and service operations, equipment storage, offices, conference rooms, and meeting breakout rooms. Additionally, approximately 2,500 square feet of the existing space will be reconfigured to provide for a locker room, showers, sleeping space, laundry service space, and offices that are needed during emergency events when occupied on a continuous basis, not only by Public Safety and Emergency Management personnel but also FIU essential personnel from Facilities, Information Technology, External Relations, FIU Health, Environmental Health & Safety, Parking and Transportation, Finance and Administration, and Business Services.

The architectural and engineering (A/E) and construction management (CM) services for this project were competitively solicited. The A/E is PGAL and the CM is Biltmore Construction. PGAL has completed the 50 percent construction drawings and Biltmore Construction has been costing the project with subcontractors and suppliers. Based upon the construction drawings and pricing information, the total project cost, including telecommunications, professional fees for architectural/engineering services, construction management services, inspections, surveys, and furnishings and equipment is estimated at \$8,866,989, approximately \$3.37 million more than the approved project. The higher cost is the result of having actual construction drawings instead of floor plans and sketches, the complexity of constructing space within an existing garage, and higher construction costs in the Miami market. The additional \$3.37 million will come from unrestricted auxiliary funds or, with Board of Governors approval, carryforward funding.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Tenure Nominations**

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**Proposed Board Action:**

Approve the Tenure Nominations as specified in the Board materials.

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**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 University President is recommending the granting of Tenure for forty (40) nominees as specified in the Board materials.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Tenure as a Condition of Employment Nominations**

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**Proposed Board Action:**

Approve three (3) candidates for Tenure as a Condition of Employment (TACOE).

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**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 nominees hold tenure at their previous institutions and have been selected to receive TACOE based on the caliber of their work.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Program Termination of the Bachelor of Architecture**

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**Proposed Board Action:**

Approve the termination of the Bachelor of Architecture (CIP 4.0201).

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**Background Information:**

Professional programs in the unit leading to architecture degrees were converted as of fall 2009 to accelerated master's degrees. These 2+3 programs have been providing students a more streamlined route to professional degrees than the previous four-year baccalaureate plus two-year master's degrees.

The Board of Governors staff requested FIU to officially terminate this inactive degree program.

Section (1c) of Florida Board of Governors Regulation 8.012 – *Academic Program Termination and Temporary Suspension of New Enrollments* states it is the University Board of Trustees responsibility and authority to approve termination of degree programs.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Program Termination of the Bachelor of Interior Design**

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**Proposed Board Action:**

Approve the termination of the Bachelor of Interior Design (CIP 50.0408).

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**Background Information:**

Professional programs in the unit leading to architecture degrees were converted as of fall 2009 to accelerated master's degrees. These 2+3 programs have been providing students a more streamlined route to professional degrees than the previous four-year baccalaureate plus two-year master's degrees.

The Board of Governors staff requested FIU to officially terminate this inactive degree program.

Section (1c) of Florida Board of Governors Regulation 8.012 – *Academic Program Termination and Temporary Suspension of New Enrollments* states it is the University Board of Trustees responsibility and authority to approve termination of degree programs.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Program Termination of the Bachelor of Landscape Architecture**

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**Proposed Board Action:**

Approve the termination of the Bachelor of Landscape Architecture (CIP 4.0601).

---

**Background Information:**

Professional programs in the unit leading to architecture degrees were converted as of fall 2009 to accelerated master's degrees. These 2+3 programs have been providing students a more streamlined route to professional degrees than the previous four-year baccalaureate plus two-year master's degrees.

The Board of Governors staff requested FIU to officially terminate this inactive degree program.

Section (1c) of Florida Board of Governors Regulation 8.012 – *Academic Program Termination and Temporary Suspension of New Enrollments* states it is the University Board of Trustees responsibility and authority to approve termination of degree programs.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: New Program Proposal: Bachelor of Fine Arts in Digital Arts**

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**Proposed Board Action:**

Approve the Bachelor of Fine Arts in Digital Arts (CIP 50.0102) new program proposal.

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**Background Information:**

The Department of Art + Art History is proposing a new Bachelor of Fine Arts in Digital Arts (STEM) CIP code 50.0102. The BFA in Digital Arts is designed to prepare students for technological and conceptual relevance within contemporary digital arts practice.

The Florida Board of Governors has defined Digital Arts as a “Strategic Emphasis” and outlined careers in this field as a key to the economic development of Florida. Students graduating from the BFA in Digital Arts degree program will be equipped with the appropriate skill sets to excel in an increasingly technologically driven society with careers available in motion graphics, prototype design, digital fabrication, digital photography, and digital audiovisual artworks. The proposed degree will offer tracks in Graphic Design and Animation in place of the current Graphic Design and Digital Arts tracks under BFA-Art degree program.

Each university board of trustees shall approve for implementation new degree programs at the bachelor’s, master’s, advanced master’s, and specialist levels in accordance with sections (3) and (5) of Florida Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Direct Support Organizations Board Appointments**

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**Proposed Board Action:**

Approve the appointments of the individuals listed below and in the board materials, to the Florida International University Foundation, Inc. Board of Directors.

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**Background Information:**

On June 9, 2019, the Board of Directors of the Florida International University Foundation, Inc., a direct support organization (“DSO”) of Florida International University (the “FIU Foundation”), appointed certain new directors, and renewed the terms of certain current directors, all identified below.

Accordingly, and as required by Regulation FIU-1502, the FIU Foundation is requesting that the FIU Board of Trustees approve the appointment of such individuals to the FIU Foundation Board of Directors, as follows:

A. New Director Appointments for initial one-year terms (*FY 2019-2020*):

1. Carmel J. Barrau, MD, FACP
2. Noel Jesus Guillama-Alvarez
3. Robert Chadwick “Chad” Moss ‘94
4. Thomas “Gene” Prescott
5. Carlos Alberto Sabater, CPA ‘81

B. Renewal of Existing Director Appointments:

For three-year terms: (*FY 2019-2020, 2020-2021, 2021-2022*)

1. Stewart L. Appelrouth, CPA MS ‘80
2. Steven M. Berwick, CPA ‘74
3. Francisco Gonzalez, CPA ‘90
4. Michael A. Kappitt ‘92
5. Melvin “Mel” Kirk and Francisco Lopez, Jr., Esq. ‘96
6. Albert “Al” Lorenzo ‘74
7. Esther L. Moreno, Esq. ‘95
8. Jorge R. Villacampa

For two-year terms (*FY2019-2020, 2020-2021*)

1. Cristina di Mauro '01
2. Dr. Yolangel "Yogi" H. Hernandez Suarez
3. Jeffrey L. Horstmyer, MD
4. Robert M. Namoff '74
5. Marcel L. Navarro '93
6. Candido J. Viyella

The Florida International University Board of Trustees (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.

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**Supporting Documentation:**    *Information behind the Governance Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Proposed 2019-2020 University and Direct Support Organizations Operating Budget**

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**Proposed Board Action:**

Approve the FIU 2019-20 University and Direct Support Organizations (DSO) Operating Budgets and authorize the University President to amend the budgets consistent with Legislative, Board of Governors' and Florida International University Board of Trustees (BOT) directives and guidelines.

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**Background Information:**

The BOT is required to adopt an annual budget for the general operation of the University prior to submission to the Florida Board of Governors. The FY 2019-20 Proposed Operating Budget for the University is due to the Board of Governors on June 23, 2019.

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

The following funding groups and budget detail are included:

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

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

BOT of any changes in excess of two percent (2%) made to the total approved 2019-2020 Operating Budget during the operating year.

Florida Statute 1011.40(2) provides that “each university board of trustees shall adopt an operating budget for the operation of the university as prescribed by law and rules of the Board of Governors.” The University has prepared the proposed 2019-2020 Operating Budget in accordance with the requirements set forth in Board of Governors Regulations 9.007 and 9.011.

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

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

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Proposed Amendments to Regulation FIU-1101 Tuition and Fees Schedule and FIU-1114 Tuition and Fee Refunds**

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**Proposed Board Action:**

Approve the revisions to Regulations FIU-1101 Tuition and Fees Schedule and FIU-1114 Tuition and Fee Refunds, and delegate authority to the University President to approve any subsequent non-material amendments based on comments to the Regulations received from the Florida Board of Governors (BOG) or as a result of the regulation-making process.

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**Background Information:**

Regulations FIU-1101 and FIU-1114 are amended to comply with Florida Statutes section 1009.24, and BOG Regulations 7.001 and 7.003. The proposed changes include the refund of the excess hour surcharge assessed for up to 12 hours if the First-Time-in-College student graduates within four (4) years, clarification that the excess hour determination shall be based on the degree program the student is enrolled and, if a student changes degree programs, the threshold shall be adjusted accordingly, and specifying that undergraduate tuition is set by law while all other tuition must be set in accordance with law and BOG and FIU regulation.

Also proposed in Regulation FIU-1101 is a recommendation by the University Fee Committee to reduce the Student Activity and Service Fee by \$.40 per credit hour and increase in the Student Athletic Fee in the amount of \$.40 per credit hour effective with the Fall 2019 semester. Because the reduction and increase are the same amount per credit hour, there is no change to the total fees paid by students. The proposed fee changes will reduce the Student Activity and Service Fee from \$14.85 to \$14.45 per credit hour and increase the Student Athletic Fee from \$16.10 to \$16.50 per credit hour. In accordance with Florida Statutes §1009.24(12) and Board of Governors' Regulation 7.003 Fees, Fines and Penalties, the change in fees was unanimously recommended by a fee committee comprised of 50% (4) students and 50% (4) faculty/staff. The University President has approved the fee changes after consultation with the Student Government presidents.

House Bill 565 passed during the 2018 Legislative Session and required public universities to refund the excess credit hour surcharge assessed for up to 12 credit hours if the First-Time-In-College student graduates within four (4) years. In November 2018, BOG Regulation 7.003 was amended to conform to House Bill 565.

House Bill 7019 passed during the 2016 Legislative Session and eliminated the University's statutory authority to increase tuition for graduate and professional programs or the out-of-state fee for all programs. BOG Regulation 7.001 was revised in 2016 in response to the new law. The University has been in compliance with House Bill 7019 since it was signed by the Governor.

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Proposed Amendment to FIU-1105 University Traffic and Parking Regulations**

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**Proposed Board Action:**

Approve the proposed amendments to FIU-1105 University Traffic and Parking Regulations and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.

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**Background Information:**

Regulation FIU-1105 is being amended to reflect a 5% increase in virtual permits.

Florida Board of Governors Regulation 1.001(3)(k), University Board of Trustees Powers and Duties, provides that each board of trustees may govern traffic on the grounds of the university and in other areas in accordance with law and any mutual aid agreements entered into with other law enforcement agencies.

Florida Board of Governors Regulation 7.003(9), Fees, Fines and Penalties, provides that each university board of trustees shall establish charges for parking decals, permits and parking fines.

The Regulation includes information on fees and therefore, in accordance with the Florida Board of Governors' Regulation Development Procedure, the University Administration is required to submit the proposed amendments to the University Traffic and Parking Regulations FIU-1105 to the Florida Board of Governors for approval.

The University President will report to the Florida International University Board of Trustees at its next regularly scheduled meeting on any substantive change requested or made to the Regulation as a result of comments received from the Board of Governors pursuant to the regulation-making process.

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Revisions to Regulation FIU-2501 Student Code of Conduct**

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**Proposed Board Action:**

Approve the revisions to Regulation FIU-2501 Student Code of Conduct, and delegate 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.

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**Background information:**

Regulation FIU-2501 Student Code of Conduct is being amended to include a new title to reflect the inclusion of Academic Misconduct, outline of behaviors that violate the Honor Code and corresponding sanctions, in response to Florida Senate Bill 1080, organizational leaders may be responsible for hazing violations, amnesty is expanding to include hazing, additional definitions for new terms included in the Student Conduct and Honor Code, and changes to the composition of hearing panels for Title IX and Academic Misconduct violations.

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

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

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

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Revisions to Regulation FIU-2505 Alcoholic Beverages**

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**Proposed Board Action:**

Approve the revisions to Regulation FIU-2505 Alcoholic Beverages, and delegate 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.

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**Background Information:**

Regulation FIU-2505 Alcoholic Beverages governs the responsible and permissible possession, service, sale, consumption, and distribution of alcohol at Florida International University. The proposed changes include removal of specified locations where service and sale of alcohol is permitted to allow for applicability to all university premises as defined in this regulation, addition of applicable definitions, update to the title of the Senior Vice President of Academic and Student Affairs, and improvements to the request and approval process.

Section 1001.74(6)(b) of the Florida Statutes, provides, in relevant part, that each board of trustees shall have responsibility for the use, maintenance, protection, and control of university-owned or university-controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the university pursuant to guidelines of the Board of Governors. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound.

Florida Board of Governors Regulation 1.001(3)(j), University Board of Trustees Powers and Duties, provides that each board of trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedures adopted by the Board of Governors.

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

June 19, 2019

**Subject: Amendments to Employment Agreement for President Mark B. Rosenberg,  
for 2020-2021 Term**

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**Proposed Board Action:**

Approve (i) amendments to the employment agreement for President Mark B. Rosenberg for the 2020-2021 Term, as described in the attached Term Sheet, and (ii) authorize the Chair of the BOT to execute, on behalf of the BOT, a contract document with language carrying forward the current contract provisions as amended per the Term Sheet.

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**Background Information:**

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

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

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

Section 3.3 of the current Employment Agreement, as amended, between the Board of Trustees and President Rosenberg provides for any contract extension to be formalized in an agreement no later than October 1, 2019.

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

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**Supporting Documentation:** *Information behind the Governance Committee tab*

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

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