



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

FIU, Modesto A. Maidique Campus, Graham Center Ballrooms

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

Tuesday, February 23, 2021

2:00 p.m.

or

Upon Adjournment of Previous Meeting

AGENDA

- | | |
|---|-----------------------------|
| 1. Call to Order and Chair's Remarks | Chair Dean C. Colson |
| 2. Public Appearances | Dean C. Colson |
| 3. Foundation Report | Humberto Cabañas |
| 4. President's Report | Mark B. Rosenberg |
| • Update on Repopulating FIU Campuses and Regional Academic Locations | |
| 5. Action Items – Consent Agenda | Dean C. Colson |
| BT1. Minutes, October 28, 2020 | |
| BT2. Minutes, December 3, 2020 | |
| FF1. Proposed Regulation FIU-1115 Lost/Abandoned Property | |
| FF2. FDOT-FIU Locally Funded Agreement, Transfer of \$9,125,364 Settlement Funds for Design and Construction of Pedestrian Bridge and Associated Improvements | |
| FF3. Approval of Commencement Conditions Addendum for Hotel, Conference Center, and Alumni Center | |
| FF4. Approval of Contract greater than or equal to 3,000,000: PUR-00964 for Elsevier ScienceDirect Subscription Renewal, Vendor: Elsevier B.V. | |
| AP1. Tenure as a Condition of Employment Nominations | |
| AP2. Approval of Notice of Change to Approved Revised Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct | |

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

- AP3. Amendments to Regulation FIU-1103 Textbook Affordability
- AP4. New Program Proposal: Bachelor of Arts in Global Educational Studies
- AP5. New Program Proposal: Bachelor of Arts in Global Sustainable Tourism
- AP6. New Program Proposal: Master of Science in Research Design and Analysis
- G1. Direct Support Organizations Board Appointments

6. Action Items

- AC1. Performance Based Funding and Emerging Preeminence Metrics** **Gene Prescott**
 - A. Performance Based Funding and Emerging Preeminence Status – Data Integrity Certification
 - B. Audit of Performance Based Funding and Emerging Preeminent Metrics Data Integrity

- AP7. Placing the Name “Knight Foundation School of Computing and Information Sciences” on a Portion of the Exterior of the Building Housing the FIU School of Computing and Information Sciences on the Modesto A. Maidique Campus** **Natasha Lowell**

7. Status Reports, Board Committees

- Audit and Compliance Committee Report **Gene Prescott**
- Finance and Facilities Committee Report **Leonard Boord**
- Academic Policy and Student Affairs Committee Report **Natasha Lowell**
- Strategic Planning Committee Report **Roger Tovar**
- Governance Committee Report **Dean C. Colson**

8. New Business *(If any)* **Dean C. Colson**

9. Concluding Remarks and Adjournment **Dean C. Colson**

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: Approval of Minutes of Meetings held October 28, 2020 and December 3, 2020

Proposed Board Action:

Approval of Minutes of the FIU Board of Trustees, Full Board meetings held on October 28, 2020 and on December 3, 2020, via Zoom.

Background Information:

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meetings held on October 28, 2020 and on December 3, 2020, via Zoom.

Supporting Documentation: Minutes: Full Board Meetings, October 28, 2020 and December 3, 2020

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**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
OCTOBER 28, 2020
MINUTES**

1. Call to Order and Chair's Remarks

Board Chair Dean C. Colson convened the meeting of the Florida International University Board of Trustees at 10:45 AM on Wednesday, October 28, 2020, via Zoom.

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

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

2. Public Appearances

There were no public appearances.

3. Action Items

Trustee Leonard Boord, Finance and Facilities Committee Chair, requested that the Board vote on agenda items FF1-FF3 in one (1) motion. There were no objections.

FF1. Approval of Gift of Real Property and New Educational Site

FF2. Approval of the Agreement for Integrated Branding, Marketing and Communication Services (E-ITN-2019-00009)

FF3. Facility Renaming from "Torrey Pines at FIU" to "FIU Center for Translational Science (FIU-CTS)"

Trustee Boord indicated that the Committee met earlier and recommended Board approval of the gift of real property and New Educational Site, the Agreement for Integrated Branding, Marketing and Communication Services (E-ITN-2019-00009), and the facility renaming from "Torrey Pines at FIU" to "FIU Center for Translational Science (FIU-CTS)."

There were no questions from the Board members regarding agenda items FF1-FF3.

A motion was made and unanimously passed that the FIU Board of Trustees approve (1) the acceptance of a gift of real property located in the Redland agricultural area of south Miami-Dade County referred to as “Possum Trot” at no cost; (2) the establishment of a Special Purpose Center and the University’s submission of a request to the Board of Governors for approval of the operation of the property as a Special Purpose Center; and (3) the delegation of authority to the University President, or designee, to execute on behalf of the University all other documents that may be necessary to effectuate the transactions contemplated in the Agreement.

Pursuant to the Delegations of Authority from the Florida International University Board of Trustees to the University President, as reflected in the Resolution on the President’s Powers and Duties approved by the Board of Trustees on March 4, 2019, a motion was made and unanimously passed that the FIU Board of Trustees approve (i) the media incentive budget of up to \$2.5M annually for the duration of the 160over90 agreement, which was approved by the Board of Trustees in April 2019, (ii) estimated additional expenditures by various FIU departments under the aforementioned agreement, which were not originally anticipated, and (iii) authorize the University President or his designee to execute, on behalf of the University, a contract document with terms consistent with those set forth herein.

A motion was made and unanimously passed that the FIU Board of Trustees approve the renaming of “Torrey Pines at FIU” to “FIU Center for Translational Science (FIU-CTS).”

AP1. Proposed Amendment to Regulation FIU-105 Sexual Misconduct (Title IX)

Trustee Natasha Lowell, Academic Policy and Student Affairs Committee Chair, indicated that the Committee met earlier and recommended Board approval of the proposed amendment to Regulation FIU-105 Sexual Misconduct (Title IX). In response to Trustee Marc D. Sarnoff, Trustee Lowell confirmed that the recommended Board action is based on the action taken by the Committee.

A motion was made and unanimously passed that the FIU Board of Trustees approve the proposed amendment to Regulation FIU-105 Sexual Misconduct (Title IX) including the renaming to Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct, 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, and that the FIU Board of Trustees will revisit the approval within 120 days.

AP2. Proposed Amendment to Regulation FIU-2501 Student Conduct and Honor Code

Trustee Lowell pointed out that the Committee recommended Board approval of the proposed amendment to Regulation FIU-2501 Student Conduct and Honor Code. In response to Trustee Sarnoff, Trustee Lowell confirmed that the recommended Board action is based on the action taken by the Committee.

A motion was made and unanimously passed that the FIU Board of Trustees approve the revisions to Regulation FIU-2501 Student Conduct and Honor Code and delegate authority to the University President to approve any subsequent non-material amendments based on comments to the

Regulation received from the Florida Board of Governors (BOG), and that the FIU Board of Trustees will revisit the approval within 120 days.

4. President's Report

University President Mark B. Rosenberg remarked that FIU has been named a '2020 Great College to Work For' for the fifth consecutive year, adding that the University also achieved honor roll designation, with recognition in 11 out of 12 categories and that FIU has received honor roll designation every year since 2016. He indicated that Homecoming week culminated with FIU's first home game against MTSU, adding that during the same week, FIU's Global Health Consortium hosted its 2020 Global Health Conference of the Americas. He commented on the current construction of MAST @ FIU at the Biscayne Bay Campus and on "Parkview II" a 13-story residence hall at the Modesto A. Maidique Campus.

President Rosenberg commented that twenty-four FIU students were selected to receive Millennium Fellowships to advance the 17 United Nations Sustainable Development Goals. He pointed out that over 1,270 faculty have earned FIU's Remote Teach Ready Badge and have attained a fundamental understanding of remote teaching technologies to ensure academic continuity while working in a remote environment. He remarked on the hiring of Stephen Black, MD, PhD, noting that Dr. Black joins FIU as the Director and Endowed Professor in Pulmonary Biology in Underserved Communities. President Rosenberg mentioned that through the National Institute of Health's (NIH) Stimulating Peripheral Activity to Relieve Conditions (SPARC) program, Assistant Professor Zachary Danziger and researchers from other institutions across the nation have received more than \$1M in funds to accelerate the development of therapeutic devices that modulate electrical activity in nerves to improve organ function. President Rosenberg mentioned that Professor Marianna Baum received a \$3M grant from the NIH focused on COVID-19 testing and that FIU's Applied Research Center received a \$22M award from the U.S. Department of Energy. President Rosenberg stated that Distinguished University Professor and Chair of the Department of Mechanical and Materials Engineering Arvind Agarwal has received a grant titled Advancing High Deposition Rate Additive Manufacturing Materials and Technologies, noting that the award ceiling is \$22M.

President Rosenberg commented on the University's commitment to resuming as much on-campus instruction in the spring as possible. He remarked that while Centers for Disease Control and Prevention (CDC) guidelines may limit the full return of certain units, it is the expectation that 100% of the units return to FIU. He added that changes to FIU's space management may be forthcoming, specifically as it relates to the University's libraries. He mentioned the upcoming town halls, and reiterated FIU's commitment to maintained and improved dialogue with the University community. He described highlights from a meeting with Trustee Alexandra Valdes and members of student government in which students discussed the need for better enforcement of mask protocols, more in-person engagement, and more available COVID-19 testing.

President Rosenberg explained that testing is available at the FIU student clinic and/or the ambulatory clinic. In terms of the ambulatory clinic, he pointed out that the percent positive rate among FIU faculty and staff is 3.2% and 5.7% for all others tested. He remarked on sentinel surveillance testing, noting that FIU averages are lower than that of the state and county. He indicated that testing is available at the University's CLIA approved lab and that said testing will be

oriented initially to members of the FIU community. He commented on delays relating to the delivery of equipment and supply chain issues, adding that currently the lab is able to run approximately 94 tests per day with the current equipment. President Rosenberg indicated that the CLIA lab has the ability to run as many as 142 daily tests, five days per week and that with additional staff, a total of 500 tests per day can be run, five days per week. He pointed out that testing is available at the Tamiami site, noting that daily testing has increased from 300-400 per day to over 900 daily tests. President Rosenberg indicated that Spring semester registration will begin on November 3, 2020 and that approved synchronous remote sections will be reduced from about 50% in the Fall to approximately 20% for the Spring.

Board Chair Colson remarked that should local conditions allow, the December 3, 2020 FIU Board of Trustees meetings will be held in-person with Zoom participation option available for Trustees. He added that, if necessary, an update meeting to discuss repopulation will be scheduled. He commented on the formation of an ad-hoc Committee to review the Academic Policy and Student Affairs Committee items (*Proposed Amendment to Regulation FIU-105 Sexual Misconduct [Title IX] and Proposed Amendment to Regulation FIU-2501 Student Conduct and Honor Code.*)

5. New Business

No new business was raised.

6. Concluding Remarks and Adjournment

With no other business, Board Chair Dean C. Colson adjourned the meeting of the Florida International University Board of Trustees Full Board on Wednesday, October 28, 2020 at 11:15 AM.

Dean C. Colson
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
DECEMBER 3, 2020
MINUTES**

1. Call to Order and Chair's Remarks

Board Chair Dean C. Colson convened the meeting of the Florida International University Board of Trustees at 12:12 p.m. on Thursday, December 3, 2020, via Zoom.

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

Trustee Cesar L. Alvarez was excused.

Board Chair Colson welcomed Trustees and University administrators and commented that, with everyone's health and safety in mind, he changed the platform for the Board's December 3, 2020 meetings from in-person to virtual.

2. Public Appearances

There were no public appearances.

3. Foundation Report

FIU Foundation, Inc. Board of Directors Chair Humberto "Burt" Cabañas commented on the initial months of his chairmanship. He explained that he has held meetings with key stakeholders, aligned the Foundation's goals with the University's pursuit of Top-50 ranking, and met with communication leads from each college in order to help the Foundation Board tell the FIU story with greater relevancy. He remarked on the Foundation's efforts to finish the campaign, adding that the engagement, philanthropy, and fundraising activities of the volunteer leadership is critical to this effort.

Chair Cabañas highlighted actual vs. budget in regard to cash contributions, investment returns, program and general support to the University, and operating expenses. He reported that, through September, cash contributions are favorable by \$2M, that the favorable variance of \$7.2M in investment returns is based on the actual returns for the fiscal year to-date, that the favorable variance of \$3M in program and general support to FIU is due to delays in University capital

projects, and that the favorable variance of \$600,000 in operating expenses was a result of delays in events, travel, and hiring. He remarked that the Next Horizon Campaign has, to-date, reached 77% of its \$750M goal and that, to-date, \$11M has been raised towards the \$79M goal for the 2020-21 fiscal year.

Chair Cabañas commented that the two most recent years of available alumni giving rates are averaged and used in *U.S. News & World Report* rankings. He added that FIU's 2020 rate is 4.48% and stated that the goal is to increase the alumni giving rate to 18% by 2025. He mentioned that completion scholarships support undergraduate students nearing graduation to complete their education and receive their degree. He reported that as of October 31, 2020, the Foundation's total investment portfolio stands at approximately \$312.3M and that the Total Managed Assets returned 2.7%.

4. Board of Trustees Self Evaluation Survey

Board Chair Colson commented on the Board's self-evaluation survey, adding that a 100% response rate was critical. He urged Board members that had not yet done so to complete the survey and commented on plans to follow-up on the survey results at the Board's February meeting.

5. President's Report

University President Mark B. Rosenberg commented on increases over the prior year in spring, summer, and fall enrollment and in degrees awarded for spring and summer. He stated that, despite the challenges brought about by the COVID-19 pandemic, the University's research enterprise has experienced year-over-year increases in the number of grant proposals. He shared photographs from the fall pre-commencement caravan, noting that the fall virtual commencement is scheduled for December 11, 2020.

President Rosenberg mentioned that, consistent with the approach requested by the Board of Trustees, the University has significantly reduced the number of remote classes and also increased the opportunity for on-campus student learning in the spring. He described a hybrid/HyFlex approach that includes over 1,600 distinct course sections, adding that approximately 1,800 distinct course sections are expected to be in-person. He remarked that the University will continue to follow Centers for Disease Control and Prevention (CDC) guidelines, which still maintain six feet of distancing. President Rosenberg pointed out that approximately 53% of course sections will be on campus, stating that the remaining course sections will be fully online or synchronous remote. He indicated that over the last several weeks, library availability has been modified and that the range of available services continues to be expanded. He remarked on the significant reduction in remote work and that while physical distancing guidelines may limit the full return of certain units, it is the expectation that all offices will be open in the spring. In terms of online and on-campus course sections, he highlighted a comparison of spring terms beginning in 2017 through what is expected for spring 2021.

President Rosenberg described the University's COVID-19 testing capabilities, adding that through its partnership with Curative, testing kiosks have been established around campus. He mentioned that the surveillance testing positivity rate is lower than that of the community, noting that this reflects the University's robust education efforts. He commended the University's health care

providers and first responders, recognizing their dedicated efforts and tireless work. In response to Board Vice Chair Roger Tovar, Provost and Executive Vice President Kenneth G. Furton commented that the University strives to provide as many testing options as possible for students. President Rosenberg remarked on the University's diversified testing strategy, adding that the administering of tests is far less challenging than obtaining rapid results. Associate Dean, Herbert Wertheim College of Medicine Eneida Roldan, MD explained that the difference in testing options is the turnaround time. She pointed out that results from commercial labs are received between 30 to up 48 hours after leaving the on-campus clinics, adding that it is critical to have a 24-hour or same day turnaround for student athletes in addition to surveillance testing. She indicated that Curative offered 24 to 30 hours turnaround from the point the test leaves the trailer, adding that in terms of the Curative trailers, Curative has the ability to adjust the capacity based on the University's needs. In response to further inquiry from Board Vice Chair Tovar, Dr. Roldan described Curative's billing process and also provided an update on the University's CLIA approved lab, stating that three individuals are in various stages of the hiring process and that all are expected to join FIU by January 4, 2020. President Rosenberg noted that, upon return from the holiday break, all University housing residents will be required to undergo testing prior to being allowed entry into the residence halls.

6. Action Items – Consent Agenda

Chair Colson explained that the Consent Agenda was amended to include the new business item, the Florida International University Mission Statement, reviewed by the Academic Policy and Student Affairs Committee. He indicated that the Finance and Facilities Committee recommended approval by the Board of action item FF1, that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1, as well as the new business item, and that the Governance Committee recommended approval by the Board of action items G1 and G2 contained in the Consent Agenda.

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

- **BT1. Minutes, August 12, 2020 and BT2. Minutes, September 9, 2020** - Approval of Minutes of the FIU Board of Trustees, Full Board meetings held on August 12, 2020 and on September 9, 2020, via Zoom.
- **FF1. FIU Direct Support Organizations Financial Audits FY 2019-2020**
 - A. FIU Foundation Inc.** - Accept the Florida International University Foundation, Inc. Financial Audit for the 2019-20 Fiscal Year and authorize the CEO of the Florida International University Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.
 - B. FIU Research Foundation, Inc.** - Accept the Florida International University Research Foundation, Inc. Financial Audit for the 2019-20 Fiscal Year and authorize the President of the Florida International University Research Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

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

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

- **AP1. Tenure as a Condition of Employment Nominations** – Approve four (4) candidates for Tenure as a Condition of Employment as specified in the Board materials.
- **AP2. (New Business Item for the Academic Policy and Student Affairs Committee) Review and Approval of the Florida International University Mission Statement** - Review and approval of the Florida International University Mission Statement.
- **G1. Direct Support Organizations Board Appointment** - Approve the appointment of the individual listed in the board materials, to the Florida International University Foundation, Inc. Board of Directors.
- **G2. Ratification of the 2020-2023 Collective Bargaining Agreement Between the Florida International University Board of Trustees and the Florida Nurses Association, Office and Professional Employees International Union, Local 713, AFL-CIO (Local 713)** - Ratify the 2020-2023 Collective Bargaining Agreement between the Florida International University Board of Trustees (BOT) and the Florida Nurses Association, Office and Professional Employees International Union, Local 713, AFL-CIO (Local 713).

7. Action Item

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

Finance and Facilities Committee Chair Leonard Boord pointed out that the Committee engaged in a thorough review of the Trish and Dan Bell Chapel and East Loop Road realignment, naming and approval of design. There were no further questions from the Trustees. He stated that the Finance and Facilities Committee recommended the item for Board approval.

A motion was made and unanimously passed that the FIU Board of Trustees approve the naming of The Trish and Dan Bell Chapel (“Chapel”), the design of the Chapel, the design of roadway improvements on the east side of the FIU Modesto A. Maidique Campus (MMC) necessary to accommodate the construction of the Chapel and the future expansion of the Graham Center, and amendment of the 2010-20 University MMC Campus Master Plan to include the Chapel and

roadway improvements as contemplated in the proposed 2015-2030 University MMC Campus Master Plan. Upon approval by the Florida International University Board of Trustees, the Chapel and roadway improvements capital budget requests will be submitted to the Florida Board of Governors (BOG) for approval in accordance with BOG Regulation 14.003.

8. Status Reports, Board Committees

Chair Colson requested to defer the Status Reports. There were no objections.

9. New Business

President Rosenberg introduced a pre-recorded holiday vocal performance by School of Music student, Ms. Johna Denis.

10. Concluding Remarks and Adjournment

With no other business, Board Chair Dean C. Colson adjourned the meeting of the Florida International University Board of Trustees Full Board on Thursday, December 3, 2020 at 1:01 p.m.

Dean C. Colson
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: Proposed Regulation FIU-1115 Lost/Abandoned Property

Proposed Board Action:

Approve Regulation FIU-1115 Lost/Abandoned Property, and delegate authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the Florida Board of Governors (BOG) or as a result of the regulation-making process.

Background Information:

Proposed Regulation FIU-1115 Lost/Abandoned Property sets forth university rules regarding lost/abandoned personal property found on campus. The regulation, consistent with Sec. 705.18, Fla. Stat., provides the general procedure for the university to claim lost/abandoned property.

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: Approval of Locally Funded Agreement between Florida Department of Transportation (FDOT) and Florida International University (FIU) and the Authorization to Transfer \$9,125,364 of FIU Funds to FDOT for the Design and Construction of the UniversityCity Prosperity Project Pedestrian Bridge and Associated Plaza, Walkway and Roadway Improvements

Proposed Board Action:

(i) approve the Locally Funded Agreement (LFA) between FDOT and FIU, (ii) authorize the transfer in the amount of \$9,125,364 of FIU Funds to FDOT for the design and construction of the UniversityCity Prosperity Project pedestrian bridge and associated plaza, walkway and roadway improvements, and (iii) delegate to the University President, or his designee, the authority to execute the LFA and to amend the LFA to accommodate any technical changes requested by FDOT in accordance with the terms of the LFA.

Background Information:

On November 21, 2019, the FIU Board of Trustees (BOT) approved a \$9,500,000 Settlement Agreement associated with the collapse of the UniversityCity Prosperity Project pedestrian bridge. As reported at the September 9, 2020 FIU Board of Trustees Finance and Facilities Committee meeting, on May 5, 2020, Governor Ron DeSantis lifted the hold on the UniversityCity Prosperity Project, thereby allowing the use of funds for a new pedestrian bridge, and authorized FDOT to accept responsibility for completing the new bridge and administering the design and construction contracts. It was also reported at the meeting that the United States Department of Transportation Federal Highway Administration approved, on September 3, 2020, the amended TIGER Grant Agreement assigning the responsibility for the pedestrian bridge and associated improvements to FDOT. Pursuant to the amended TIGER Grant Agreement, FDOT (and not FIU) is now the recipient of the grant award.

FIU is now required to transfer to FDOT the \$9,125,364 identified in the amended TIGER Grant Agreement so that the project may continue. The LFA documents the transfer of these funds from FIU to FDOT. The \$9,125,364 that will be transferred to FDOT consists of \$560,139 original FIU match funds, \$5,560 in City of Sweetwater match funds previously transferred to FIU, and \$8,559,665 in settlement funds. The remaining balance of the settlement funds, \$940,335, has been used to (i) reimburse FIU for unreimbursed expenditures incurred prior to the bridge collapse in the amount of \$341,965; (ii) establish a project contingency in the amount of \$200,000; and (iii) fund the demolition of remaining existing improvements and permit close-out in the amount of \$398,370.

Under the terms of the LFA, FIU may be required to transfer additional funding to FDOT to cover project costs due to unknown conditions or changes required to comply with applicable laws and regulations, similar to the obligation FIU would have if the project remained a project under FIU control. The largest risk is associated with the unknown site conditions that may be present in the areas for the plazas, walkways, and roadway improvements on 109th Avenue since no construction

took place in this area prior to the bridge collapse; site conditions associated with the pedestrian bridge are well known. FIU has mitigated this risk in several ways. First, FIU has the right to approve the guaranteed maximum price of the project. Second, there is a \$200,000 contingency in the project budget, excluding interest earnings on the funds of approximately \$35,000 to date, and FDOT will be required to exhaust all funds set forth in the project budget before FIU would be required to deposit any additional funds. FIU also believes that demolition and permit close-out costs will be under \$300,000 based upon actual cost estimation from AECOM, the firm FDOT hired to complete preliminary cost estimates as part of the design criteria (as noted above, \$398,370 has been set aside for now). Additionally, the landscaping budget developed by AECOM for large and small trees totaled \$313,706, and this work can be eliminated if necessary. Finally, the FIU funds will be held in the State of Florida Special Purpose Investment Fund, with all investment earnings remaining with the project as part of the contingency fund; since TIGER grant funds will be utilized first, approximately \$275,000 in earnings (assuming 2 percent) is anticipated since construction will not begin until July 2023. In total, approximately \$925,000 would be available to accommodate unforeseen conditions or changes if needed.

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

A Resolution Approving the Locally Funded Agreement between Florida Department of Transportation (FDOT) and Florida International University (FIU) and the Authorization to Transfer \$9,125,364 of FIU Funds to FDOT for the Design and Construction of the UniversityCity Prosperity Project Pedestrian Bridge and Associated Plaza, Walkway and Roadway Improvements

WHEREAS, on November 21, 2019, the FIU Board of Trustees (BOT) approved a \$9,500,000 Settlement Agreement associated with the collapse of the UniversityCity Prosperity Project pedestrian bridge.

WHEREAS, as reported at the September 9, 2020 Finance and Facilities Committee meeting, on May 5, 2020, Governor Ron DeSantis lifted the hold on the UniversityCity Prosperity Project, thereby allowing the use of funds for a new pedestrian bridge, and authorized FDOT to accept responsibility for completing the new bridge and administering the design and construction contracts.

WHEREAS, it was also reported at the meeting that the United States Department of Transportation Federal Highway Administration approved, on September 3, 2020, the amended TIGER Grant Agreement assigning the responsibility for the pedestrian bridge and associated improvements to FDOT. Pursuant to the amended TIGER Grant Agreement, FDOT (and not FIU) is now the recipient of the grant award.

WHEREAS, FIU is now required to transfer to FDOT the \$9,125,364 identified in the amended TIGER Grant Agreement so that the project may continue.

WHEREAS, the \$9,125,364 that will be transferred to FDOT consists of \$560,139 original FIU match funds, \$5,560 in City of Sweetwater match funds previously transferred to FIU, and \$8,559,665 in settlement funds. The remaining balance of the settlement funds, \$940,335, has been used to (i) reimburse FIU for unreimbursed expenditures incurred prior to the bridge collapse in the amount of \$341,965; (ii) establish a project contingency in the amount of \$200,000; and (iii) fund the demolition of remaining existing improvements and permit close-out in the amount of \$398,370.

WHEREAS, the LFA documents the transfer of these funds from FIU to FDOT.

NOW THEREFORE, BE IT RESOLVED, that the University is authorized to proceed to enter into the LFA and to transfer the above-described funds to FDOT, with the University President, or his designee, hereby granted the delegation of authority to execute the LFA on behalf of the University, as well as all other documents that may be necessary to effectuate the transactions contemplated in the LFA, and to amend the LFA to accommodate any technical changes requested by FDOT in accordance with the terms of the LFA.

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

Adopted this _____ day of February, 2021 by the Board of Trustees of Florida International University.

Dean Colson
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: Approval of Commencement Conditions Addendum to the Hotel Ground Sublease due to the effects of the COVID-19 Pandemic of 2020

Proposed Board Action:

Approve the Commencement Conditions Addendum to the Hotel Ground Sublease due to the effects of the COVID-19 Pandemic of 2020 on the Hotel, Conference Center, and Alumni Center (the “Project”).

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 and conference center, and authorized the University 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.

On June 16, 2020, the BOT approved changes to the design of the Project and changes to two of the Hotel Ground Sublease key terms previously requested by the BOT.

Due to the COVID-19 Pandemic of 2020 (“COVID”), the developer has advised FIU that the market for users of the Project and the capital markets that will provide both debt financing and equity investments for the Project are all materially impaired and would not be able to support the development of the Project at the present time. Consequently, the developer has requested that the parties agree on a procedure to delay the effective date of the Hotel Ground Sublease, which is the date that triggers the developer’s due diligence period and other critical dates in the Project’s construction timeline.

Under the proposed procedure, the effective date of the Hotel Ground Sublease would be triggered by the satisfaction of certain conditions, all relating to the lifting of COVID restrictions and FIU materially returning to normal operations. FIU’s President will sign a written certification once all of

the conditions have been satisfied. If the commencement conditions have not been satisfied, or waived, within 36 months after the date of the Addendum, then either party can terminate the Hotel Ground Sublease.

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

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

Drafts of the required agreements for the Project are available upon request.

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

**A RESOLUTION APPROVING THE COMMENCEMENT
CONDITIONS ADDENDUM TO THE GROUND
SUBLEASE FOR THE HOTEL AND CONFERENCE
CENTER, PARKING, AND ALUMNI CENTER (THE
“PROJECT”) DUE TO THE EFFECTS OF THE COVID-19
PANDEMIC OF 2020**

**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 Commencement Conditions Addendum to the Hotel Ground Sublease, 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 (“TIITF”) approve the Ground Subleases.

Section 3. 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, this resolution and prior resolutions.

Section 4. This Resolution shall take effect immediately upon its adoption.

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

**Subject: Approval of Contract #PUR-00964 for Elsevier ScienceDirect Subscription
Renewal, Vendor: Elsevier B.V.**

Proposed Board Action:

Pursuant to the Delegations of Authority from the Florida International University Board of Trustees to the University President, as reflected in the Resolution on the President's Powers and Duties approved by the Board of Trustees on March 4, 2019, (i) approve the University entering into the contract as listed and described below and (ii) authorize the University President or his designee to execute, on behalf of the University, the aforementioned contract.

Background Information:

Contract #PUR-00964 (vendor: **Elsevier B.V.**) agreement between FIU and Elsevier. The amendment requires signature for the FIU Libraries and Herbert Wertheim College of Medicine Library renewal of content from the publisher Elsevier for the term of 2021-2024. The contract includes e-journal subscriptions, e-books, and online reference works. This is jointly funded through the FIU Libraries and Herbert Wertheim College of Medicine Library resource budgets.

The FIU 2021 Amendment (see attached) serves as the participating member sign-up document, and it allows FIU to join the master agreement and amendment between Elsevier and the University of Florida Board of Trustees for the term of 2017-2024. The master agreement has been negotiated and thoroughly vetted by the UF General Counsel.

- **Term:** 4-year agreement (1/1/2021-12/31/2024)
 - **Cost:** \$ 4,293,071.50 for 4-year agreement including \$1,049,419.81 for 2021; \$1,049,419.81 for 2022; \$1,080.902.40 for 2023; and \$1,113,329.48 for 2024
 - **Funding source:** Library resource budget (Resource Activity #1238020005)
 - **Library Subscription is exempt per Annual Sole Source Certification Category 2:** The acquisition of copyright and single source instructional materials, tapes, publications, periodicals, journals, manuscripts, films and personal library collections.
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Supporting Documentation: *Information behind the Finance and Facilities Committee tab*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: Tenure as a Condition of Employment Nominations

Proposed Board Action:

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

Background Information:

Pursuant to Florida Board of Governors Regulation 1.001(5)(a), each board of trustees shall provide for the establishment of the personnel program for all the employees of the university, including but not limited to tenure.

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

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: Approval of Notice of Change to Approved Revised Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct

Proposed Board Action:

Approve the amendment of Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct without a date restriction and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.

Background information:

Florida Board of Governors Regulation 1.001(5)(a), University Board of Trustees Powers and Duties, provides, in relevant part, that each boards of trustees shall provide for the establishment of "the personnel program for all the employees of the university, including ... standards for performance and conduct,... disciplinary actions, complaints, appeals and grievance procedures, and separation and termination from employment."

Florida Board of Governors Regulation 1.001(3)(i)(l) provides, in relevant part, that each board of trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedures adopted by the Board of Governors; and each board of trustees shall be responsible for campus safety and emergency preparedness, to include safety and security measures for university personnel, students and campus visitors.

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

On May 6, 2020, the United States Department of Education Office for Civil Rights (OCR) issued regulations on Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination based on sex. In response, substantive revisions were made to ensure the University's compliance with the new regulations and approvals of said revisions were obtained from the University's Board of Trustees. On October 28, 2020, the Board of Trustees approved the revised regulation to be effective until its February 2021 board meeting. This change will eliminate the date restriction and therefore, make the revised regulation effective without such date restriction.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: Amendments to Regulation FIU-1103 Textbook Affordability

Proposed Board Action:

Approve the amendments to Regulation FIU-1103 Textbook Affordability and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.

Background Information:

This regulation is being updated to comply with Board of Governors Regulation 8.003, specifically:

- omitting the requirement for state university boards of trustees to examine the cost of textbooks and instructional materials by course and course section for all general education courses offered at the institution each semester to identify variance in the cost of textbooks and instructional materials among different sections of the same course.
- omitting the requirement for institutions to report the selection process for general education courses identified with a wide cost variance in the board of trustees' annual report to the Chancellor;
- adding a provision related to efforts to provide textbooks and instructional materials for students who cannot afford required and recommended textbooks and instructional materials; and
- adding the requirement that innovative pricing techniques and payment options for course materials include an opt-out provision in addition to the opt-in provision for students. The opt-out provision may be approved provided there is documented evidence that the option reduces the cost of textbooks and instructional materials for students taking a course.

Pursuant to Florida Board of Governors Regulation 8.003, Textbook and Instructional Materials Affordability, each board of trustees shall adopt a regulation that establishes textbook and instructional materials affordability policies to minimize the cost of required or recommended textbooks and instructional materials for students while maintaining the quality of education and academic freedom.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

**Subject: New Program Proposal: Bachelor of Arts in Global Educational Studies
(CIP 13.0701)**

Proposed Board Action:

Approve the Bachelor of Arts in Global Educational Studies (CIP 13.0701) new program proposal.

Background Information:

The Department of Educational Policy Studies in the College of Arts, Sciences and Education is proposing a new Bachelor in Arts in Global Educational Studies.

The BA in Global Educational Studies will provide a degree for students who are interested in education-related careers in a global context, but not in teaching in the classroom. The proposed BA will provide flexibility among several potential career opportunities, including international/ intercultural education, educational policy, educational outreach in corporations, and national education and agencies.

There are currently no other undergraduate degrees within the SUS within this CIP code. The only degree within the SUS is a MS and it is offered at FIU. The BA in Global Educational Studies directly supports various SUS Strategic Planning Goals.

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**

February 23, 2021

**Subject: New Program Proposal: Bachelor of Arts in Global Sustainable Tourism
(CIP: 30.3301)**

Proposed Board Action:

Approve the Bachelor of Arts in Global Sustainable Tourism (CIP: 30.3301) new program proposal.

Background Information:

The Chaplin School of Hospitality and Tourism Management (CSHTM), in close collaboration with the Department of Earth and Environment (E&E) of the College of Arts, Sciences & Education, is proposing a new Bachelor of Arts degree in Global Sustainable Tourism (BA-GST).

The primary purpose of the proposed program is to provide Florida's #1 industry with a new stream of candidates for employment who will understand the most current needs and demands of the traveling public, imbued with the appropriate content knowledge and critical-thinking skills needed to guide the industry into better, more sustainable stewardship of the natural environment, and a higher respect for and relationship with the communities where the industry operates.

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**

February 23, 2021

**Subject: New Program Proposal: Master of Science in Research Design and Analysis
(CIP: 13.0603)**

Proposed Board Action:

Approve the Master of Science in Research Design and Analysis (CIP: 13.0603) new program proposal.

Background Information:

The Department of Counseling, Recreation, and School Psychology in the College of Arts, Sciences & Education at Florida International University is proposing a new Master of Science degree in Research Design and Analysis (RDA).

The RDA program places emphasis on building research knowledge, expertise, and practical experience to help RDA graduates align relevant data with specific problems, design cutting edge data collection methods, analyze data for practical solutions, and suggest rigorous research techniques to help solve real-world problems in education and related fields. In particular, RDA graduates will have an impact on both public and private sectors that deal with contemporary challenges regarding education, health, and technology issues.

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**

February 23, 2021

Subject: Direct Support Organizations Board Appointments

Proposed Board Action:

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

Background Information:

On January 22, 2021, the Board of Directors of the Florida International University Foundation, Inc., a direct support organization (“DSO”) of Florida International University (the “FIU Foundation”), appointed two (2) new directors, identified below.

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

- New Director Appointments for initial one-year term (FY 2020-2021):
 - LaTéssa Denisa Dotson-Hall
 - Richard “Rick” Preston Tonkinson

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*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: 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 Preeminent Metrics Data Integrity**

Proposed Board Action:

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 Preeminent Metrics Data Integrity.

Background Information:

This item is presented pursuant to a request from the State University System of Florida Board of Governors (BOG) dated June 25, 2020. The Chair of the Florida International University Board of Trustees (BOT) and the President of the University shall execute a Data Integrity Certification, furnished by the BOG. The certification document shall be signed by the President and BOT Chair after being approved by the BOT.

To make such certifications meaningful, the University’s Chief Audit Executive has been directed to perform an audit of the University’s processes that ensure the completeness, accuracy, and timeliness of data submissions. The results of the audit shall be provided to the BOG after being accepted by the BOT. The completed Data Integrity Certification and audit report shall be submitted to the Office of Inspector General and Director of Compliance no later than March 1, 2021.

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

Facilitator/Presenter: Gene Prescott, *Audit and Compliance Committee Vice Chair*

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

February 23, 2021

Subject: Placing the Name “Knight Foundation School of Computing and Information Sciences” on a Portion of the Exterior of the Building Housing the FIU School of Computing and Information Sciences on the Modesto A. Maidique Campus

Proposed Board Action:

Approve the placing of the name “KNIGHT FOUNDATION SCHOOL OF COMPUTING AND INFORMATION SCIENCES” on a portion of the exterior of the building housing the FIU School of Computing and Information Sciences.

Background Information:

The Knight Foundation recently expressed its continued dedication to the University, and commitment to the FIU School of Computing and Information Sciences within the FIU College of Engineering, through a generous grant to fund additional faculty positions, curriculum improvements, career advising programs, and research and teaching facilities in the approximate 88,000 square foot multidisciplinary FIU College of Engineering building, to be constructed on the Modesto A. Maidique Campus.

In light of this significant grant, the University proposes to (i) rename the FIU School of Computing and Information Sciences as the “Knight Foundation School of Computing and Information Sciences” (the “School”) and (ii) prominently display “Knight Foundation School of Computing and Information Sciences” on the exterior of the building housing the School (the “Building”), in a manner to be mutually agreed upon by FIU and the Knight Foundation.

In accordance with the University’s and the FIU Foundation Inc.’s Donative Naming Policy, Policy No. 710.015 (the “Naming Policy”), the Dean of the College of Engineering, the Senior Vice President for University Advancement, with the concurrence of the Executive Vice President and Provost, and the President of the University, have recommended and approved the renaming of the FIU School of Computing and Information Sciences as the “Knight Foundation School of Computing and Information Sciences.”

Furthermore, the request for Board of Trustees approval for the prominent display of the Knight Foundation School of Computing and Information Sciences on the exterior of the Building is made pursuant to and in accordance with the Florida Board of Governors Regulation 9.005, and the Naming Policy, which delegates to the BOT the authority to grant permanent naming recognition in connection with a University building, subject to the conditions contained therein.

**A RESOLUTION AUTHORIZING THE PLACING OF THE NAME
“KNIGHT FOUNDATION SCHOOL OF COMPUTING AND INFORMATION
SCIENCES” ON A PORTION OF THE EXTERIOR OF THE BUILDING
HOUSING THE FIU SCHOOL OF COMPUTING AND INFORMATION
SCIENCES ON THE MODESTO A. MAIDIQUE CAMPUS.**

NOW, THEREFORE, BE IT RESOLVED:

1. That the Florida International University Board of Trustees (the “BOT”) approves placing the name “KNIGHT FOUNDATION SCHOOL OF COMPUTING AND INFORMATION SCIENCES” on a portion of the exterior of the building housing the FIU School of Computing and Information Sciences, consistent with the University’s and the FIU Foundation, Inc.’s Donative Naming Policy, Policy No. 710.015;
2. That the President, Senior Vice President for University Advancement and other authorized representatives of the University, are hereby 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 granting of the naming rights as set forth herein; and
3. These Resolutions shall take effect immediately upon its adoption.

Supporting Documentation: None

Facilitator/Presenter: Natasha Lowell, *Academic Policy and Student Affairs Committee Chair*



TO Members, FIU Board of Trustees

FROM Dean C. Colson
Chair, FIU Board of Trustees

SUBJECT Repopulating FIU

DATE February 19, 2021

In anticipation of our upcoming board meeting, I want to share with you my thoughts on repopulation which I have discussed at length with the President. I know how hard the administration has been working since the COVID-19 outbreak to keep our students on pace with their academics and to ensure the continuity of the academic and research mission of the university. The university has been fortunate to have been spared a major outbreak, and I am certain that is in part due to the hard work of our leadership team. I am very optimistic about our future as we turn the corner on this pandemic and continue our support of our students, faculty and staff.

Now that vaccinations are underway and there appears to be a decline in the positivity rates on campus and in the county, I have shared with the President my belief that we need to begin planning for a return to a "pre-COVID" type experience at FIU for all students, faculty and staff beginning this summer. The President and I have been on calls with the Board of Governors over the past month where it has become clear that the BOG's expectations are for all the universities to be back to "normal" by Summer B. I am hopeful we can get close to "normal" by Summer A, but certainly no later than Summer B. I believe the Governor and Legislature have similar expectations as the BOG, and it is hard to imagine any topic more important to our university and our Board of Trustees than repopulation.

Last week, the subject of repopulation garnered media attention locally when the President asked additional staff to return to campus. I applaud that decision. Some of the media coverage provided information that many may not have seen before. Perhaps, we can prevent that from happening again. So, as the administration prepares plans for the summer and fall repopulation of our campus, I have asked the President to bring back to the board (through the Strategic Planning Committee) any parts of the plan that differ materially from the "pre-COVID" experience. I also want to make certain that no modifications of any agreements the University has with the faculty union are entered into without first being discussed with the Board. Finally, we have to be creative on how we accommodate the current CDC guidelines. If we need to hire faculty, modify spaces or bring in temporary facilities, we still have time to do that before

summer, and the federal funding will help offset the costs. I recognize that a complete return to a “pre-COVID” world may not be possible while adhering to CDC guidelines, but I am hopeful that if we are creative, the differences need not be significant.

FIU is recognized to have some of the great online degree programs in the country. This is due in large part to the success of the administration and faculty working together at the forefront of the innovation and educational technology. Over 7,500 students are currently earning degrees fully online, and we offer more than one hundred different programs on our online platform. A return to normal may mean that some of our traditional students decide to complete their studies via FIU Online. That is great. However, the other approximately 41,000 students need to be given the opportunity to earn their degrees on campus at FIU with the benefits of daily interactions and experiential opportunities with faculty, staff and fellow students. I am certain the past twelve months will teach us a lot about how we are going to deliver higher education in the future, and I expect some major changes. Those future changes cannot justify a delay in our return to in person instruction for the near term. As we build a new residence hall on campus, a new engineering complex, a new chapel, and a new hotel, one thing that remains true is our physical campus will be the vibrant heart of the FIU community for years to come.

Our administration has worked tirelessly to keep all of its people safe. That should not change. If we adhere to the CDC guidelines, research supports the proposition that in person instruction can be delivered safely. Having said that, if FIU does experience a major COVID-19 outbreak, I expect us to have the flexibility to return to a remote learning experience for some period of time. We have learned over the past year that it is much easier to go remote after an outbreak than it is to bring remote learners back to the classroom.

I want to thank the President and his administration for their extraordinary effort the past year. The President has been a wonderful leader during this difficult time. I can assure you that just dealing with his Chair and Vice Chair has been almost a full-time job for the President.

Finally, I want to thank my fellow trustees who have constantly demonstrated a concern and love for our institution. Thank you for all you do for FIU. I look forward to seeing you next week.