



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

**Florida International University, Modesto A. Maidique Campus
Parking Garage 5 (PG5) Market Station, Room 155**

To help prevent the spread of COVID-19, public access via <http://webcast.fiu.edu/>

Tuesday, June 16, 2020

2:00 p.m.

or

Upon Adjournment of Previous Meeting

AGENDA

- | | |
|---|---------------------------|
| 1. Call to Order and Chair's Remarks | Chair Claudia Puig |
| 2. Public Appearances | Claudia Puig |
| 3. Foundation Report | Richard Brilliant |
| 4. President's Report | Mark B. Rosenberg |
| 5. Action Items – Consent Agenda | Claudia Puig |
| BT1. Minutes, February 26, 2020 | |
| BT2. Minutes, March 25, 2020 | |
| BT3. Minutes, April 21, 2020 | |
| AC1. Office of Internal Audit Policy and Charter | |
| AC2. Compliance and Ethics Charter for the Office of University
Compliance and Integrity | |
| FF2. Proposed 2020-21 Fixed Capital Outlay Budget | |
| FF3. Request for Approval of Florida International University's 2021-22
Fixed Capital Outlay Legislative Budget Request, Consisting of the
five-year Capital Improvement Plan | |
| FF4. Approval of (i) Changes to the Design of the proposed Hotel,
Conference Center, and Alumni Center and Budget of the Alumni
Center as previously approved by the Board of Trustees, and (ii)
Changes to two of the Hotel Ground Sublease key terms requested
by the Board of Trustees in the June 2, 2017 meeting | |

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

- FF5. Approval of Contract and Construction Hardening Project of over \$2 million, Federal Emergency Management Agency, Florida Division of Emergency Management, for the protection of Primera Casa (PC) at FIU
- AP1. Tenure Nominations
- AP2. New Program Proposal: Master of Business Administration in Business Analytics
- AP3. New Program Proposal: Master of Science in Cognitive Neuroscience
- AP4. New Program Proposal: Ph.D. in Cognitive Neuroscience
- G1. Direct Support Organizations Board Appointments
- G2. Ratification of the revised 2018-2021 Collective Bargaining Agreement between the FIU Board of Trustees and the United Faculty of Florida - FIU Chapter

6. Action Items

- | | |
|---|-------------------------|
| FF1. Proposed 2020-21 University and DSO Operating Budgets | Leonard Boord |
| AP5. COVID-19 Guidelines for Repopulating FIU Campuses and Regional Academic Locations | Cesar L. Alvarez |
| G3. University President’s Employment Agreement | Claudia Puig |

7. Status Reports, Board Committees

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| ▪ 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 |

8. Election of Officers **Claudia Puig**

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

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

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

**Subject: Approval of Minutes of Meetings held February 26, 2020, March 25, 2020,
and April 21, 2020**

Proposed Board Action:

Approval of Minutes of the FIU Board of Trustees, Full Board meetings held on Wednesday, February 26, 2020, at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms, on Wednesday, March 25, 2020 via Zoom, and on Tuesday, April 21, 2020 via Zoom.

Background Information:

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meetings held on Wednesday, February 26, 2020, at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms, on Wednesday, March 25, 2020 via Zoom, and on Tuesday, April 21, 2020 via Zoom.

Supporting Documentation:

Minutes: Full Board Meetings
February 26, 2020
March 25, 2020
April 21, 2020

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**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
FEBRUARY 26, 2020
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 1:05 p.m. on Wednesday, February 26, 2020, 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 Claudia Puig, *Board Chair*; Cesar L. Alvarez; Leonard Boord; Dean C. Colson; Gerald C. Grant, Jr.; Donna J. Hrinak; Natasha Lowell; T. Gene Prescott; Joerg Reinhold; Sabrina L. Rosell; Marc D. Sarnoff; and Roger Tovar.

Board Vice Chair Jose J. Armas was excused.

Chair Puig welcomed all Trustees and University faculty and staff to the meeting. Chair Puig welcomed Trustee Donna J. Hrinak, noting that the Florida Board of Governors (BOG) appointed Trustee Hrinak, who succeeds Mr. Justo L. Pozo, to the FIU Board of Trustees for a five-year term that began January 6, 2020. Chair Puig indicated that Governor Ron DeSantis reappointed Trustee Leonard Boord and appointed Trustee Gene Prescott, to the FIU Board of Trustees for five-year terms that began January 31, 2020. Chair Puig welcomed Trustee Prescott, adding that Trustee Prescott succeeds Mr. Michael G. Joseph.

On behalf of the Board, Chair Puig extended a special welcome to Dr. Belle S. Wheelan, President of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

Chair Puig thanked the members of the FIU Board of Trustees who traveled to Tallahassee for FIU Day with the delegation of students, administrators, and faculty to advocate for the University's legislative priorities.

2. Public Appearances

There were no public appearances.

3. Foundation Report

Senior Vice President of University Advancement Howard R. Lipman presented the Foundation Report, reporting that the Next Horizon Campaign has raised \$553M to-date towards the \$750M

goal. He described major gifts, namely, Bacardi USA, \$5M in support of the Chaplin School of Hospitality and Tourism Management; the Braman Family Foundation, \$1.2M in support of the Herbert Wertheim College of Medicine's Linda Fenner 3D Mobile Mammography Center; Provost and Executive Vice President Kenneth G. Furton and Emily Gresham, \$1M in support of the College of Arts, Sciences and Education; Stuart Harris, \$514K in support of the Nicole Wertheim College of Nursing and Health Sciences' RN scholarships; Conchi and Antonio Argiz, \$500K, in support of College of Business scholarships. Sr. VP Lipman pointed out that the Carnival Gold Scholar program is now in its sixth cohort and introduced a video that featured several scholarship recipients. He commented on recent events that offer unparalleled hands-on student experience, namely, the Food Network & Cooking Channel South Beach Wine & Food Festival (SOBEWFF®) and the North Miami BrewFest. Sr. VP Lipman reported on the \$200K planned gift from FIU alumnus Fang Shu.

In terms of the second phase of the paid media campaign, Sr. VP Lipman introduced a video that featured student success. He introduced a video that highlighted the University's achievements at the District III CASE Awards. He invited the University community to attend the 18th annual Torch Awards Gala on March 28, 2020, noting that Mr. Regynald G. Washington will be recognized as alumnus of the year and that Gala proceeds will support the FIU Alumni Center and the First-Generation Scholarship Fund. Sr. VP Lipman indicated that, as of January 31, 2020, the Foundation's investment portfolio totaled approximately \$312.5M. He explained that the Foundation Board of Directors has initiated a competitive solicitation process for the hiring of a new Chief Investment Officer.

4. President's Report

University President Mark B. Rosenberg indicated that FIU Ignite, the annual faculty and staff giving campaign for the University, has raised a total of \$27M to-date. He introduced Mr. Lee Caplin, Founder and Chairman of the Picture Entertainment Corporation, noting that Mr. Caplin serves as a member of the Dean's Leadership Advisory Board for the FIU College of Communication, Architecture + The Arts.

With respect to Coronavirus, President Rosenberg reported that, to-date, FIU has issued eight separate communications to the University community. He pointed out that the University is closely monitoring the situation and working with the appropriate internal stakeholders to plan for a potential conversion to a fully digital academic platform should the situation worsen thus requiring a University closure. He described University travel restrictions and protocols related to safety and screening and delineated next steps, namely, that a tabletop exercise is scheduled to discuss the impacts of a potential pandemic that would affect the University community and a possible University closure and that FIU units are being asked to review departmental continuity of operation plans. President Rosenberg referred to the infographic from the Centers for Disease Control and Prevention.

President Rosenberg explained that nearly 500 seniors presented their projects as part of the University's College of Engineering and Computing Senior Design Showcase. He highlighted Worlds Ahead graduates, Linda Armstrong, Aditya Sundararajan, Bianca Maderal, and Ariel Huguet. He pointed out that as FIU's football team prepared to play in the Camellia Bowl in Montgomery,

Alabama, a group of approximately 60 students participated in the Civil Rights Public History Fellowship, a learning experience where they visited sites and museums of historic significance in Montgomery. President Rosenberg introduced a video that featured the student learning experience in Montgomery.

President Rosenberg explained that on December 17, 2019, the University broke ground on the International Center for Tropical Botany at the Kampong, an innovative collaboration between FIU and the National Tropical Botanical Garden. He indicated that the number of FIU new fully online students for academic year 2018-2019, increased 29 percent above the previous year. He pointed out that FIU's State of the World 2020 conference took place on January 9, 2020 and tackled some of the most pressing global issues. He reported that FIU's School of Communication + Journalism has partnered with the country's largest provider of Spanish-language content to create the Univision Students Training and Employment Program (STEP). He introduced a video that highlighted the partnership. President Rosenberg commented that on January 12, 2020, FIU participated in the 50th Three Kings Day Parade on Calle Ocho and that on January 20, 2020 the University participated in the 43rd Annual Dr. Martin Luther King, Jr. Day Parade and Festivities in Liberty City.

President Rosenberg reported that FIU Distinguished Professor Madhavan Nair has been named a Fellow of the National Academy of Inventors and that Professor Fatma G. Huffman is to be inducted as a Fellow of the American Society for Nutrition, the highest honor that the Society bestows. President Rosenberg indicated that Professor Kalai Mathee has been elected to a Fellowship in the American Academy of Microbiology and that Dean of the Robert Stempel College of Public Health and Social Work, Tomas Guilarte, is a recipient of the 2020 Metal Specialty Section Career Achievement Award. President Rosenberg pointed out that FIU Professor Allan Rosenbaum is the third person to ever be elected to a second term as president in the 81-year history of the 8,000 member American Society for Public Administration. President Rosenberg reported that Asst. Professor Zachary Danziger was awarded a \$1.6M grant from the National Institutes of Health to help modify current brain-computer interfaces to improve brain decoding algorithms before implanting.

President Rosenberg announced that Dr. Michael Cheng was appointed as the next dean for the Chaplin School of Hospitality and Tourism Management, indicating that Dean Cheng has been serving as the interim dean since December 15, 2017. President Rosenberg stated that Dimitris Pavlidis was awarded a \$4.2M grant from the Air Force to research vacuum nanoelectronics for advanced communication systems. President Rosenberg explained that the University is among the 21 U.S. doctoral institutions that produced the most Fulbright U.S. Scholars in 2019-2020, adding that FIU Professor Emeritus Emmanuel Roussakis has received his sixth Fulbright grant.

President Rosenberg reported that during the annual Panther Alumni Week, Trustee Gerald C. Grant, Jr. spoke to a class at the Honors College. President Rosenberg commented on an event earlier in the week where FIU hosted MITRE, stating that the University and MITRE, have entered into a strategic partnership that will involve joint efforts to enhance FIU student talent development and preparation in key areas driving 21st century innovation and job creation. President Rosenberg noted that over 1,200 students volunteer at SOBWWFF® every year and that proceeds benefit the Chaplin School of Hospitality and Tourism Management.

5. Southern Association of Colleges and Schools Commission on Colleges

Dr. Wheelan provided an overview of the requirements of each of the Principles of Accreditation and the role of the Board of the Trustees in the accreditation process. She described the 14 sections relating to the principles of accreditation and explained that two new principles have been added and that these pertain to (1) boards defining and regularly evaluating their responsibilities and expectations and (2) the institution providing information and guidance to help student borrowers understand how to manage their debt and repay their loans.

In terms of the reaffirmation process, Dr. Wheelan explained that the Compliance Certification is submitted approximately five (5) months in advance of an institution's scheduled reaffirmation and is a document completed by the institution that demonstrates its judgment of the extent of its compliance with each of the Core Requirements and Standards. She pointed out that the Off-Site Reaffirmation Committee reviews Compliance Certifications to determine whether each institution is in compliance with all Core Requirements and Standards and that at the conclusion of the review, the Off-Site Reaffirmation Committee will prepare a separate report for each institution, recording and explaining its preliminary findings about compliance. She indicated that said report is forwarded to the respective institution's On-Site Reaffirmation Committee, adding that the On-Site Reaffirmation Committee will conduct a focused evaluation at the campus to finalize issues of compliance with the Core Requirements and Standards, evaluate the Quality Enhancement Plan (QEP), and provide consultation regarding the issues addressed in the QEP. She commented that at the conclusion of its visit, the On-Site Reaffirmation Committee will finalize a written report of its findings noting areas of noncompliance. She added that the Committees on Compliance and Reports (C&R), standing committees of the SACSCOC Board of Trustees, review reports prepared by reaffirmation committees and the institutional responses to those reports and that a C&R Committee's recommendation regarding an institution's reaffirmation of accreditation is forwarded to the Executive Council for review. She further stated that the Executive Council recommends action to the full Board of Trustees, which makes the final decision on reaffirmation and any monitoring activities that it may require of an institution. She explained that the full Board of Trustees convenes twice a year.

Dr. Wheelan provided an overview of Principles related to the role of university governing boards, namely, that governing boards: (1) ensure the regular review of the institution's mission; (2) ensure a clear and appropriate distinction between the policy-making function of the board and the responsibility of the administration and faculty to administer and implement policy; (3) select and regularly evaluate the institution's chief executive officer; (4) define and address potential conflict of interest for its members; (5) have appropriate and fair processes for the dismissal of a board member; (6) protect the institution from undue influence by external persons or bodies; and (7) define and regularly evaluate its responsibilities and expectations. She pointed out that if an institution's governing board does not retain sole legal authority and operating control in a multiple-level governance system, then the institution clearly defines the following areas within its governance structure: (a) institution's mission, (b) fiscal stability of the institution, and (c) institutional policy.

In response to Trustee Natasha Lowell, Dr. Wheelan explained that while a Trustee can serve as a board member of a university in which his/her child or grandchild is a student, this scenario would be defined as a potential conflict of interest that would preclude said Trustee from serving as that

board's chair.

6. Action Items – Consent Agenda

Chair Puig explained that the Consent Agenda was amended to include a new business item reviewed by the Finance and Facilities Committee that related to the University moving forward with the Torrey Pines transaction, notwithstanding the closing costs and revenue side developments as described during the Finance and Facilities Committee meeting.

Chair Puig indicated that the Audit and Compliance Committee recommended approval by the Board of action item AC2, that the Finance and Facilities Committee recommended approval by the Board of action items FF1-FF4, and that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1-AP6 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, December 5, 2019** - Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Thursday, December 5, 2019, at the Modesto A. Maidique Campus, Graham Center Ballrooms.
- **AC2. Office of Internal Audit Quality Assurance Review 2019** - Approve the independent assessor's report, Office of Internal Audit Quality Assurance Review 2019.
- **FF1. Approval of Purchase Order 198394, vendor: Oracle America, Inc. and Contract/Purchase Order #PUR-02866, vendor W.W. Grainger, Inc** - Pursuant to the Delegations of Authority from the Florida International University Board of Trustees (the BOT) to the University President, as reflected in the Resolution on the President's Powers and Duties approved by the BOT on March 4, 2019, (i) approve the University entering into the purchase order and contract as described in the Board materials and (ii) authorize the University President or his designee to execute, on behalf of the University, the aforementioned contract.
- **FF2. Investment Policy Amendment** - Adopt the revisions to the University's Investment Policy.
- **FF3. Amendment to the 2019-2020 Fixed Capital Outlay and Carryforward Budgets** - Approve an amendment to the 2019-20 Florida International University Fixed Capital Outlay and Carryforward Budgets in order to complete necessary Heating, Ventilation and Air Conditioning upgrades in the Owa Ehan building.
- **FF4. Torrey Pines** - Affirm the University moving forward with the Torrey Pines transaction notwithstanding the closing costs and revenue side developments.
- **AP1. Tenure as a Condition of Employment Nominations** - Approve three (3) candidates for Tenure as a Condition of Employment as specified in the Board materials.

- **AP2. Proposed Amendments to Regulation FIU-108 Access to Student Education Records** - Approve the revisions to Regulation FIU-108 Access to Student Education Records, 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.
- **AP3. New Program Proposal: Bachelor of Science in Cybersecurity** - Approve the Bachelor of Science in Cybersecurity (CIP 11.1003) new program proposal.
- **AP4. New Program Proposal: Bachelor of Arts in English Education** - Approve the Bachelor of Arts in English Education (CIP 13.1305) new program proposal.
- **AP5. New Program Proposal: Bachelor of Science in Behavioral Neuroscience** - Approve the Bachelor of Science in Behavioral Neuroscience (CIP 42.2706) new program proposal.
- **AP6. New Program Proposal: Bachelor of Science in Rehabilitation and Recreational Therapy** - Approve the Bachelor of Science in Rehabilitation and Recreational Therapy (CIP: 51.2399) new program proposal.
- **G1. Updated Exclusion Resolution and Designation of Key Management Personnel and Delegation of Authority** - 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.

7. Action Item

AC1. Performance Based Funding and Emerging Preeminence Metrics

A. Performance Based Funding and Emerging Preeminence Status – Data Integrity Certification

B. Audit of Performance Based Funding and Emerging Preeminence Metrics Data Integrity

Trustee Gerald C. Grant, Jr., Chair of the Audit and Compliance Committee, noted that the BOG requires the Board Chair and University President to jointly execute a Data Integrity Certification affirmatively certifying that the University maintains reliable systems as they relate to BOG data and reporting requirements. Additionally, he added that the University's Chief Audit Executive Trevor L. Williams conducted an audit of the University's processes completeness, accuracy, and timeliness. Trustee Grant pointed out that Mr. Williams issued an opinion stating that the system, in all material respects, continues to function in a reliable manner and made five recommendations to further reduce potential risks to data integrity that management agreed to implement.

In terms of the audit recommendations, Trustee Cesar L. Alvarez requested an implementation update for the next regularly scheduled Board meetings.

A motion was made and unanimously passed that the FIU Board of Trustees:

1. Approve the Performance Based Funding and Emerging Preeminence Status – Data Integrity Certification to be signed by the Chair of the FIU Board of Trustees and the University President; and
2. Approve the Audit Report - Audit of the Performance Based Funding and Emerging Preeminence Metrics Data Integrity.

8. Status Reports, Board Committees

Audit and Compliance Committee Report

Trustee Grant provided highlights from the Audit and Compliance Committee’s meeting earlier in the day. He indicated that, in addition to the audit of the data integrity and processes utilized in the University’s Performance Based Funding and Emerging Preeminence Metrics, Mr. Williams provided updates on recently completed audits that pertained to the University’s accounts receivable process and FIU football attendance for the 2019 season. Trustee Grant pointed out that Chief Compliance and Privacy Officer, Ms. Jennifer LaPorta, reported on the establishment of the Global Risk and Foreign Influence Task Force. In terms of recruitment, Trustee Grant commented that the Associate Athletic Director of Compliance position has been filled and that the hiring of an Assistant Director of Compliance is in process.

Trustee Grant explained that he will be working with the Offices of Internal Audit, Compliance and Integrity, and General Counsel to finalize the Office Charter review process for Internal Audit and Compliance. He pointed out that as is mandated by the Committee’s Charter, the Committee met with the Chief Audit Executive to discuss the audit process.

Finance and Facilities Committee Report

Trustee Leonard Boord, Chair of the Finance and Facilities Committee, provided highlights from the Committee’s meeting earlier in the day. He pointed out that the Committee reviewed and approved a new business item relating to a request to relocate the Miami Beach Urban Studios to ground floor space in its current building, which is located at 1620 Washington Avenue and 1622 Washington Avenue, in Miami Beach, Florida. He explained that as follow-up from the Committee’s December meeting, the Director of the CasaCuba program, Maria Carla Chicuen, provided a fundraising update.

Trustee Boord indicated that Senior Vice President for Administration and Chief Financial Officer Kenneth A. Jessell reported on the close of the second quarter of FY 2019-20 in terms of operating revenues and expenses and provided the key drivers that played a role in the University’s financial performance. Trustee Boord noted that total operating revenues were above estimates by \$12.8M or two percent and operating expenses are above estimates by (\$4.2)M or one percent, a net favorable variance of \$8.6M.

Academic Policy and Student Affairs Committee Report

Trustee Alvarez, Academic Policy and Student Affairs Committee Chair, provided highlights from the Committee’s meeting earlier in the day, namely, that all action items reviewed by the Committee were approved and that the Committee received an update on University rankings.

Governance Committee Report

On behalf of the Board, Chair Puig thanked Dr. Wheelan. Chair Puig pointed out that Dr. Wheelan has provided the necessary framework to guide the Board's future discussions on the self-evaluation survey results.

9. New Business

No new business was raised.

10. 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 on Wednesday, February 26, 2020 at 2:27 p.m.

Trustee request:

In terms of the recommendations relating to the Audit of the Performance Based Funding and Emerging Preeminence Metrics Data Integrity, Trustee Cesar L. Alvarez requested an implementation update for the next regularly scheduled board meetings.

Claudia Puig
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees



FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
SPECIAL MEETING
MARCH 25, 2020
MINUTES

1. Call to Order and Chair's Remarks

Board Chair Claudia Puig convened the online Special Meeting of the Florida International University Board of Trustees at 4:09 p.m. on Wednesday, March 25, 2020.

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

Chair Puig welcomed all Trustees and members of the University community. She explained that in response to the growing concerns over the COVID-19 pandemic, at the February 26, 2020 Board of Trustees meetings, the Board engaged in a discussion on potential impacts and academic continuity of operations. She pointed out that the purpose of the Special Meeting was to receive further updates and to continue the discussion on the COVID-19 pandemic with University President Mark B. Rosenberg and members of the administration.

Chair Puig indicated that the Board's Bylaws, namely, section 6.3, provide that the Board may hold special meetings and that the Corporate Secretary shall send written notice of such special meetings to all Trustees, along with a statement of the purpose of the meeting, at least 48 hours in advance and that only matters included in the Chair's call of the meeting may be considered at a special meeting, except that a new matter may be added by an affirmative vote of a majority of the Trustees at the meeting.

2. Discussion Item

President Rosenberg commended the work, dedication, and perseverance of the University's students, faculty, and staff despite the pressures and challenges faced during the COVID-19 pandemic. President Rosenberg recognized Trustee and President of the Student Government Council at the Modesto A. Maidique Campus Sabrina L. Rosell; Trustee and Faculty Senate Chair Joerg Reinhold; President of the United Faculty of Florida-FIU Chapter Daniel Saunders; and members of the professional staff, namely, Professor and Clinical Lab Director of FIU Health Dr. Aileen Marty; Professor and CEO of the FIU Health Care Network Dr. Encida Roldan; Asst. Director of Emergency Management Bridget A. Pelaez; Asst. Vice President of Operations and

Safety Amy B. Aiken; and Vice President of Operations and Safety and Chief of Staff Javier I. Marques.

AVP Aiken reported on the number of COVID-19 positive cases at the global, national, and local level. She explained that on March 1, 2020, Florida Governor Ron DeSantis signed an Executive Order directing the State Health Officer and Surgeon General, Dr. Scott Rivkees, to declare a public health emergency in the State of Florida. She indicated that on March 9, 2020, Governor DeSantis issued an Executive Order declaring a state of emergency for the entire State of Florida and that since that time, the Governor has signed an additional six Executive Orders designed to limit the spread of COVID-19. She commented that on March 12, 2020, Miami-Dade County Mayor Carlos A. Gimenez declared a local State of Emergency, noting that since that date, the Mayor has signed 17 emergency orders and amendments also aimed at limiting the spread of COVID-19. She pointed out that certain cities within Miami -Dade County have issued Stay-at-Home Orders for their residents. In terms of the University's Emergency Operations Center (EOC), AVP Aiken explained that a tabletop exercise was held on March 3, 2020 in order to identify issues and questions for the policy group and to begin the discussion on next steps. She pointed out that situation reports began to be issued on March 4, 2020 and that on March 10, 2020, the EOC went to a level two partial activation and that since this date, there have been daily EOC conference calls.

Provost and Executive Vice President Kenneth G. Furton provided an update on the transition to remote learning, explaining that over a year earlier, all University faculty were requested to have a Canvas shell for their courses, at the minimum a Canvas shell to house the course's syllabus. He pointed out that on March 12, 2020, University faculty were asked to transition to remote learning, noting that at the time, 1,678 courses were already fully online and that of the 5,565 courses that were taught in either face-to-face or hybrid platforms, 4,678 or 84% have successfully transitioned to remote learning to-date. He commented that 667 courses or 12% are in the process of finalizing the transition to a remote learning platform. In terms of the remaining 222 courses or 4% that consist primarily of wet labs, experiment courses, internships, and clinical placements, he noted that further guidance from the appropriate deans, department chairs, and in certain instances accrediting agencies is being sought in order to determine the best course of action.

Provost Furton reported that on March 24, 2020, the Faculty Senate approved changes to the grading system for the Spring 2020 semester and that these changes offer students two additional grade options that will not be factored into their GPAs, a "Pass" and a "No Credit Earned". He pointed out that once grades have been posted, students will have 10 days to select an alternative grade of "No Credit Earned" for failed courses (F) or "Pass" for others and that in order to avoid unintended consequences, these choices must be discussed with their advisor.

Senior Vice President for Academic and Student Affairs Elizabeth M. Bejar commented on the various avenues in which communication is being maintained with University students. She indicated that the University has transitioned to virtual advising and tutoring sessions, that the laptop loaner program has been expanded, and that the counseling and psychological services teams continue to provide individual and group therapy sessions via telephone or web-based services. In terms of housing and residential life, she pointed out that reduction efforts began on March 12, 2020

and that to-date housing operations were reduced by over 80%. She explained that the University continues to provide dining services for the housing students that have remained on campus, stating that recreational services have been closed and that all social gathering spaces have been locked down for the safety and welfare of the community. Sr. VP Bejar stated that, in consultation with the Florida Board of Governors and the University's Chief Financial Officer, the University is in the process of establishing a procedure for providing refunds for the students that have moved out of on-campus housing.

Vice President for Human Resources El pagnier K. Hudson reported that currently 97 employees are self-quarantined, 47 employees have been cleared to return to work, and there has been only one (1) confirmed case among the employee population. She stated that on March 16, 2020, the University temporarily transitioned to a Remote Work/Work from Home Program and that this action significantly reduced the number of faculty and staff on campus. She indicated that 80% of the University's workforce, based on duties, is able to work remotely and that to better understand the needs of faculty and staff who are working remotely and evaluate the program's effectiveness, an assessment has been developed. She added that the assessment will help in determining how many are working remotely, the tools being used and needed, communication efforts to stay connected, and individual employee experience with the Remote Work Program. VP Hudson further stated that in compliance with Florida statutes on telework, faculty and staff working remotely must complete a Telework Agreement. She commented on weekly meetings with HR VP counterparts across the State University System (SUS) and on the University's efforts in maintaining the listing of COVID-19 essential personnel.

Senior Vice President for Administration and Chief Financial Officer Kenneth A. Jessell delineated the fiscal impact in terms of immediate costs, potential impact to revenue, and uncertainties surrounding the COVID-19 pandemic. He explained that immediate costs relate to housing and food/meal refunds and the acquisition of on-line proctoring software, personal protection supplies, and computers. He pointed out that potential impacts to revenue pertained to reductions in state funding and tuition and fees for the University and Herbert Wertheim College of Medicine (HWCOM), reduction in housing revenue, reductions in athletics tickets sales and rental revenue, and reductions in academic auxiliaries and other auxiliary revenues. He indicated that the uncertainties refer to the duration of COVID-19 and the impact on global, state, and local economies, international and out-of-state student enrollment, and the federal stimulus program.

Senior Vice President, Division of External Relations, Strategic Communications and Marketing, Sandra B. Gonzalez-Levy provided an update on strategic and crisis communication, noting that to-date 21 messages have been disseminated to the University community. She commented on the dedicated COVID-19 website, adding that the page is a source for news, FAQs, and other resources. She explained that since the February 27, 2020 launch, the website has received over 120,000 visits with an average visit time of four minutes and seven seconds. She indicated that traffic to the FIU news site has nearly tripled in the last four weeks and that FIU news has also produced a variety of content to help the community, namely, parent guides, staying connected with the elderly, and coping with stress and social distancing. She explained that all on and off-campus events have been cancelled through May 10, 2020 and that while a virtual spring commencement ceremony is being

planned, graduates would be extended the option of participating in traditional ceremonies in the summer or fall. She added that HWCAM Match Day was able to proceed utilizing a drive-through protocol and that FIU news featured a video, *FIU Insights: Dr. Eneida Roldan answers your questions on coronavirus*. Sr. VP Gonzalez-Levy highlighted the video message from Trustee Rosell to spring graduates and the billboard on the intersection of SW 107 Avenue and 8th Street.

Vice President for Research and Economic Development Andres G. Gil indicated that during this period of remote work, the Office of Research and Economic Development and the University Graduate School remain fully operational, with the ability to submit, receive, and manage research grants. He explained that research awards are on track to experience a 15% growth as compared to the prior year, noting that a decrease in research awards is not expected. He pointed out that the University's Research office has established a dedicated COVID-19 webpage in order to provide continuing guidance to the FIU research community. He stated that while research expenditures are also trending up, some decrease is expected and in terms of the University's Graduate School, lower international student enrollment is anticipated. VP Gil added that the Office of Research has started virtual town hall meetings to keep the FIU community abreast of all changes associated with COVID-19, as well as research funding opportunities.

In response to Trustee Leonard Boord, Provost Furton explained that remote learning may not be the ideal platform for the 12% of courses in the process of finalizing the transition and that face-to-face instruction options for Summer B are being explored for the 4% of courses that are not able to transition to remote learning, namely, wet labs, experiment courses, internships, and clinical placements. Provost Furton added that very few course drops have occurred and that the recently approved changes to the grading system for the Spring 2020 semester have provided students with additional options to work through the challenges that are currently being faced. Sr. VP Bejar commented on the national conversation regarding courses that are not either transferred easily or cannot be supported through remote instruction.

In response to Trustee Boord, Sr. VP and CFO Jessell indicated that carryforward plans are being analyzed in order to avoid drawing upon the University's statutory reserve. Trustee Dean C. Colson commended the legislative delegation and the University's Governmental Relations team on a positive highlight resulting from the 2020 legislative session, noting that the \$17M in new funding in recurring operational support is combined with the prior year's increase of \$15M. In response to Trustee Rosell, Provost Furton explained that the SUS will continue remote instruction for the Summer A and Summer C terms, with limited face-to-face instruction in Summer B for those courses that cannot support remote learning. In response to Trustee Rosell, Sr. VP and CFO Jessell explained that because of fixed operating and debt service costs, student fees will not be refunded, but refunds for instructional materials that were not consumed that can be placed back into inventory, can be considered on an individual basis.

3. New Business

No new business was raised.

4. Concluding Remarks and Adjournment

With no other business, Board Chair Claudia Puig adjourned the Special Meeting of the Florida International University Board of Trustees on Wednesday, March 25, 2020 at 5:09 p.m.

Claudia Puig
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

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FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
APRIL 21, 2020
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 10:16 a.m. on Tuesday, April 21, 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 Claudia Puig, *Board Chair*; Leonard Boord; Dean C. Colson; Gerald C. Grant, Jr.; Donna J. Hrinak; Natasha Lowell; Joerg Reinhold; Sabrina L. Rosell; and Roger Tovar.

Board Vice Chair Jose J. Armas and Trustees Cesar L. Alvarez, T. Gene Prescott, and Marc D. Sarnoff were excused.

Chair Puig welcomed all Trustees and University faculty and staff to the meeting. She explained that the Board's April 21, 2020 meetings schedule was modified in order to allow the Board to focus on action items and time-sensitive matters. She pointed out that while the Governance Committee met earlier in the day, the Athletics and External Relations Committee Meetings, originally scheduled for April 21, 2020 were cancelled. She indicated that two action items on the Full Board agenda, BT1 and BT2, were not previously reviewed by a Committee, adding that the Board's Bylaws, namely, Section 6.9, 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 commented on Trustee Committee assignments moving forward. She announced that Trustee Roger Tovar would be serving as the Chair of the Athletics Committee, that Trustee Donna J. Hrinak will be serving as a member of the Academic Policy and Student Affairs Committee and the External Relations Committee, and that Trustee Gene Prescott will be serving as the Vice Chair of the Athletics Committee and as a member of the Audit and Compliance Committee.

On behalf of the FIU Board of Trustees, Chair Puig extended her gratitude to Student Trustee and Student Government President for the Modesto A. Maidique Campus Sabrina L. Rosell for her leadership and dedication to the Board, to the University, and to the students. Trustee Rosell recognized the Board's commitment and dedication to the University and the students it serves and commended the leadership of University President Mark B. Rosenberg. She commented on how

service on the Board and within student government have helped to empower and propel her towards future success.

2. Public Appearances

There were no public appearances.

3. Foundation Report

Senior Vice President of University Advancement Howard R. Lipman presented the Foundation Report, reporting that the Next Horizon Campaign has raised \$574M to-date towards the \$750M goal. He described FIU Strong fundraising efforts aimed at helping those impacted by the pandemic, noting that \$1.6M has been raised to-date. In terms of alumni engagement, he indicated that the FIU Alumni Association issued a promise statement to alumni, *Deeply Connected*, launched Panthers Connect, a one-stop-shop for alumni resources, and surveyed the University's alumni base. Sr. VP Lipman indicated that, as of March 31, 2020, the Foundation's total investment portfolio totaled approximately \$274.2M with (8.1%) in total managed assets.

4. President's Report

President Rosenberg indicated that on January 27, 2020, the first COVID-19-related communication was disseminated to the University community, that, at its February 26, 2020 meetings, the Board engaged in a discussion on potential impacts and academic continuity of operations, and that on March 11, 2020, Florida's State University System (SUS) instructed universities to make plans to transition to remote learning. He commented on Florida's Safer-at-Home order that is in effect and reported on the number of COVID-19 positive cases at the national, state, and local level. He pointed out that since March, there has been a daily Emergency Operations Center (EOC) conference call and that in an abundance of caution, the Wolfsonian-FIU and the Academic Health Center 4 building were decontaminated by an outside vendor when individuals who had tested positive for COVID-19 had been in each building. President Rosenberg stated that FIU began printing protective face shields on March 28, 2020 and highlighted recently fulfilled orders. He reported that FIU has turned over 28 ventilators to the FL Department of Emergency Management from FIU's response and training cache and that on April 8, 2020 FIU opened and has been operating a drive thru COVID-19 testing site in collaboration with Miami-Dade County, the Florida Department of Health and the Miami-Dade County Fair & Exposition. He commended the work of Asst. Director of Emergency Management Bridget A. Pelaez and Vice President of Operations and Safety and Chief of Staff Javier I. Marques.

President Rosenberg commented on the University's academic continuity efforts, namely, the establishment of the Remote Teach Ready Badge, that all classes will continue online or in remote platforms for the Summer A and C semesters, and that decisions on the modality of the Summer B semester are forthcoming. In terms of housing and residential life, he pointed out that there are 454 student residents as of April 20, 2020 and that as the current semester ends, student residents have started the process of moving out. He indicated that Spring 2020 Commencement is being held virtually on May 8, 2020, adding that students will have the option to walk in future ceremony.

President Rosenberg explained that the University implemented a sustainable remote work model, highlighting a number of initiatives focused on health and well-being and professional development

while working from home, and mindfulness meditation, workshops, and support groups. He explained that as of April 1, 2020, the Families First Coronavirus Response Act became effective and that the Division of Human Resources has aligned systems and processes to ensure that COVID-19-related leave is tracked appropriately and that employees are receiving the benefits afforded by the Act. He pointed out that the University is proposing to implement a virtual appreciation component that would allow for the timely recognition of service recipients, nominees, and retirees.

In terms of fiscal impact, President Rosenberg pointed out that Governor Ron DeSantis has indicated that he will veto projects in the 2020-21 budget to conserve resources. President Rosenberg commented on the Coronavirus Aid, Relief, and Economic Security (CARES) Act relief funds, noting that Florida will receive \$792M and that FIU will receive \$38.3M, divided as follows: \$19.15M emergency financial aid grant directly to students and \$19.15M for institutional support funds as part of Higher Education Emergency Relief Funds. He described University actions to-date, namely, the immediate pause on all vacant positions, with President, Provost, and CFO reviewing all requests to fill critically needed positions, filling critically needed positions with qualified internal staff whenever possible, all non-contractual or non-essential expenses, including travel, are being held, and that all units are developing 2.5% reduction plans that could be implemented July 1, if required, although actual reductions will be developed based upon strategic University priorities.

President Rosenberg commented on Spring and Summer semester expense and revenue adjustments and presented fiscal impact scenarios utilizing one percent reduction in state funding, tuition and fees, and auxiliary revenues while accounting for additional costs associated with required new personal protection equipment and/or supplies. He delineated new and continuing student enrollments for the summer and fall terms and described University initiatives to address budget issues, namely, closely monitoring enrollments, revenues and expenses, drawing upon existing carryforward 7% statutory reserve, if required, with Florida Board of Governors approval, and adjusting expenditure plans based upon strategic priorities and critical needs.

President Rosenberg commented on the results of the social media survey aimed at understanding how the audience is responding to University COVID-19 messaging, adding that responses align in feeling supported by the University in remote learning and working, that sixty percent of all responses came through Instagram Stories, and that despite the University's messaging, students still have many basic questions unanswered. In terms of the Office of Research and Economic Development and the University Graduate School, President Rosenberg pointed out that critical research operations remain in laboratories, that all field operations and face-to-face human subject research are on hold, and that plans are currently being developed for a phased return to laboratory and field research. He indicated that research awards and proposals continue with positive trends and that there have been 55 remote dissertation defenses.

President Rosenberg pointed out that the Florida Small Business Development Center at FIU and the Florida Small Business Emergency Bridge Loan Program have approved/closed 103 loans totaling \$4,430,000 in Miami-Dade and Monroe County and that FIUstrong has awarded grants to 239 students and to-date, has raised \$987,393. He reported that the Landscape Architectural

Accreditation Board has granted accreditation to the professional MLA degree at FIU. He highlighted the imaging radar fabrication and described virtual University tours.

5. Action Items

G1. Florida International University Annual Accountability Plan, 2020

Board Chair Puig noted that the Governance Committee met earlier in the day and conducted a comprehensive review of FIU's 2020 Annual Accountability Plan.

Trustee Roger Tovar voiced his concern relating to the reduction in the proposed goal for the endowment size metric and requested that the Board revisit that topic at a future Board meeting. Sr. VP Lipman explained that giving can be directed towards capital, operations, and/or endowment and described recent national trends where philanthropic interests are increasingly directed towards operations.

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 Chair Puig explained that the Governance Committee also met to undertake the assessment of President Rosenberg's accomplishments for the 2018-19 academic year relative to the Board-approved goals and his overall performance. On behalf of the Committee, Board Chair Puig presented the recommended performance rating for Board consideration.

A motion was made and unanimously 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 2018-19 academic year.

G3. University and President's Performance Goals, 2020-21

Board Chair Puig noted that President Rosenberg submitted a list of goals to be considered for his 2020-21 management review. She 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 2020-21 academic year as included in the Board materials.

BT1. Amendment to the 2019-2020 Fixed Capital Outlay and Carryforward Budgets

Senior Vice President of Administration and Chief Financial Officer Kenneth A. Jessell presented the Amendment to the 2019-2020 Fixed Capital Outlay and Carryforward Budgets for the Board's review. He explained that based upon the initial guidance received from the U.S. Department of Education Office of the Secretary of Education, the University is planning on using part of the \$19,150,979 in Institutional Support Funding to be allocated to FIU as part of the CARES Act to fund the housing and meal plan refunds. He pointed out that in the event that Institutional Support

Funding cannot be utilized for housing and meal plan refunds, the University is requesting to use carryforward funding, adding that the SUS has provided guidance on housing and dining refunds, including the use of university carryforward funds to provide these refunds. He pointed out that carryforward funds will only be used in the event housing and meal plan refunds may not be made by CARES funding and that if carryforward funds are utilized, this will be reported back to the Board at its June 16, 2020 meeting.

Trustee Tovar commented that the lack of students on FIU campuses, given the University's current status of remote instruction, provides an opportunity to proceed with certain projects, namely, the first phase of the Engineering Center restroom renovations.

A motion was made and unanimously passed that the FIU Board of Trustees amend the 2019-20 Florida International University Fixed Capital Outlay and Carryforward Budgets in order to pay for student housing and meal plans as a result of COVID-19.

BT2. Authorization to establish a Graduate Medical Education Program at the Miami Veterans Affairs Healthcare System pursuant to the Accreditation Council for Graduate Medical Education (ACGME) standards

General Counsel Castillo explained that the action item seeks approval of the Board to allow the University to move forward to establish a residency program with the VA Hospital, which would be scheduled to start in July of 2022, pending further approval by the Accreditation Council for Graduate Medical Education (ACGME). He pointed out that in order to move forward under said timeline, an application to be designated as a Sponsoring Institution (SI) must be submitted to the ACGME no later than July 10, 2020. General Counsel Castillo indicated that only as an SI can FIU become the employer of residents and that as part of the residency program, a new category of employees, i.e., future residents, will be created. He commented that in connection with the proposed relationship with the VA and the referenced application, University approval to move forward is needed and that with the Board's approval, it is anticipated that further related financial information will be presented to the Board at its June 16, 2020 meeting. He indicated that, at this time, the request is for the Board's approval of the Resolution, subject to the Board's review of financial information in June.

Senior Vice President for Health Affairs and Dean of the Herbert Wertheim College of Medicine Robert Sackstein explained that the current request pertains to the authorization to proceed with the application to be designated as an SI in connection with the proposed Graduate Medical Education (GME) Program at the Miami Veterans Affairs Healthcare System. He explained that to complete the full spectrum of training of competent physicians, medical schools need to add programs in GME. He pointed out that medical school-sponsored GME programs are uniquely equipped with academic strengths that enhance physician training, serve the community through expansion of the pool of superbly trained physicians within the community, and work synergistically with all university faculty to facilitate the needed creation of knowledge to improve health care for all. He commented that because the University lacks its own hospital, the Herbert Wertheim College of Medicine (HWCOM) needs seamless partnership with hospital(s) to achieve HWCOM-sponsored GME program(s).

Sr. VP and Dean Sackstein described GME program advantages, namely, the focus on deep learning, translational research opportunities, bench-to-clinical trials, and clinical observations. He indicated that the Miami-VAHCS would like to partner with FIU to create a visionary internal medicine residency program, with a focus on primary, ambulatory care. He pointed out that the Miami-VAHCS needs to expand their primary care workforce and that the US-VAHCS is providing financial support for new primary care GME programs. He commented that an FIU-VA program provides unique training opportunities and described the timelines for the institutional and internal medicine review committee.

Trustee Board recognized that financial information would be forthcoming in June, but asked Sr. VP and Dean Sackstein to address financials. In response, Sr. VP and Dean Sackstein commented on the benefits to FIU, namely, translational and clinical research opportunities and further explained that the VA, under the partnership, will cover 75% of the costs associated with the resident salaries and that the program can be funded for five years without any changes to HWCOC budgets.

A motion was made and unanimously passed that the FIU Board of Trustees authorize the University to establish a Graduate Medical Education Program at the Miami Veterans Affairs Healthcare System. *(financial information forthcoming in June)*

6. New Business

President Rosenberg shared an excerpt from the upcoming virtual commencement ceremony.

7. 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 on Tuesday, April 21, 2020 at 11:37 a.m.

Trustee request:

Trustee Roger Tovar voiced his concern relating to the reduction in the proposed goal for the endowment size metric and requested that the Board revisit the topic at a future Board meeting.

Claudia Puig
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Approval of the Office of Internal Audit Policy and Charter

Proposed Board Action:

Approve the proposed revisions to the Office of Internal Audit Policy and Charter.

Background Information:

The Office of Internal Audit Policy and Charter (the Charter) is required by Florida Board of Governors Regulation 4.002 State University System Chief Audit Executives. The Charter is also required by the International Standards for the Professional Practice of Internal Auditing. The Charter is a formal document that defines the internal audit activity's purpose and authority; reporting and independence within the organization; and defines the scope of internal audit duties and responsibilities.

Florida Board of Governors Regulation 4.002 State University System Chief Audit Executives (3) states, in relevant part, that each board of trustees shall adopt a charter which defines the duties and responsibilities of the office of chief audit executive. The charter shall be reviewed at least every three (3) years for consistency with applicable Board of Governors and university regulations, professional standards, and best practices. A copy of the approved charter and any subsequent changes shall be provided to the Board of Governors.

Supporting Documentation: *Information behind the Audit and Compliance Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Approval of the Compliance and Ethics Charter for the Office of University Compliance and Integrity

Proposed Board Action:

Approve the proposed revisions to the Compliance and Ethics Charter (the Charter) for the Office of University Compliance and Integrity (the Compliance Office).

Background Information:

The Charter is required by Florida Board of Governors Regulation 4.003. The Charter is a formal document that defines the institutional compliance program’s purpose and the Chief Compliance Officer’s authority; reporting and independence within the organization; and defines the scope of the duties and responsibilities of the Compliance Office.

Florida Board of Governors Regulation 4.003 State University System Compliance and Ethics Programs (6) states that “The office of the chief compliance officer shall be governed by a charter approved by the board of trustees and reviewed at least every three (3) years for consistency with applicable Board of Governors and university regulations, professional standards, and best practices. A copy of the approved charter and any subsequent changes shall be provided to the Board of Governors.”

Supporting Documentation: *Information behind the Audit and Compliance Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Proposed 2020-21 Fixed Capital Outlay Budget/Capital Improvement

Proposed Board Action:

Approve Florida International University's 2020-21 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.

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. 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 2020-21 from all fund sources, as amended.

Florida Board of Governors Regulation 1.001(6)(a) 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.

Florida Board of Governors Regulation 14.003(1) provides that each university will prepare an annual Fixed Capital Outlay (FCO) Budget for all Fixed Capital Outlay (FCO) Projects in accordance with the instructions, guidelines, and standard formats provided by the Chancellor for those FCO Projects as defined in Board Regulation 14.001. The FCO Budget must be approved by both the university board of trustees and the Board of Governors. Such approval remains in effect for the life of the FCO Projects. The annual FCO Budget must include all FCO Projects, including previously approved projects which have not yet been completed.

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Request for Approval of Florida International University’s 2021-22 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan

Proposed Board Action:

Approve FIU’s 2021-2022 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.

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.

Florida Board of Governors Regulation 14.006(4)(5) states, in relevant part, that proposals for fixed capital outlay projects to be funded by Capital Improvement Fees shall be prepared by the university and submitted to the Board of Governors. Each university board of trustees will submit to the Chancellor’s Office a Fixed Capital Outlay Legislative Budget Request. Such requests shall be made in accordance with the fiscal policy guidelines, formats, instructions and schedule provided by the Chancellor.

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.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Approval of (i) Changes to the Design of the proposed Hotel, Conference Center, and Alumni Center and Budget of the Alumni Center as previously approved by the Board of Trustees, and (ii) Changes to two of the Hotel Ground Sublease key terms requested by the Board of Trustees in the June 2, 2017 meeting

Proposed Board Action:

Approve changes to the design of the Hotel, Conference Center, and Alumni Center and the budget of the Alumni Center (the “Project”) as previously approved by the Florida International University Board of Trustees (BOT) and changes to two of the Hotel Ground Sublease key terms previously requested by the BOT.

Background Information:

On June 2, 2017, the BOT approved an amendment to the 2010-20 Campus Master Plan for the Modesto A. Maidique Campus to accommodate the construction of the Project and the terms of the Ground Sublease associated with the hotel, conference center, and alumni center, and authorized the President or his designee to undertake all steps necessary or desirable to complete the Ground Sublease and all documents related to the Project. The hotel and conference center will serve the accommodation and conference needs of visitors, faculty, researchers and the community by providing an appropriate venue for academic, research and professional conferences; meeting and seminar rooms for symposia and career fairs; and special events, weddings, award ceremonies, and speakers series. The alumni center will be a place for alumni to call home, create affinity, and encourage alumni to mentor students and assist them with jobs, professional and leadership development and internships.

On April 1, 2019, the Board of Governors of the State University System of Florida (“BOG”) approved FIU entering into the Ground Sublease and an Operating Agreement with the Developer related to the construction, financing and operation of the Project. Approval will also be sought from the Trustees of the Internal Improvement Trust Fund of the State of Florida (“TIITF”) since the Project will require approval from TIITF of the subleases of the land.

Following the initial 2017 approval by the BOT and the 2019 approval by the BOG, several changes have been made to the proposed design plans, construction and operations of the Project, including the alumni center. The Project will be developed, designed, permitted and constructed as a single integrated facility, with the alumni center and the conference center sharing a single building, certain improvements and infrastructure. By incorporating the alumni center and the conference center into one building, design and construction efficiencies are achieved, particularly eliminating the need to have separate conference facilities in the alumni center that were originally envisioned. As a result of these changes, the alumni center’s projected construction cost has increased by \$1.9 million, from \$6.8 million to \$8.7 million, which will be funded by the Foundation as follows:

(i) A minimum of \$2.0 million in cash received by the Foundation from (a) Bank of America as royalty payments pursuant to the Affinity Agreement between Bank of America and the FIU Alumni Association; (b) certain accumulated fund balances; and (c) new cash gifts (which may include funds generated from naming opportunities within the Project); and

(ii) An amount not to exceed \$6.7 million, payable from the Foundation investment pool as a directed investment, subject to the requirements set forth in the Foundation's Directed Investment Policy, and/or through the use of unrestricted Foundation funds; *provided*, that, the Foundation expects to raise the entire amount in gifts which are customarily given in annual installments as set forth above, and that any such gift amounts would reduce, on a dollar-for-dollar basis, the total amount to be allocated from the Foundation investment pool as a direct investment.

The Foundation's Board of Directors approved the increased alumni center investment on May 11, 2020.

The hotel and conference center components of the Project have also changed in design and construction cost. While construction costs have increased in the marketplace since the June 2017 BOT approval, the Developer was able to achieve design efficiencies, particularly back-of-house operations and guest room layout, which has resulted in a 3,929 square footage reduction (from 121,004 SF to 117,075 SF) while achieving an increase in hotel room keys—from 150 to 160. The total cost of the hotel component has increased from \$44.2 million to \$47.9 million incorporating all design changes. The increase in room keys offsets the increase in debt service associated with the higher construction cost and therefore FIU's projected profit sharing from hotel operations is not expected to materially change; there is no change to the ground rent payment to FIU. In addition to the conference center and alumni center now sharing a single building, the size of the conference center has been reduced from 32,717 square feet to 26,011 square feet, a reduction of 6,706 square feet. This reduction is the result of moving several meeting rooms and pre-function space originally included in the conference center to the hotel. The cost of the conference center has been reduced from \$15.2 million to \$14.4 million.

Upon approval by the BOT, the revised design and budget for the Project will be submitted to the Chancellor of the BOG and the State Division of Bond Finance as required under BOG's Public Private Partnership Guidelines.

The University and the Foundation are finalizing the drafting and negotiation of the governing documents for the Project to take into account the revised design of the Project, including (i) the Ground Sublease between the University and the Developer for the site of the hotel and conference center, (ii) the Ground Sublease between the University and the Foundation for the site of the alumni center, (iii) the operating agreement between the University and the Developer for the operation and maintenance of the hotel and conference facilities, (iv) the development agreement between the Developer and the Foundation relating to the construction and development of the Project (including the alumni center); (v) a reciprocal easement and operating agreement whereby the Developer and the Foundation will share use of certain common building infrastructure, parking landscaping, ingress/egress points and other facilities and improvements necessary for the use and operation of the alumni center; and (vi) a management agreement whereby the Developer will manage the alumni center on the Foundation's behalf (collectively, and with the nondisturbance or similar agreement described below, the "Definitive Agreements"). Once the Developer has secured

its financing for the hotel and conference facilities, the University, the Foundation and the Developer's lender will enter into a nondisturbance or similar agreement whereby the lender will agree to certain terms and provisions to protect the University's and the Foundation's interests if the lender has to take title of the Project during construction or of the common areas of the Project thereafter.

At the June 2, 2017 meeting, the BOT incorporated certain key terms as part of its approval, including (i) FIU receiving a right of first refusal to purchase the Hotel and Conference Center in the event it is sold, and (ii) FIU limiting the grace period during which the Developer is not paying ground rent to no more than 24 months after execution of the Ground Sublease.

As part of the negotiations, the Developer requested that the right of first refusal (triggered when a property owner receives an acceptable offer to lease or purchase from a third party) be changed to a right of first offer (triggered when a property owner elects to make his or her property available for purchase or lease). The purchase of the Hotel and Conference Center by FIU would require BOG and BOT approval, which approval process could take anywhere between 60-120 days, and such time period would most likely deter any offers in a right of first refusal scenario. The length of the approval process is less concerning in a right of first offer scenario. Regardless of the sale scenario, FIU is protected as any sales can only occur after a certain time period after substantial completion has elapsed and any buyer has to be a qualified third party (which includes certain components including prior experience as a hotel operator).

Regarding ground rent, the Developer requested an additional four month grace period for the commencement of rent payments. Commencing on the 28th month after execution of the Ground Sublease through the last day of the construction term, the Developer will pay 50% of the initial base rent, payable quarterly in arrears. The 50% balance of base rent due for such the time period will accrue interest at 5% per annum, and the deferred rent plus the accrued interest will be paid to FIU on or prior to the expiration of the 10th lease year. Full payment of the base rent will commence 36 months after execution of the Ground Sublease (payable quarterly in arrears; with a 5% increase every five years).

The Project is in compliance with FIU and BOG Debt Management Guidelines and BOG Public Private Partnership Guidelines.

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

A RESOLUTION APPROVING CHANGES TO THE DESIGN AND BUDGET OF THE HOTEL, CONFERENCE CENTER, PARKING, AND ALUMNI CENTER (THE “PROJECT”) PREVIOUSLY APPROVED BY FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES ON JUNE 2, 2017 AND CHANGES TO TWO OF THE HOTEL GROUND SUBLEASE KEY TERMS REQUESTED BY THE BOARD OF TRUSTEES IN THE JUNE 2, 2017 MEETING

BE IT RESOLVED BY THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES:

Section 1. The Board of Trustees hereby finds that the Project continues to be necessary and desirable to be erected on the Modesto A. Maidique Campus.

Section 2. The Board hereby approves the changes to the design and budget of the Project, as more particularly set forth as Appendix A, and shall request that the Board of Governors of the State University System of Florida approve the updated Project as necessary and that the Trustees of the Internal Improvement Trust Fund of the State of Florida (“IITF”) approve the Ground Subleases.

Section 3. The Board hereby approves the changes to two of the Hotel Ground Sublease key terms as more particularly set forth in the Agenda materials.

Section 4. The University President, the authorized representatives of the University and the members of the Board remain authorized to take all actions and steps, to execute all instruments, documents, and contracts, and to take all other actions as they may deem necessary or desirable in connection with the Project and this resolution, including the execution and delivery of the Definitive Agreements consistent with the Summary of Key Terms previously provided to and approved by the Board of Trustees and the changes approved herein. The University’s President or the President’s designee is authorized to execute and deliver the Definitive Agreements in a final form acceptable to the President, or the President’s designee, General Counsel and Bryant Miller Olive P.A., the University’s special counsel.

Section 5. This Resolution shall take effect immediately upon its adoption.

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Approval of Contract and Construction Hardening Project of over \$2 million to be funded by a Grant from the Federal Emergency Management Agency-Florida Division of Emergency Management and from University Carryforward balances for the protection of Primera Casa (PC) at FIU

Proposed Board Action:

Approve (1) the retrofit of the Primera Casa (PC) building in the Modesto A. Maidique Campus to meet the wind speed protection and impact requirements indicated by the effective Florida Building Code at the time permits are issued in the total amount of \$3,618,929; and (2) the acceptance of a Hazard Mitigation Grant from the Federal Emergency Management Agency (FEMA)--Florida Division of Emergency Management (FDEM) in the amount of \$ 2,714,196.75; (3) the allocation of \$904,732.75 from available Florida International University Board of Trustees (BOT) Carryforward Reserve (Bridge and Catastrophy Fund); and (4) the execution of a Federally Funded Subaward and Grant Agreement with FDEM for the grant; and (5) the delegation of authority to the University President, or designee, to execute the Agreement on behalf of the University and all other documents that may be necessary to effectuate the transactions contemplated in the Agreement.

RESOLUTION

WHEREAS, the Primera Casa (PC) building located in the Modesto A. Maidique Campus was constructed in 1972; and

WHEREAS, at that time, the building code did not require the installation of hurricane resistant windows, doors and louvers, and those manufactured at the time PC was constructed were not designed to withstand hurricane force winds, making the building vulnerable to property damage; and

WHEREAS, PC houses mission critical equipment that requires employees (along with their families) to occupy the building during a wind storm event. PC is also prone to water intrusion which occurs when strong winds push rain through the seals of the building's exterior openings. The building's roof does not meet current Florida Building Code requirements and requires some of the HVAC mechanical equipment to be tied down with new straps and the edge nailer and flashing to be replaced; and

WHEREAS, it will cost \$3,618,929 to retrofit PC to meet the wind speed protection and impact requirements indicated by the effective Florida Building Code at the time permits are issued; and

WHEREAS, the Hazard Mitigation Grant Program is authorized by Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. It is a partnership designed to

assist states, local governments, private non-profit organizations and Indian Tribes in implementing long-term hazard mitigation measures following a major disaster declaration; and

WHEREAS, the Hazard Mitigation Grant Program, which is federally funded, is administered by the Florida Division of Emergency Management (FDEM); and

WHEREAS, Hazard Mitigation Grants reimburse awardees, on a cost reimbursement basis, up to 75% of eligible costs of mitigation projects; and

WHEREAS, FIU's Department of Facilities Management applied for a Hazard Mitigation Grant, which grant, in the amount of \$ 2,714,196.75, was approved by FDEM on January 14, 2020; and

WHEREAS, FIU will contribute \$904,732.25 towards the cost of retrofitting PC, funded by available Carryforward funds designated as BOT Reserve (Bridge and Catastrophy Fund); and

WHEREAS, FDEM is requesting that FIU enter into a Federally Funded Subaward and Grant Agreement which sets forth the terms, conditions and requirements of the grant; and

WHEREAS, the University believes that the retrofit of PC, which is a building essential to the operations of the University, will decrease the building's vulnerability to property loss and increase occupant safety.

NOW THEREFORE, BE IT RESOLVED, that the University is authorized to proceed to retrofit PC and to enter into the Federally Funded Subaward and Grant Agreement, with the University President, or his designee, hereby granted the delegation of authority to execute said Agreement on behalf of the University, as well as all other documents that may be necessary to effectuate the transactions contemplated in the Agreement.

This action is in the form of a resolution to take effect immediately upon adoption.

Adopted this ____ day of June, 2020 by the Board of Trustees of Florida International University.

Claudia Puig
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

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

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Tenure Nominations

Proposed Board Action:

Approve the Tenure Nominations as specified in the Board materials.

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 twenty-five (25) nominees as specified in the Board materials.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: New Program Proposal: Master of Business Administration in Business Analytics (CIP 52.1301)

Proposed Board Action:

Approve the Master of Business Administration in Business Analytics (CIP 52.1301) new program proposal.

Background Information:

The College of Business is proposing a new Master of Business Administration (MBA) in Business Analytics.

The proposed MBA in Business Analytics focuses on developing the essential skills required to pursue careers in big data, or as quantitative analysts. Students pursuing the 45-credit degree program will gain the broad overview offered in MBA programs as well as specialize in the application of statistical methods, techniques, and tools to large data sets proliferating across organizations, in an effort to address persistent and evolving business problems.

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*.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

**Subject: New Program Proposal: Master of Science in Cognitive Neuroscience
(CIP: 42.2706)**

Proposed Board Action:

Approve the Master of Science in Cognitive Neuroscience (CIP: 42.2706) new program proposal.

Background Information:

The College of Arts, Sciences, and Education is proposing a new Master of Science & Ph.D. in Cognitive Neuroscience.

The proposal will move an existing Ph.D. Cognitive Neuroscience major in Psychology to a stand-alone 75-credit degree under a new STEM CIP code. In addition, this proposal will move an existing M.S. Cognitive Neuroscience major in Psychology to a stand-alone 36-credit degree under the same new STEM CIP code. FIU does not directly admit students into this Masters-level program; the M.S. program is needed as a potential off-ramp for the newly-proposed Ph.D. in Cognitive Neuroscience for students who are unsuccessful in reaching doctoral candidate status.

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*.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: New Program Proposal: Ph.D. in Cognitive Neuroscience (CIP: 42.2706)

Proposed Board Action:

Approve the Ph.D. in Cognitive Neuroscience (CIP: 42.2706) new program proposal.

Background Information:

The College of Arts, Sciences, and Education is proposing a new Master of Science & Ph.D. in Cognitive Neuroscience.

The proposal will move an existing Ph.D. Cognitive Neuroscience major in Psychology to a stand-alone 75-credit degree under a new STEM CIP code. In addition, this proposal will move an existing M.S. Cognitive Neuroscience major in Psychology to a stand-alone 36-credit degree under the same new STEM CIP code. FIU does not directly admit students into this Masters-level program; the M.S. program is needed as a potential off-ramp for the newly-proposed Ph.D. in Cognitive Neuroscience for students who are unsuccessful in reaching doctoral candidate status.

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*.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Direct Support Organizations Board Appointments

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.

Background Information:

On June 5, 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, 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 2020-2021*):
 - Francis A. Hondal ’87 BBA’94 MBA
- B. Renewal of Existing Director Appointments:

For three-year terms: (*FY 2020-2021, 2021-2022, 2022-2023*)

- 1. Dan and Trish Bell
- 2. Richard Brilliant ’93
- 3. Wasim J. Shomar

For two-year terms (*FY2020-2021, 2021-2022*)

- 4. Carmel J. Barrau, MD, FACP
- 5. Noel J. Guillama-Alvarez ’99
- 6. Chad Moss ’94
- 7. Carlos A. Sabater, CPA ’81
- 8. Jason A. Saltzman

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.

Supporting Documentation: *Information behind the Governance Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Ratification of the Amended 2018-2021 Collective Bargaining Agreement between the Florida International University Board of Trustees and the United Faculty of Florida (UFF) - FIU Chapter

Proposed Board Action:

Ratify the amended 2018-2021 Collective Bargaining Agreement between Florida International University Board of Trustees (BOT) and the United Faculty of Florida (UFF) – FIU Chapter. Amendments have been made to the following sections:

- Article 11: Salaries
 - Appendix A: Position Classification in the Bargaining Unit
 - Policy: Appointment
 - Policy: Assignment of Responsibilities
 - Policy: Non-reappointment
 - Policy: Promotions
-

Background information:

At FIU, 72% of the faculty are in-unit faculty members who are governed by the Collective Bargaining Agreement.

Pursuant to a contract reopener, representatives of the BOT and the UFF have engaged in collective bargaining negotiations to discuss specific terms and conditions of employment that will govern personnel who fall within the bargaining unit represented by the UFF. The bargaining teams have reached an agreement on included amendments to the terms of the 2018-2021 BOT-UFF Collective Bargaining Agreement for a term commencing on the date of ratification and running through July 1, 2021.

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.

Supporting Documentation: *Information behind the Governance Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 16, 2020

Subject: Proposed 2020-2021 University and Direct Support Organizations Operating Budget

Proposed Board Action:

Approve the FIU 2020-21 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.

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 2020-21 Proposed Operating Budget for the University is due to the Board of Governors on June 22, 2020.

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 2020-2021 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 2020-2021 Operating Budget in accordance with the requirements set forth in Board of Governors Regulations 9.007 and 9.011.

Florida Board of Governors Regulation 9.007(1) states that each university president shall prepare an operating budget, including an Education & General (E&G) Carryforward Spending Plan, for approval by the university board of trustees in accordance with instructions, guidelines and standard formats provided by the Board of Governors.

Florida Board of Governors Regulation 9.011(4) states that operating budgets of support organizations shall be prepared at least annually, and approved by the organization’s governing board and the university board of trustees. Significant changes in planned expenditures in the approved budget must be reported to the university board of trustees as soon as practicable but no later than the deadline established by a board of trustees.

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 16, 2020

Subject: COVID-19 Guidelines for Repopulating FIU Campuses and Regional Academic Locations

Proposed Board Action:

Approve the COVID-19 Guidelines for Repopulating FIU Campuses and Regional Academic Locations.

Background Information:

In alignment with the Board of Governor’s Blueprint for Opening the State University System for Fall Semester 2020 and our NextHorizon2025 Strategic Plan, Florida International University has developed a COVID-19 Guidelines for Repopulating.

Repopulating will occur in phases as local conditions allow with the university reserving the discretion to determine when a transition between phases can occur as well as whether a return to any phase is warranted based on guidance and data from the Centers for Disease Control and Prevention, state, local, and university health professionals.

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 16, 2020

**Subject: Amendments to Employment Agreement for President Mark B. Rosenberg,
for 2021-2022 Term**

Proposed Board Action:

Approve amendments to the employment agreement for President Mark B. Rosenberg for the 2021-2022 Term, as described in the attached Term Sheet, and authorize the Chair of the Florida International University Board of Trustees (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.

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, 2020.

Upon the BOT's approval, BOG approval of the re-appointment of President Rosenberg will be sought; currently, it is contemplated to be on the BOG's agenda for an upcoming meeting likely to be in July.

Supporting Documentation:

Information behind the Governance Committee tab

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