



**FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES  
FULL BOARD MEETING**

**Zoom Meeting**

Public access via <http://webcast.fiu.edu/>

**Thursday, December 3, 2020**

**11:30 A.M.**

*or*

*Upon Adjournment of Previous Meeting*

**AGENDA**

- |  |                             |
|--|-----------------------------|
| <b>1. Call to Order and Chair's Remarks</b>  | <b>Chair Dean C. Colson</b> |
| <b>2. Public Appearances</b>   | <b>Dean C. Colson</b>       |
| <b>3. Foundation Report</b>  | <b>Humberto Cabañas</b>     |
| <b>4. Board of Trustees Self Evaluation Survey</b>   | <b>Dean C. Colson</b>       |
| <b>5. President's Report</b>   | <b>Mark B. Rosenberg</b>    |
| <b>6. Action Items – Consent Agenda</b>  | <b>Dean C. Colson</b>       |
| BT1. Minutes, August 12, 2020  |                             |
| BT2. Minutes, September 9, 2020  |                             |
| FF1. FIU Direct Support Organizations Financial Audits FY 2019-2020  |                             |
| A. FIU Foundation, Inc.  |                             |
| B. FIU Research Foundation, Inc.   |                             |
| C. FIU Athletics Finance Corporation   |                             |
| D. FIU Academic Health Center Health Care Network Faculty Group Practice, Inc.   |                             |
| AP1. Tenure as a Condition of Employment Nominations   |                             |
| G1. Direct Support Organizations Board Appointment   |                             |
| G2. Ratification of the 2020-2023 Collective Bargaining Agreement between the FIU Board of Trustees and the Florida Nurses Association, Office and Professional Employees International Union, Local 713, AFL-CIO* |                             |

**7. Action Item**

**FF2. Trish and Dan Bell Chapel and East Loop Road  
Realignment—Naming and Approval of Design**

**Leonard Boord**

**8. Status Reports, Board Committees**

- Audit and Compliance Committee Report
- Finance and Facilities Committee Report
- Academic Policy and Student Affairs Committee Report
- Strategic Planning Committee Report
- External Relations Committee Report
- Governance Committee Report

**Gerald C. Grant, Jr.**

**Leonard Boord**

**Natasha Lowell**

**Roger Tovar**

**Claudia Puig**

**Dean C. Colson**

**9. New Business *(If any)***

**Dean C. Colson**

**10. Concluding Remarks and Adjournment**

**Dean C. Colson**

*\*pending ratification by the Florida Nurses Association, Office and Professional Employees  
International Union, Local 713, AFL-CIO*

*The next Full Board Meeting is scheduled for Tuesday, February 23, 2021*

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 3, 2020

**Subject: Approval of Minutes of Meetings held August 12, 2020 and September 9, 2020**

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**Proposed Board Action:**

Approval of Minutes of the FIU Board of Trustees, Full Board meetings held on August 12, 2020 and on September 9, 2020, via Zoom.

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**Background Information:**

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meetings held on August 12, 2020 and on September 9, 2020, via Zoom.

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**Supporting Documentation:** Minutes: Full Board Meetings, August 12, 2020 and September 9, 2020

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**FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES  
FULL BOARD MEETING  
AUGUST 12, 2020  
MINUTES**

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

Board Chair Dean C. Colson convened the meeting of the Florida International University Board of Trustees at 10:43 a.m. on Wednesday, August 12, 2020, via Zoom.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Dean C. Colson, *Board Chair*; Roger Tovar, *Board Vice Chair*; Cesar L. Alvarez; Jose J. Armas; Leonard Boord; Gerald C. Grant, Jr.; Donna J. Hrinak; Natasha Lowell; Gene Prescott (*joined after roll call*); Claudia Puig; Joerg Reinhold; Marc D. Sarnoff; and Alexandra Valdes.

Board Chair Colson welcomed Trustees and University administrators participating via the virtual environment and explained that the University community and general public were accessing the meeting via the FIU webcast.

**2. Public Appearances**

*There were no public appearances.*

**3. President's Report**

University President Mark B. Rosenberg pointed out that over the last several months, the University has received approximately \$20M in combined new research awards, adding that research awards grew from \$157M to \$197M, representing a 25% increase over the prior fiscal year. He indicated that the Institute of Environment, FIU's largest research center designated by the Florida Board of Governors (BOG) as an area of Distinction for FIU, reached \$20M in research awards for the fiscal year, a 24% increase from the prior fiscal year. He also mentioned that the College of Engineering and Computing had a increase of 41% from \$32M to \$45M. President Rosenberg remarked that the amount of funding requested in proposals increased by 34%, from \$589M to \$788M, that thirteen license options were executed, and that licensing income totaled \$236K, surpassing the prior six years combined.

In terms of fall 2020 enrollment, President Rosenberg commented on frequent communications with the BOG and with the Chancellor and noted that nearly 7,000 courses will be offered in the fall and that of those courses, approximately 17% will be face-to-face, 6% hybrid, 27% online and 48% remote. President Rosenberg remarked that over 1,000 faculty members have earned the University's

Remote Teach Ready Badge, noting that the FIU Micro-Credential, in the form of a digital badge is intended for face-to-face faculty who will benefit from building their technological skills for remote teaching. He explained that while most of the biology, chemistry, earth and environment, and physics labs are planned for remote modalities, earth and environment and physics will have a significant percentage of in-person labs. He also described instances of enrollment by modality for the arts, indicating that, while subject to change depending on conditions within the next two weeks, it is the expectation that most sections will be in a remote modality.

In response to Board Vice Chair Roger Tovar, President Rosenberg explained that the University is on track in terms of its projections for online learning, noting that eight new online degrees are starting this year and that remote learning is a new modality that is being evaluated. President Rosenberg commented that data comparing pre-COVID to current conditions, will be shared with the Board. In response to Board Vice Chair Tovar, Provost and Executive Vice President Kenneth G. Furton pointed out that one of the University's strategic plan goals relates to the number of patents and licenses or options executed per year. He remarked that FIU was ranked 15th in the nation among public universities that were issued utility patents and pointed out that the University is focused on licensing. Vice President for Research and Economic Development and Dean of the University Graduate School Andres G. Gil explained that currently licensing success is being achieved in the areas of engineering and computer science, noting that biomedical and energy are other promising areas. Further responding to Board Vice Chair Tovar, VP Gil pointed out that further detail on the thirteen University licenses that the President described will be shared with the Board.

#### **4. Action Items**

##### **AP1. Honorary Degree Nomination**

Trustee Natasha Lowell, Academic Policy and Student Affairs Committee Chair, commented that the Committee met earlier and recommended Hashim Al Abri as a recipient of an Honorary Bachelor of Business Administration.

A motion was made and unanimously passed that the Board of Trustees endorse Hashim Al Abri as a recipient of an Honorary Bachelor of Business Administration from Florida International University.

##### **AP2. Approval of Amendments to Regulation FIU-105 Sexual Misconduct (Title IX)**

Trustee Lowell indicated that the Committee recommended Board approval of the amendments to Regulation FIU-105 Sexual Misconduct (Title IX) as specified in the Board materials.

A motion was made and unanimously passed that the Board of Trustees approve the amendment of Regulation FIU-105 Sexual Misconduct (Title IX) including the renaming to Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct.

##### **AP3. Proposed Amendments to Regulation FIU-2501 Student Conduct and Honor Code**

Trustee Lowell pointed out that the Committee recommended Board approval of the amendments to Regulation FIU-2501 Student Conduct and Honor Code as specified in the Board materials.

A motion was made and unanimously passed that the Board of Trustees approve the revisions to Regulation FIU-2501 Student Conduct and Honor Code, 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 (BOG) or as a result of the regulation-making process.

## 5. New Business

Chair Colson commented on the Board's next regularly scheduled meetings in September and the likelihood that said meetings will be held via Zoom.

Trustee Marc D. Sarnoff voiced concerns over the percentages for the fall semester instruction modes and how these differed from the percentages approved as part of the University's repopulation plan. Chair Colson commented on continued communications with the BOG and the Florida Governor, noting that the plan remains fluid in order to adjust and respond to changes in local conditions. In response to Trustee Sarnoff, Provost Furton explained that University decisions are informed by a subcommittee of the Repopulation Task Force, adding that the subcommittee is based on Centers for Disease Control (CDC) guidelines and is formed by members of the administration, epidemiologists, and medical professionals. He added that Trustee Joerg Reinhold serves as a member of the subcommittee. Provost Furton remarked that the University's repopulation is consistent with the other State University System institutions, despite Miami-Dade County having the highest number of positive cases in the state. Trustee Leonard Boord requested that the Administration identify those courses that cannot be taught remotely. Given the dynamic situation, Chair Colson commented on providing a platform for increased communication with the Board of Trustees while also providing flexibility to the administration. Senior Vice President for Health Affairs and Dean of the Herbert Wertheim College of Medicine Robert Sackstein remarked on clinical skills courses requiring in-person learning. Further discussion ensued on CDC guidelines, how positivity rates are calculated, false negativity rates, and the increased positivity rate in the age group of 18-35.

## 6. Concluding Remarks and Adjournment

With no other business, Board Chair Dean C. Colson adjourned the meeting of the Florida International University Board of Trustees Full Board on Wednesday, August 12, 2020 at 11:34 a.m.

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Dean C. Colson  
*Chair*  
*FIU Board of Trustees*

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

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**FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES  
FULL BOARD MEETING  
SEPTEMBER 9, 2020  
MINUTES**

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

Board Chair Dean C. Colson convened the meeting of the Florida International University Board of Trustees at 11:22 a.m. on Wednesday, September 9, 2020, via Zoom.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Dean C. Colson, *Board Chair*; Roger Tovar, *Board Vice Chair*; Cesar L. Alvarez; Jose J. Armas (*joined after roll call*); Leonard Boord; Gerald C. Grant, Jr.; Donna J. Hrinak; Natasha Lowell; Gene Prescott; Claudia Puig; Joerg Reinhold; Marc D. Sarnoff; and Alexandra Valdes.

Board Chair Colson welcomed Trustees and University administrators participating via the virtual environment and explained that the University community and general public were accessing the meeting via the FIU webcast.

Board Chair Colson pointed out that Section 1003.28, Florida Statutes, provides, in relevant part, that the chair of a university board of trustees must appoint to a direct support organization, such as the FIU Foundation Board, at least one representative to the board of directors and executive committee, if any, of the organization. He indicated that, since August 2018, Trustee Grant has been serving, and is continuing to serve, as an FIU Board of Trustees Chair appointed representative on the Board of Directors of the FIU Foundation, Inc. and on the Foundation's Executive Committee. Board Chair Colson explained that earlier in the fiscal year, he requested that Trustee Gene Prescott serve on the Board of Directors of the Foundation Board as an FIU Board of Trustees Chair appointed representative to that Board.

Board Chair Colson commented that an informational Board meeting regarding the University's repopulation is not planned for September 10, 2020.

**2. Public Appearances**

*There were no public appearances.*

**3. Foundation Report**

FIU Foundation, Inc. Board of Directors Treasurer Andre L. Teixeira presented the Foundation Report, stating that the Next Horizon Campaign has, to-date, reached 77% of its \$750M goal. He

commented that as of June 30, 2020, \$75.9M was raised, exceeding the \$71M goal for the 2019-20 fiscal year. He described 2019-20 fundraising highlights, which include \$30.4M raised in cash, \$11.5M raised for scholarships, record fundraising years in several colleges, a new campaign record for a single year in principal gifts, and a 78% faculty and staff participation rate in the Ignite Campaign.

Director Teixeira explained that the Pathway to Philanthropist Program is an innovative path for donors to build their long-term philanthropy and impact through annual giving, endowment growth, and legacy giving. He recognized Alberto Garcia Marrero '19, MBA '20 as the Program's first participant. Director Teixeira remarked on ongoing efforts to boost alumni engagement, noting that the August 15, 2020 virtual Growth Conference drew approximately 200 attendees and featured prominent alumni and other experts discussing wellness, financial literacy, and professional development. He provided highlights from the August 28, 2020 Foundation Board officers retreat, namely, that Henry Stoeber, President and CEO of the Association of Governing Boards of Universities and Colleges facilitated a presentation and that the retreat focused on topics relating to the close of the \$750M Next Horizon campaign and aligning fundraising to the goals of the FIU Next Horizon 2025 Strategic Plan.

Director Teixeira provided an update on the hiring of a new outsourced chief investment officer, highlighting a comprehensive and robust competitive solicitation process that is on schedule and now in the due diligence phase with the finalist. He reported that as of July 31, 2020, the Foundation's total investment portfolio stands at approximately \$311M and that the Total Managed Assets returned 2.7%. He pointed out that FIU stands to rank fourth among the 12 State University System institutions, based on the prior year's estimates of 2.9% returns.

Referring to the 2019-20 fiscal year fundraising highlights, Trustee Board requested that moving forward, the reporting of cash received be delineated in terms of current and prior year pledges.

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

University President Mark B. Rosenberg remarked that the FIU Foundation Inc. Board of Directors officers are all FIU alumni. In terms of the Board's informational meetings relating to repopulating FIU campuses and regional locations, President Rosenberg commented that after having conferred with the Board Chair and the Vice Chair, he is in the process of drafting a summary assessment. He added that the finalized assessment will be shared with the Trustees and that individual discussions with the Board members will follow. President Rosenberg recognized the University's Equity Action Initiative core advisory group, Vice President El pagnier Hudson, Clinical Associate Professor Dr. Valerie Patterson, and FIU Police Captain Delrish Moss, adding that the resulting recommendations will be presented for the Board's review in the near future. President Rosenberg commented that Provost and Executive Vice President Kenneth G. Furton was selected by his peers to serve as the Chair of the State University System Council of Academic Vice Presidents.

President Rosenberg indicated that FIU's College of Engineering and Computing construction management student team, made up of Jorge Mejia, Stephen Valdes, and Lorenzo Artola won the 2020 Associated Builders and Contractors' Construction Management Competition, defeating 25 other undergraduate teams from colleges and universities across the country. President Rosenberg

pointed out that three (3) years ago, Congress created the Women's Suffrage Centennial Commission and that out of a staff of six (6) women, two (2) are recent FIU graduates, Stephanie Marsellos, who serves as the communications and program specialist, and Gabriela Hernandez, who serves as program coordinator. President Rosenberg added that Ms. Marsellos and Ms. Hernandez both were Washington, D.C.-based interns affiliated with FIU in Washington, D.C.'s Talent Lab program immediately prior to their full-time roles with the commission.

President Rosenberg highlighted and described the work of two FIU top scholars. He commented that a team of researchers led by Tomás R. Guilarte, Dean of the Robert Stempel College of Public Health and Social Work, received a \$2.31M grant from the National Institutes of Health (NIH) to study proteins in the brain and how their interactions may lead to brain inflammation and that the research project has received continuous NIH funding for 20 years. President Rosenberg remarked that Associate Professor Melissa Baralt has secured the most funding amongst colleagues in the Department of Modern Languages and that in 2019, Dr. Baralt won a grant from the National Library of Medicine for \$450,000 to infuse her award-winning phone app, Hablame Bebe, with more videos for Spanish-speaking parents on how and why to raise their children bilingually.

President Rosenberg reported that the Helios Education Foundation has granted FIU \$900,000 to support students in their final year of university, adding that the grant established the Helios Last Mile Scholarship program, which bolsters seniors by providing gap grants and access to financial wellness coaching. President Rosenberg commented that WPLG Local 10 hosted a prime-time special on the crisis in Biscayne Bay, followed by a town hall with FIU researchers and WPLG's Louis Aguirre. President Rosenberg remarked on the Fall semester launch of the University's bachelor's degree in cybersecurity that will prepare graduates for careers in a high-demand field. He pointed out that Ms. Alexandria Segovia, one of FIU's first graduates of the Internet of Things (IoT) bachelor's degree program, now works for a local company using her IoT degree.

## 5. Action Items – Consent Agenda

Chair Colson explained that the Consent Agenda was amended to include revised Minutes for the June 16, 2020 Full Board Meeting. He indicated that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1-AP3 and that the Governance Committee recommended approval by the Board of action items G1 and G2 contained in the Consent Agenda.

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

- **BT1. Minutes, June 16, 2020 and BT2. Minutes, July 23, 2020** – Approval of Minutes of the FIU Board of Trustees, Full Board meetings held on Tuesday, June 16, 2020, at the FIU, Modesto A. Maidique Campus, Parking Garage 5 (PG5) Market Station, room 155 and via Zoom and on Thursday, July 23, 2020, via Zoom.
- **AP1. Tenure as a Condition of Employment Nominations** - Approve six (6) candidates for Tenure as a Condition of Employment as specified in the Board materials.

- **AP2. 2021-2022 Legislative Budget Requests** - Approve the 2021-2022 Legislative Budget Requests: SMART Pipeline: Strengthening Minority Achievement and Results through Teaching, request: \$4,998,664; and Program of Distinction in Environmental Resilience, request: \$15,150,000
- **AP3. Textbook and Instructional Materials Affordability Annual Report** - Approve the Textbook and Instructional Materials Affordability Annual Report.
- **G1. Updated Exclusion Resolution** - Adopt a Resolution that updates the exclusion of the named members of the FIU Board of Trustees from the requirements for a personnel security clearance.
- **G2. 2020 Florida Educational Equity Act Report** - Approve the 2020 Florida Educational Equity Act Report.

## 6. Action Item

### **FF1. Approval of Educational and General Carryforward Spending Plan, Fixed Capital Outlay Budget, and Related Certification**

Trustee Board, Finance and Facilities Committee Chair, pointed out that the Committee engaged in a thorough review of the proposed Educational and General Carryforward spending plan, Fixed Capital Outlay Budget, and related certification. There were no further questions from the Trustees. He stated that the Finance and Facilities Committee recommended the item for Board approval.

A motion was made and unanimously passed that the FIU Board of Trustees approve the FIU Educational 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; approve the FIU Fixed Capital Outlay Budget in accordance with BOG Regulation 14.003 Fixed Capital Outlay Projects – University Budgeting Procedures; and authorize 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 Education/General Student and Other Fees Trust Fund as of June 30, 2020 and the Fixed Capital Outlay budget; and authorize the University President to amend the BOT carryforward expenditure plan and fixed capital outlay budget as necessary and report to the BOT and the BOG any amendments to the spending plans in a format prescribed by the BOG Office of University Budgets.

## 7. Status Reports, Board Committees

### **Audit and Compliance Committee Report**

Trustee Gerald C. Grant, Jr., Audit and Compliance Committee Chair, provided highlights from the Audit and Compliance Committee's meeting earlier in the day. He commented that the University's Chief Audit Executive, Mr. Trevor Williams reported that there are eight (8) audits in various stages of completion and that there were 105 recommendations due for implementation and that based on the work performed, the Office of Internal Audit concluded that, as of August 31, 2020, 85% of the recommendations were completed and 15% were partially implemented. Trustee Grant remarked that two of the three vacant positions in the Office were filled, bringing the Office of Internal Audit

to 91% staffed. Trustee Grant mentioned that Chief Compliance and Privacy Officer, Ms. Jennifer LaPorta, provided updates on office recruitment, the Global Risk and Foreign Influence Task Force, the Compliance Calendar Notification and Tracking System, health affairs compliance activities, Ethical Panther Hotline oversight, reporting trends, and consequences for non-compliance. Trustee Grant pointed out that General Counsel Castillo provided an update about an incident involving Blackbaud, a third-party provider to the FIU Foundation, and that as is mandated by the Committee's Charter, the Committee met with the Chief Audit Executive without the presence of senior management.

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

Trustee Boord provided highlights from the Finance and Facilities Committee's meeting earlier in the day. He reported that Vice President for Information Technology and Chief Information Officer Robert Grillo facilitated a presentation on the University's IT platform. Trustee Boord reported that the Committee approved a Change Order for the contract with Apple Inc., totaling \$2.6M for a one-year extension term. He pointed out that the Committee also approved a \$1.6M, five-year contract, with Palo Alto 7050 Appliance Border Firewalls and a five-year, \$1M contract, with Infoblox. Trustee Boord remarked that CFO and Sr. VP Jessell presented the budget variance for the fourth quarter of fiscal year 2019-20, reporting that the University experienced operating revenues above estimates by \$50.7M and that operating expenses were also above estimates by \$9.3M. Trustee Boord indicated that CFO and Sr. VP Jessell highlighted several University-wide projects under construction and design.

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

Trustee Natasha Lowell, Academic Policy and Student Affairs Committee Chair, provided highlights from the Committee's meeting earlier in the day. She indicated that, in addition to reviewing the action items that the Board approved as part of the Consent agenda, the Committee also received updates from the student and faculty representatives on the Board.

### **Strategic Planning Committee Report**

Board Vice Chair Roger Tovar, Strategic Planning Committee Chair, provided highlights from the Committee's meeting earlier in the day. He indicated that Provost Furton provided an overview of the University strategic planning process and presented details on FIU's current rankings and related improvement strategies. Board Vice Chair Tovar pointed out that the Committee reviewed, as a discussion item, the acquisition of Possum Trot as a Special Purpose Center.

### **Governance Committee Report**

Board Chair Colson remarked on plans to circulate the Board's self-evaluation survey to the Trustees in the near future, adding that a 100% response rate was critical. He commented on plans to follow-up on the survey results at the Board's December meeting.

Board Chair Colson commented on the ongoing discussions regarding the University's repopulation, adding that following the President's summary assessment, another informational meeting, or Full Board meeting, if action is required, may be scheduled. Board Chair Colson added that he and the President have been in regular communication with the Board of Governors. Board Chair Colson opened the floor for discussion. There were no further questions or comments from the Trustees.

### **8. New Business**

In response to Trustee Boord, Board Vice Chair Tovar remarked that a significant portion of the marketing and advertising budget has been specifically allocated towards increasing the peer review ratings, which represent a 20% indicator weight in *U.S. News & World Report's* college rankings.

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

With no other business, Board Chair Dean C. Colson adjourned the meeting of the Florida International University Board of Trustees Full Board on Wednesday, September 9, 2020 at 12:09 p.m.

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Dean C. Colson  
*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**

December 3, 2020

**Subject: Florida International University Foundation Inc., Financial Audit, 2019-20**

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**Proposed Board Action:**

Accept the Florida International University Foundation, Inc. Financial Audit for the 2019-20 Fiscal Year and authorize the CEO of the Florida International University Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

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**Background information:**

Pursuant to Regulation FIU-1502 (2)(g), the Florida International University Foundation, Inc. must submit an independently conducted financial audit of its accounts and records, which has been recommended by the University President to the Florida International University Board of Trustees for review and acceptance.

The Florida International University Foundation, Inc. Financial Audit for 2019-20 was approved by the Florida International University Foundation, Inc. Board of Directors on October 23, 2020, and the University President is recommending its acceptance.

Florida Board of Governors Regulation 9.011 (5) University Direct Support Organizations and Health Services Support Organizations, states in relevant part: Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General.

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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**

December 3, 2020

**Subject: Florida International University Research Foundation Inc., Financial Audit,  
2019-20**

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**Proposed Board Action:**

Accept the Florida International University Research Foundation, Inc. Financial Audit for the 2019-20 Fiscal Year and authorize the President of the Florida International University Research Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

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**Background information:**

Pursuant to Regulation FIU-1502 (2)(g), the Florida International University Research Foundation, Inc. must submit an independently conducted financial audit of its accounts and records, which has been recommended by the University President to the Florida International University Board of Trustees for review and acceptance.

The Florida International University Research Foundation, Inc. Financial Audit for 2019-20 was approved by the Florida International University Research Foundation, Inc. Board of Directors on October 2, 2020, and the University President is recommending its acceptance.

Florida Board of Governors Regulation 9.011 (5) University Direct Support Organizations and Health Services Support Organizations, states in relevant part:

Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General.

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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**

December 3, 2020

**Subject: Florida International University Athletics Finance Corporation Financial  
Audit, 2019-20**

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**Proposed Board Action:**

Accept the Florida International University Athletics Finance Corporation Financial Audit for the 2019-20 Fiscal Year and authorize the Executive Director of the Florida International University Athletics Finance Corp. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

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**Background information:**

Pursuant to Regulation FIU-1502 (2)(g), the Florida International University Athletics Finance Corp. must submit an independently conducted financial audit of its accounts and records, which has been approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and acceptance.

The Florida International University Athletics Finance Corp. Financial Audit for 2019-20 was approved by the Florida International University Athletics Finance Corp. Board of Directors on October 22, 2020, and the University President is recommending its acceptance.

Florida Board of Governors Regulation 9.011 (5) University Direct Support Organizations and Health Services Support Organizations, states in relevant part:  
Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General.

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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**

December 3, 2020

**Subject: Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit, 2019-20**

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**Proposed Board Action:**

Accept the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for the 2019-20 Fiscal Year and authorize the President of the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

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**Background information:**

The Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for 2019-20 was approved by the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Board of Directors on October 28, 2020, and the University President is recommending its acceptance.

Florida Board of Governors Regulation 9.017 (2)(e) Faculty Practice Plans, states in relevant part that each Faculty Practice Plan shall include and/or provide for an annual audit, which shall be forwarded to the Board of Governors for review and oversight.

Florida Board of Governors Regulation 9.011 (5) University Direct Support Organizations and Health Services Support Organizations, states in relevant part: Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General.

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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**

December 3, 2020

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

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**Proposed Board Action:**

Approve four (4) candidates for Tenure as a Condition of Employment (TACOE) 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 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**

December 3, 2020

**Subject: Direct Support Organizations Board Appointment**

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**Proposed Board Action:**

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

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**Background Information:**

On October 23, 2020, the Board of Directors of the Florida International University Foundation, Inc., a direct support organization (“DSO”) of Florida International University (the “FIU Foundation”), appointed one (1) new director, 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 said individual to the FIU Foundation Board of Directors, as follows:

- New Director Appointment for initial one-year term (*FY 2020-2021*):
  - Walter Bueno Gonzalez Jr., Esq. ‘96

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*

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 3, 2020

**Subject: Ratification of the 2020-2023 Collective Bargaining Agreement Between the Florida International University Board of Trustees and the Florida Nurses Association, Office and Professional Employees International Union, Local 713, AFL-CIO (Local 713)\***

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**Proposed Board Action:**

Ratify the 2020-2023 Collective Bargaining Agreement between the Florida International University Board of Trustees (BOT) and the Florida Nurses Association, Office & Professional Employees International Union, Local 713, AFL-CIO (Local 713).

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**Background Information:**

Representatives of the BOT and LOCAL 713 have engaged in collective bargaining and reached a tentative agreement on the terms of the articles and policies of the 2020-2023 BOT-LOCAL 713 Collective Bargaining Agreement. Both parties agreed to wages increases and other minor edits (see attached Term Sheet) to the current agreement for 2020-2023 term. The FNA unit is scheduled to hold a vote on November 30, 2020 for ratification.

Florida Board of Governors Regulation 1.001(5)(b) 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.

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

*\*pending ratification by the Florida Nurses Association, Office and Professional Employees International Union, Local 713, AFL-CIO*

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 3, 2020

**Subject: Trish and Dan Bell Chapel and East Loop Road Realignment—Naming and Approval of Design**

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**Proposed Board Action:**

Approve the naming of The Trish and Dan Bell Chapel (“Chapel”), the design of the Chapel, the design of roadway improvements on the east side of the FIU Modesto A. Maidique Campus (MMC) necessary to accommodate the construction of the Chapel and the future expansion of the Graham Center, and amend the 2010-20 University MMC Campus Master Plan to include the Chapel and roadway improvements as contemplated in the proposed 2015-2030 University MMC Campus Master Plan. Upon approval by the Florida International University Board of Trustees (BOT), the Chapel and roadway improvements capital budget requests will be submitted to the Florida Board of Governors (BOG) for approval in accordance with BOG Regulation 14.003.

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**Background Information**

Trish and Dan Bell, members of the FIU Foundation, Inc. Board of Directors, are among the community’s most active and deeply engaged supporters, both in terms of their widespread leadership and their generous philanthropy. On January 26, 2019, Mr. and Mrs. Bell announced a gift of \$5 million to the FIU Foundation toward the design and construction by the University of a non-denominational chapel to support the faith needs of students. As consideration for this gift, the Foundation and the University have agreed to name the chapel as “The Trish and Dan Bell Chapel” and the Chapel’s bell tower as the “Bell Tower” in accordance with the Foundation’s and the University’s donative naming policies. The Foundation Board of Directors approved the naming of the Chapel at their June 8, 2019 meeting. Subsequently, Mr. and Mrs. Bell notified the FIU Foundation on November 11, 2020, that they have increased their gift commitment up to another \$2 million in funding for the Chapel as part of a one-for-one challenge match program on new pledges of \$500,000 or more. With the original gift and the challenge gifts, \$9 million in private funding will be available. As reflected in the gift agreement, Mr. and Mrs. Bell have made the initial installment payment of \$500,000 to cover the estimated design fees; the remaining funds will be paid in nine annual installments, beginning with the commencement of construction. The FIU Foundation will advance to the University the full amount of the funding for the Chapel from unrestricted Foundation fund balances prior to construction.

The facility program for the Chapel was approved by the University President on December 6, 2019. As stated in the program, “The [Chapel] is intended to serve individual students, recognize multi-faith student groups/organizations, alumni and the University community.” The Chapel will contain 8,410 net assignable square feet (SF) consisting of a 250 person, 3000 SF sanctuary, a 150 person, 750 SF narthex/foyer, a 100 person, 1,200 SF multi-purpose room, and other ancillary spaces including audio-visual and IT space, changing room, prayer room, catering preparation room, multi-faith counseling rooms, and office and conference

rooms. The Chapel also includes support and circulation areas for drop-off, mechanical, custodial, restrooms, electrical, and circulation, totaling 4,249 square feet. The total area of the Chapel is 12,659 gross square feet. The estimated cost of the Chapel is \$8,961,000, reflecting construction cost of \$6,334,514 and other project costs of \$2,626,486 for architectural design fees, movable furnishing and equipment, project contingency, and inspections, fees, construction services, and surveys.

To accommodate the Chapel at the proposed location as well as the future Graham Center expansion included in the University's CITF capital budget, the east loop road, SW 108 Avenue, will need to be realigned. The realignment enhances traffic flow and turning radii for large vehicles serving the Graham Center and creates a larger available site area east of the Graham Center Ballrooms to allow bus, pick-up, drop-off and valet parking for Graham Center events. Additionally, the realignment eliminates a hard right turn on SW 108 Avenue and the need to stop at a busy intersection near the Graham Center. Realignment of SW 108 Avenue was reflected in the 2005-15 vision Campus Master Plan. The facility program for the east road realignment was approved by the President on April 16, 2020. The projected cost of the east road realignment is \$6,483,286, reflecting construction cost of \$5,364,500 and other project costs of \$1,118,786 for architectural design fees, project contingency, and inspections, fees, construction services and surveys.

Total project cost of the Chapel and the East Loop Road Realignment is \$15,444,286 (Chapel, \$8,961,000; Road Realignment, \$6,483,286). While the Chapel and Road Realignment will be a single capital project with one Architect/Engineer and one Construction Manager, each component will have a separate guaranteed maximum price and identifiable budget. Combining the two components will ensure an integrated approach to the project, particularly utility access connections and egress, accelerate project delivery, and provide some project savings (site staging and general conditions).

Planned funding for the two components will be provided by:

Private Funding:	\$9,000,000
Unrestricted Treasury Auxiliary Fund Balances:	\$3,444,286
CITF (Capital Improvement Trust Fund) Appropriations:	\$3,000,000

At this time, approval is requested for design and survey services only. Total budget approval requested is \$875,000 (Chapel, \$470,000; Road Realignment, \$405,000). The Chapel design is funded by the Trish and Dan Bell payment of \$500,000 already received by the FIU Foundation. Design cost for the East Loop Road Realignment will be funded by unrestricted treasury auxiliary fund balances. The request for BOT approval of construction will be presented at a future meeting after all the private funds have been raised.

The University MMC Campus Master Plan will be amended to reflect the realignment of the road and the location of the Chapel on the east side of campus, at SW 108 Avenue.

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

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

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