

FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES FULL BOARD MEETING

Florida International University Modesto A. Maidique Campus Graham Center Ballrooms

Wednesday, February 26, 2020

1:15 p.m. or Upon Adjournment of Previous Meeting

AGENDA

1.	Call to O	rder and Chair's Remarks	Chair Claudia Puig
2.	Public A	ppearances	Claudia Puig
3.	Foundation Report		Richard Brilliant
4.	President's Report		Mark B. Rosenberg
5.	Southern	Association of Colleges and Schools Commission on Colleges	Belle S. Wheelan
6.	Action Items – Consent Agenda Claudia Pui		Claudia Puig
	BT1.	Minutes, December 5, 2019	
	AC2.	FIU 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.	
	FF 2 .	Investment Policy Amendment	
	FF3.	Amendment to the 2019-2020 Fixed Capital Outlay and Carryforward Budgets	
	AP1.	Tenure as a Condition of Employment Nominations	
	AP2.	Revisions to Regulation FIU-108 Access to Student Education Records	
	AP3.	New Program Proposal: Bachelor of Science in Cybersecurity	
	AP4.	New Program Proposal: Bachelor of Arts in English Education	

Board Agend	of Trustees la ary 26, 2020		
6.	Action I	tems – Consent Agenda (Continued)	
	AP5.	New Program Proposal: Bachelor of Science in Behavioral Neuroscience	
	AP6.	New Program Proposal: Bachelor of Science in Rehabilitation and Recreational Therapy	
	G1.	Updated Exclusion Resolution and Designation of Key Management Personnel and Delegation of Authority	
7.	Action I	tems	
	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 	Gerald C. Grant, Jr.
8.	Status R	eports, Board Committees	
	■ A	udit and Compliance Committee Report	Gerald C. Grant, Jr.
	■ F	inance and Facilities Committee Report	Leonard Boord
	• A	cademic Policy and Student Affairs Committee Report	Cesar L. Alvarez
	• (Governance Committee Report	Claudia Puig
9.	New Bu	siness (If any)	Claudia Puig
10.	10. Concluding Remarks and Adjournment		Claudia Puig





Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Reaffirmation Presentation

February 26, 2020

Executive Summary

Dr. Belle Wheelan, President of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), will be presenting to the FIU Board of Trustees (the BOT) on the SACSCOC reaffirmation process, the quality enhancement plan, and the new accreditation standard of board self-evaluation. The purpose of the presentation is to provide the BOT an opportunity to engage with Dr. Wheelan as we prepare for the submission of our Compliance Certification Report due September 8, 2020 and our reaffirmation on-site visit scheduled for March 16-18, 2021.



Belle Wheelan, Ph.D. - Bio

President, Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)

Dr. Wheelan currently serves as President of the SACSCOC and is the first African American and the first woman to serve in this capacity. Her career spans over 40 years and includes the roles of faculty member, chief student services officer, campus provost, college president, and Secretary of Education.

Dr. Wheelan received her Bachelor's degree from Trinity University in Texas (1972) with a double major in Psychology and Sociology; her Master's from Louisiana State University (1974) in Developmental Educational Psychology; and her Doctorate from the University of Texas at Austin (1984) in Educational Administration with a special concentration in community college leadership.

She has received numerous awards and recognition including six honorary degrees; the Distinguished Graduate Award from Trinity University (2002), and from the College of Education at the University of Texas at Austin (1992); *Washingtonian Magazine's* 100 Most Powerful Women in Washington, DC (2001); the AAUW Woman of Distinction Award (2002); the Suanne Davis Roueche National Institute for Staff and Organizational Development's Distinguished Lecturer Award (2007); the John E. Roueche National Institute for Staff and Organizational Development's International Leadership Award (2010); and the AACC Leadership Award (2011); the John Hope Franklin Award from *Diverse Issues in Higher Education* for outstanding leadership in higher education; and the Educational Testing Service (ETS) Terry O'Banion Prize in Education from the League for Innovation in Community Colleges.

She holds and has held membership in numerous local, state and national organizations including Rotary International; Alpha Kappa Alpha Sorority, Inc.; the American College Testing, Inc., Board of Directors; American Association of Community Colleges, Board of Directors; the Lumina Foundation for Education, Board of Directors; the President's Round Table of the National Council on Black American Affairs; the National Black College Alumni Hall of Fame, Board of Directors; *Excelencia* in Education, Board of Directors; National Society of Collegiate Scholars, Community College Honorary Board; Next Generation Learning Challenges, Advisory Panel; Project GOALS (Gaining Online Accessible Learning Through Self-Study); and the National Student Clearinghouse, Board of Directors.

SACSCOC Overview

- Recognized regional accrediting body in 11 states (Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia) and in Latin America for those institutions of higher education that award associate, baccalaureate, master's or doctoral degrees
- Responsible for assuring the educational quality and improvement of the effectiveness of member institutions
- When an institution has earned accreditation by SACSCOC, it signifies that it has "a purpose appropriate to higher education and has resources, programs, and services sufficient to accomplish and sustain that purpose."
- Accreditation status determines eligibility for Title IV funds (student financial aid)
- SACSCOC works to influence legislation and regulations that impact the work of member institutions

Philosophy of Accreditation

- Participation in the accreditation process is voluntary and is an earned and renewable status.
- Member institutions develop, amend, and approve accreditation requirements.
- The process of accreditation is representative, responsive, and appropriate to the types of institutions accredited.
- Accreditation is a form of self-regulation.
- Accreditation requires institutional commitment and engagement.
- Accreditation is based upon a peer review process.
- Accreditation requires an institutional commitment to student learning and achievement.
- Accreditation acknowledges an institution's prerogative to articulate its mission, including a religious mission, within the recognized context of higher education and its responsibility to show that it is accomplishing its mission.
- Accreditation requires institutional commitment to the concept of quality enhancement through continuous assessment and improvement.
- Accreditation expects an institution to develop a balanced governing structure designed to promote institutional integrity, autonomy and flexibility of operation.
- Accreditation expects an institution to ensure that its programs are complemented by support structures and resources that allow for the total growth and development of its students.

The Principles of Accreditation: Foundations for Quality Enhancement

Section 1: The Principle of Integrity Section 2: Mission Section 3: Basic Eligibility Standard Section 4: Governing Board Section 5: Administration and Organization Section 6: Faculty Section 7: Institutional Planning and Effectiveness Section 7: Institutional Planning and Effectiveness Section 8: Student Achievement Section 9: Educational Program Structure and Content Section 10: Educational Policies, Procedures, and Practices Section 11: Library and Learning/Information Resources Section 12: Academic and Student Support Services Section 13: Financial and Physical Resources Section 14: Transparency and Institutional Representation

Reaffirmation

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), requires its accredited institutions to undergo a comprehensive decennial review to ensure that each institution continues to meet member-driven standards of quality. These accreditation standards – formally adopted by member institutions – are found in *The Principles of Accreditation: Foundations for Educational Quality*. The comprehensive review includes the institutional submission of two documents: (1) a Compliance Certification and (2) A Quality Enhancement Plan (QEP).

The *Compliance Certification* is a document completed by the institution that demonstrates its judgment of the extent of its compliance with each of the Commission's Core Requirements and other standards. The Off-Site Reaffirmation Committee conducts the initial review of this document and presents preliminary findings to the institution and the On-Site Reaffirmation Committee.

The *Quality Enhancement Plan* is an integral component of the reaffirmation of accreditation process and is derived from an institution's ongoing comprehensive planning and evaluation processes. It reflects and affirms a commitment to enhance overall institutional quality and effectiveness by focusing on an issue that the institution considers important to improving student learning outcomes and/or student success. The document submitted by the institution demonstrates that its *QEP* (a) has a topic identified through its ongoing, comprehensive planning and evaluation processes; (b) has broad-based support of institutional constituencies; (c) focuses on improving specific student learning outcomes and/or student success to initiate, implement and complete the QEP; and (e) includes a plan to assess achievement. The On-Site Reaffirmation Committee reviews the document and compliance

The success of the reaffirmation process depends upon four paramount concepts:

- 1. the belief that the accreditation of institutions should be determined through a system of **peer review** whereby institutional effectiveness and quality are evaluated primarily by individuals from institutions of higher education, professional educators whose knowledge and experience enable them to exercise professional judgment,
- 2. **institutional integrity** evidenced by all information disseminated by institutions seeking reaffirmation being truthful, accurate, and complete and all institutional interactions with constituencies and the public being honest and forthright,
- 3. commitment to **quality enhancement and continuous improvement**, and
- 4. **focus on student learning** and on institutional effectiveness in supporting and enhancing student learning.

Governing Board

The institution's governing board holds in trust the fundamental autonomy and ultimate well-being of the institution. As the corporate body, the board ensures both the presence of viable leadership and strong financial resources to fulfill the institutional mission. Integral to strong governance is the absence of undue influence from external sources.

Principle 4.2.g The governing board defines and regularly evaluates its responsibilities and expectations. (*Board self-evaluation*)

February 26, 2020

Subject: Approval of Minutes of Meeting held December 5, 2019

Proposed Board Action:

Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Thursday, December 5, 2019, at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms.

Background Information:

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meeting held on Thursday, December 5, 2019, at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms.

Supporting Documentation: Minutes: Full Board Meeting, December 5, 2019

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FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES FULL BOARD MEETING DECEMBER 5, 2019 MINUTES

1. Call to Order and Chair's Remarks

Board Chair Claudia Puig convened the meeting of the Florida International University Board of Trustees at 2:26 p.m. on Thursday, December 5, 2019, at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms.

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

Chair Puig welcomed all Trustees and University faculty and staff to the meeting. Chair Puig indicated that the Sixth Amendment to the President's Employment Agreement has been executed and explained that in addition to the terms specifically approved by the Board of Trustees, the sixth amendment contains language required by the Florida Board of Governors (BOG) pertaining to a President's cooperation with investigations post-term, as well as language required by the NCAA. Chair Puig thanked President Rosenberg for his service to the University.

Chair Puig noted that the BOG reappointed Trustee Natasha Lowell and appointed Ambassador Donna Hrinak, who succeeds Trustee Justo L. Pozo, to the FIU Board of Trustees for five-year terms beginning January 6, 2020. On behalf of the Board, Chair Puig presented Trustee Pozo with a plaque in recognition of his leadership and service.

2. Public Appearances

There were no public appearances.

3. Foundation Report

Foundation Board of Directors Chair Richard Brilliant presented the Foundation Report, reporting that the Next Horizon Campaign has raised \$528M to-date towards the \$750M goal and that, as of September 30, 2019, the Foundation's total investment portfolio totaled approximately \$301.8M. He described recent giving, namely, an anonymous \$3M gift in support of FIU undergraduate scholarships, \$2.5M from Chad Moss in support of the FIU Moss School of Construction, Infrastructure and Sustainability, and \$1M from Patricia Bradley in support of the Office of Student

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Access and Success and the Frost Museum. Chair Brilliant pointed out that the University broke ground on the second phase of the Green School building. He recognized the Deloitte Foundation-Sabater, adding that FIU Business students selected as Deloitte Foundation-Sabater Scholars will receive full tuition scholarships as well as other opportunities exclusive to them.

In terms of campaign messaging, Senior Vice President of University Advancement Howard R. Lipman noted that while the primary messaging in the initial phase was focused on awareness, the next phase would create a connection to fundraising and is a call-to-action.

4. President's Report

University President Mark B. Rosenberg recognized Trustee Pozo and thanked him for his service and his involvement with the University. President Rosenberg reported that the football team made history when FIU claimed its first victory over UM, adding that the Panthers became bowl-eligible for the third year in a row.

In terms of high-profile visits, events, and recognitions, President Rosenberg indicated that FIU welcomed the President of Colombia Ivan Duque and presented him with the "FIU Medallion of Courage". President Rosenberg added that Lieutenant Governor Jeanette Nuñez and School Board member Susie V. Castillo were joined by key leaders and renowned experts for a discussion panel at FIU that brought awareness to the issue of domestic violence, with a focus on prevention, intervention, and education. He explained that Mr. Garrett Smithley ran his final race of the 2019 NASCAR Xfinity Series in a car featuring FIU branding, adding that this brought the University unparallel exposure. President Rosenberg stated that in its piece about Art Basel, *The New York Times* said that "two small institutions have consistently been punching above their weight: The Jewish Museum of Florida-FIU and The Wolfsonian-FIU." President Rosenberg further stated that FIU received the Gold Level of APLU's 2019 Institutional Award for Global Learning, Research & Engagement, which recognizes institutions that have excelled in internationalization. He reported that the University was awarded \$1.25M to bring the United States Department of Commerce's National Institute of Standards and Technology's National Initiative for Cybersecurity Education Annual Conferences to FIU from 2018 to 2022.

In terms of research news, President Rosenberg reported that the Robert Stempel College of Public Health and Social Work received \$6.6M to study Parkinson's disease. He indicated that the Air Force Office of Scientific Research awarded FIU an additional \$4.82M to expand its groundbreaking research on origami antennas. He pointed out that the United States Agency for International Development, Office of U.S. Foreign Disaster Assistance awarded a \$4.2M, three-year cooperative agreement to the FIU Extreme Events Institute Disaster Risk and Resilience in the Americas program. He stated that Dean of the Robert Stempel College of Public Health and Social Work Tomás R. Guilarte, and a team of researchers from the Department of Environmental Health Sciences have been awarded a \$2.31M grant by the National Institutes of Health to study proteins in the brain and how their interactions may lead to brain inflammation.

President Rosenberg reported on faculty and student news, noting that select individuals were recognized with an award for significant achievements in their scholarly pursuits during the 2019 Faculty Convocation and Awards Ceremony. He stated that the FIU Model UN team has earned the

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No. 1 team ranking for the first time in the program's 31-year history. He indicated that in preparation for the 2020 NFL Super Bowl, FIU By Design + CARTA's Robotics and Digital Fabrication Lab was approached by the Miami-Dade Police Department's Rapid Deployment Force to create a large-scale 3D printed model of the Hard Rock Stadium for desk-top training scenarios. He pointed out that Jennifer Knight, a first-year medical student at the Herbert Wertheim College of Medicine (HWCOM) is HWCOM's first recipient of the National Health Service Corps Scholarship awarded by the United States Department of Health and Human Services.

President Rosenberg reported on the recent graduation of Cohort II in FIU's workforce development program, Urban Potential Laboratories. He explained that through a connection made by Foundation Board of Directors member, Adalio Sanchez, FIU and MITRE, a not-for-profit corporation, have entered into a strategic partnership. President Rosenberg also referred to FIU's Educational Leadership Enhancement Program (ELEP), adding that the program is designed to prepare mid-level women and minorities for advancement to senior-level administrative positions in higher education. He pointed out that the University community will come together to celebrate student achievement at the upcoming commencement ceremonies.

5. 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 pending funding of the FIU Advancement budget request.

Chair Puig indicated that the Finance and Facilities Committee recommended approval by the Board of action items FF1-FF2, FF4-FF5, FF7-FF8, and FF11 and that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1-AP5 contained in the Consent Agenda.

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

- BT1. Minutes, September 18, 2019 Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Wednesday, September 18, 2019, at the Modesto A. Maidique Campus, MARC 290, Earlene and Albert Dotson Pavilion.
- FF1. FIU Direct Support Organizations Financial Audits FY 2018-2019

 A. FIU Foundation, Inc. Accept the Florida International University Foundation, Inc.
 Financial Audit for the 2018-19 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 2018-19 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 2018-19 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 2018-19 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.

• **FF2. Signature Authority – Depositories -** Approve the following banking institutions as designated depositories at which University funds may be deposited:

Bank of America, N.A. Charlotte, NC

U.S. Bank, N.A. Cincinnati, OH

Regions Bank, N.A. Birmingham, AL

JP Morgan Chase Bank, N.A. Columbus, OH

Furthermore, approve that the University President, the Chief Financial Officer, and the University Treasurer, are each individually authorized to take all actions necessary to open or close bank accounts at any of the designated depositories.

- FF4. Approval of Capital Improvement Budget and Expenditure for Road Relocation Project for Parkview II Project - Approve a capital improvement budget and expenditure for the relocation of S.W. 17th Street to accommodate the construction of Parkview II Housing Project; and authorize the University President to amend the budget up to five percent as needed.
- FF5. Approval of Contract #PUR-02644, vendor: Toshiba America Business Solutions, Inc. and Contract #PUR-02645, vendor: CDW Government, LLC. -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 contracts No. 1 and No. 2 as listed and described in the Board materials and (ii) authorize the University President or his designee to execute, on behalf of the University, the aforementioned contracts.

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- FF7. Award of Contract and Approval of Expenditure Budget for Soil Remediation on Foundation Enterprise Holdings V, LLC (FEH V) Doral Property - Approve the project budget and proceed to award a contract to the lowest responsive, responsible bidder, The BG Group, LLC, to perform soil remediation in accordance with the Corrective Action Plan approved by the Miami-Dade County Department of Environmental Resources Management's for 62.5 acres of vacant land west of the Florida Turnpike and south of N.W. 41st Street in Doral owned by Foundation Enterprise Holdings V, LLC, a single member LLC wholly owned by the Florida International University Foundation, Inc.
- FF8. Request for Ratification of Agreement to Provide Health Services entered into between The Florida International University Board of Trustees and Citrus Health Network, Inc. and for Delegation of Authority to the University President or designee to Execute an Amendment to the Agreement - (1) ratify the Agreement to Provide Health Services entered into March 20, 2019 between the FIU Board of Trustees on behalf of its initiative FIU Embrace, a part of the Office of Research and Economic Development and Citrus Health Network, Inc. (the "Agreement"); and (2) delegate authority to the University President or designee to execute an amendment to the Agreement to revise section I.E of the Agreement.
- **FF11. Pending funding of the FIU Advancement budget request** Approve the University to proceed with the pending funding of the \$4.7M FIU Advancement budget request.
- **AP1. Honorary Degree Nomination** Endorse Dr. Enid Curtis Pinkney as a recipient of a doctoral degree honoris causa from Florida International University.
- **AP2. Tenure as a Condition of Employment Nomination -** Approve one (1) candidate for Tenure as a Condition of Employment as specified in the Board materials.
- **AP3. 2020-2021 Legislative Budget Request -** Approve the 2020-2021 Legislative Budget Request:
 - o Program of Distinction in Environmental Resilience Request: \$15,150,000
- AP4 Authorization of the Board of Trustees for the University to implement an industrial hemp pilot project in accordance with Section 1004.4473, Florida Statutes -Authorize the University to implement an industrial hemp pilot project in accordance with the requirements of Section 1004.4473, Florida Statutes.
- **AP5 New Program Proposal: FIU Embrace Education Program -** Approve the New Program Proposal: FIU Embrace Education Program.

Trustee Marc D. Sarnoff recommended that the University's Administration review the viability of on-campus faculty housing. Trustee Dean C. Colson provided an example, noting successful outcomes in terms of apartments where faculty and their families reside in on-campus student housing.

6. Action Items

FF3. Reauthorization for the Issuance of Debt to Finance the Construction of a Student Residence Facility at the University's Modesto A. Maidique Campus

Trustee Leonard Boord, Finance and Facilities Committee Chair, explained that, at its meeting earlier in the day, the Committee had a substantive discussion relating to the reauthorization for the issuance of debt to finance the construction of a student residence facility at the University's Modesto A. Maidique Campus and ultimately, recommended Board of Trustees approval. There were no questions from the Trustees.

A motion was made and unanimously passed that the FIU Board of Trustees reauthorize a request to the Florida Board of Governors to request the Division of Bond Finance of the State Board of Administration to issue revenue bonds on behalf of Florida International University to finance construction of a student residence facility on the Modesto A. Maidique Campus of the University.

FF6. Renewal of Naming of the "Ocean Bank Convocation Center"

Trustee Boord explained that Ocean Bank has agreed to continue to name the Ocean Bank Convocation Center, and accordingly has pledged a new gift totaling \$1.25M, or \$250,000 per year for five years. He explained that the gift will help support FIU Athletics' core efforts, including, but not limited to, the enhancement of athletic facilities and the student athlete experience at the University. 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 renewal of the naming of the "Ocean Bank Convocation Center" in accordance with the gift agreement related thereto and the University's and the FIU Foundation, Inc.'s Donative Naming Policy.

FF9. Approval of Asset Acquisition and Related Matters Pertaining to Torrey Pines Initiative

Trustee Boord indicated that the Finance and Facilities Committee also reviewed the request for the asset acquisition and related matters pertaining to the Torrey Pines initiative. He explained that Trustees received comprehensive supporting materials relating to said agenda item. There were no 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 (1) The Florida International University Board of Trustees ("University") entering into an Acquisition Agreement and Plan of Merger (the "Agreement") with Torrey Pines Institute For Molecular Studies, Inc. ("Torrey Pines"), TPIMS Land Company, LLC ("TPIMS") and certain defined California Supporting Organizations, pursuant to which (a) the University would acquire and assume certain Torrey Pines and TPIMS assets and contractual obligations (including a leasehold interest in an existing Ground Lease between TPIMS and the City of Port St. Lucie and title to a Building currently owned by TPIMS), and (b) the University would have the option, in its sole discretion, to merge one or more of the California Supporting Organizations into newly created Florida not for profit corporations (which would then become supporting organizations of an FIU direct support organization); (2) the transfer of the Ground Lease to the University, the assumption by the

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University of all the obligations of the tenant under such Ground Lease, and the transfer of the Building to the University at no cost; (3) 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 facility in Port St. Lucie as a Special Purpose Center; and (4) 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.

7. Status Reports, Board Committees Audit and Compliance Committee Report

Trustee Gerald C. Grant, Jr., Audit and Compliance Committee Chair, provided highlights from the Committee's meeting earlier in the day. He indicated that the University's Chief Audit Executive, Mr. Trevor L. Williams, provided updates on recently completed audits that involved the Nicole Wertheim College of Nursing and Health Sciences and Treasury Management. Trustee Grant explained that Mr. Williams reported on the development of an application for managing the implementation of audit recommendations and that Mr. Williams also informed the Committee that both internal and external assessments of the internal audit activity are in progress. In terms of follow-up, Trustee Grant pointed out that Mr. Williams presented a compilation of internal control rating, with results of a 97% satisfactory or fair rating.

Trustee Grant stated that Chief Compliance and Privacy Officer, Ms. Jennifer LaPorta, provided updates on new compliance platforms and the compliance newsletter and that Ms. LaPorta also reported on the risk mitigation toolbox and on the first meeting of the Foreign Influence Task Force. Trustee Grant pointed out that, as is mandated by the Committee's Charter, the Committee met with senior management to discuss the audit process.

Finance and Facilities Committee Report

Trustee Boord provided highlights from the Committee's meeting earlier in the day. He pointed out that, pursuant to the Delegations of Authority from the FIU Board of Trustees to the University President, the Committee approved the University entering into the contract with vendor ARAMARK Management Services Limited Partnership for University-wide ground maintenance services, adding that the total cost of the third extension is approximately \$2M. Trustee Boord explained that Senior Vice President for Administration and Chief Financial Officer Kenneth A. Jessell reported on the close of the first quarter of FY 2019-20.

Academic Policy and Student Affairs Committee Report

Trustee Cesar L. 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 a presentation on the implementation plan for the commercialization of the University's patent inventory.

Health Affairs Committee Report

Trustee Jose J. Armas, Health Affairs Committee Chair, provided highlights from the Committee's meeting earlier in the day. He reported that Senior Vice President for Health Affairs and Dean of HWCOM Robert Sackstein, provided an update on the accomplishments of the Academic Health Centers (AHC) and discussed his vision of aligning the AHC within the greater University, as well as

achieving strategic plan goals related to research and innovation. Trustee Armas indicated that Senior Vice President for Academic and Student Affairs Elizabeth M. Bejar provided an update on student health and wellness, adding that the update included an overview on national data, state realities, utilization reports, and budget allocation.

External Relations Committee Report

Board Chair Puig provided highlights from the External Relations Committee Meeting held earlier in the day. She indicated that Vice President for Governmental Relations Michelle L. Palacio reviewed the University's legislative priorities for the 2020 Legislative Session and that members of the 1600ver90 team presented the marketing survey research findings and next steps. Board Chair Puig asked Trustees to save the date on Wednesday, February 5, 2020 for the next FIU Day.

8. New Business

Trustee Pozo recognized the University's achievements under the leadership of President Rosenberg and commended the work of the Board of Trustees.

President Rosenberg introduced Antonia Wilson, Director of the FIU Gospel Choir. Under the direction of Adjunct Professor Wilson, the FIU Gospel Choir engaged in a performance.

President Rosenberg indicated that the Wertheims have been benefactors of FIU for more than three decades and that their philanthropy has greatly impacted several programs, namely, the Herbert Wertheim College of Medicine, the Nicole Wertheim College of Nursing & Health Sciences, the Herbert & Nicole Wertheim Performing Arts Center, and the Wertheim Plant Research and Teaching Conservatory. President Rosenberg introduced Trustee Emeritus Dr. Herbert A. Wertheim and his daughter Erica. Dr. Wertheim announced a \$10M gift to the FIU School of Music, adding that the gift will help to establish several new programs and will also elevate the school's global distinction and identity.

9. 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 Thursday, December 5, 2019 at 3:41 p.m.

Claudia Puig Chair FIU Board of Trustees

Mark B. Rosenberg Corporate Secretary FIU Board of Trustees

February 26, 2020

Subject: Office of Internal Audit Quality Assurance Review 2019

Proposed Board Action:

Approve the independent assessor's report, Office of Internal Audit Quality Assurance Review 2019.

Background Information:

Florida Board of Governors Regulation 4.002 State University System Chief Audit Executives (6)(e) states, in relevant part, that the chief audit executive must develop and maintain a quality assurance and improvement program in accordance with professional audit standards. This program must include an external assessment conducted at least once every five (5) years. The external assessment report and any related improvement plans shall be presented to the board of trustees, with a copy provided to the Board of Governors.

The external assessment was performed subsequent to an internal self-assessment, which is included as an attachment in the independent validator's report.

Supporting Documentation: Information behind the Audit and Compliance Committee tab

February 26, 2020

Subject: Approval of Purchase Order 198394, vendor: Oracle America, Inc. and Contract/Purchase Order #PUR-02866, vendor W.W. Grainger, Inc

Proposed Board Action:

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 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:

- Purchase Order 198394 (vendor: Oracle America, Inc.) The Purchase Order is being requested by FIU's Division of Information Technology for Oracle Software Update License and Support Services. Consolidation of all Oracle software update and license update services at 0% growth rate for five years will generate \$465,798.51 in savings.
 - **Oracle Applications:** Human Resources Management System, Payroll, Contracts and Grants Management System, Financial System, Campus Solutions System
 - o <u>**Term**</u>: Started on April 5, 2016 through April 4, 2021
 - o <u>**Cost</u>: \$8,219,279.84 for the term ending April 4, 2021</u></u>**
 - **Funding source** E&G
- 2. <u>Contract #PUR- 02866</u> (vendor: W.W Grainger, Inc.) The piggyback agreement is being requested by FIU Procurement for University-wide Maintenance, Repair, Operating Supplies (referred to as "MRO") and other related services. MRO Supplies are utilized primarily by the Facilities Management Department and their warehouse will continue to be co-managed with Grainger's support. The master agreement (CNR01496) was awarded on January 1, 2020 as a result of the Request for Proposal RFP#683484 solicited by Educational and Institutional Cooperative Services (E&I) and is available to be utilized by FIU. Grainger also provided value-add enhanced contract that is beneficial to the University. There was additional internal analysis done to evaluate options between other supplier's cooperative piggybackable contracts. Partnership with W.W Grainger is an optimal option and is necessary for the full operation of FIU.
 - <u>**Term**</u>: Commences on date executed through December 31, 2024. The agreement may be extended for one (1), five (5) year renewal by written amendment. Total duration of this agreement, including any extension, shall not exceed ten (10) years.
 - <u>Cost</u>: **\$12,350,545** for the initial five term ending December 31, 2024. Anticipated total cost of \$26,782,959 for the 10-year term of the contract based on annual growth and historical data.
 - **Funding source:** E&G/Various

Supporting Documentation: Information behind the Finance and Facilities Committee tab

February 26, 2020

Subject: Investment Policy Amendment

Proposed Board Action:

Adopt the revisions to the University's Investment Policy.

Background Information:

The University Investment Committee is an advisory committee created by the BOT to make recommendations to the University administration and BOT regarding University investments. The University is recommending approval of certain proposed changes to the Investment Policy, that are based upon recommendations made by the University's Office of Internal Audit in its October 29, 2019 audit report. The proposed changes were approved by the University Investment Committee on February 11, 2020.

The proposed revisions would codify the University's current practice of using a third-party custodian for the holding of University investment assets and that appropriate University staff maintain a system of internal controls documented by written operational procedures. Finally, the proposed revisions would change the current long-term strategic asset allocation for the Strategic and Reserve Pool to include allocation to an International Equity asset class that is not limited to Developed Markets.

The BOT is authorized to adopt an investment policy, and make revisions thereto, pursuant to Section 218.415, Florida Statutes. The University's Investment Policy was last revised on December 8, 2017.

Supporting Documentation: Information behind the Finance and Facilities Committee tab

February 26, 2020

Subject: Amendment to the 2019-2020 Fixed Capital Outlay and Carryforward Budgets

Proposed Board Action:

Approve an amendment to the 2019-20 Florida International University (FIU) Fixed Capital Outlay (FCO) and Carryforward Budgets in order to complete necessary Heating, Ventilation and Air Conditioning (HVAC) upgrades in the Owa Ehan (OE) building.

Background Information:

The third floor at the OE Building has experienced a significant amount of indoor air quality issues over the course of time. The issues are related to the existing controls that are pneumatic and are not reliable. When the controls fail, they create a significant amount of negative air pressure in the space, which leads to condensation and humidity. Additionally, the existing air-handling units (AHUs) are not sized adequately to provide fresh air for the makeup air needed by the fume hoods that are currently installed without relying on redundancy. The existing AHUs exceeded the life expectancy and their performance has been degraded. The third floor has been prone to high humidity due to failure of controls and HVAC. This failure has resulted in increased humidity and condensation, which has directly impacted the classroom and University environment.

The proposed HVAC system designed for the OE third floor addresses all HVAC control issues and provides a full digital control system that FIU will be able to monitor for events and manipulate as required. The control system is designed in a manner to maintain positive pressure in the third floor and to maintain negative pressure in labs as required. Temperature and humidity sensors will be placed throughout the floor for monitoring. Additionally, this will save the University significant costs on energy and improve indoor air quality control significantly. The new AHUs are designed with fan wall technology, which allows the University redundancy on airflow for current and future needs. Furthermore, it will ensure that the third floor obtains optimum temperature and humidity control. In an effort to save on construction costs, the existing ductwork was completely traced on the field. The majority of the ductwork will remain. Air cleaning specifications have been provided to ensure the ductwork is encapsulated, sanitized, and cleaned. Some ductwork modifications were required due to the original installation being defective.

The BOT approved the Facilities Management Project 181207, "OE 3rd Floor HVAC Upgrades" with an estimated budget amount of \$1.5 million and approval to spend \$79,675 for design on September 18, 2019. Funding for the project is from PECO and Carryforward. The design has been completed for Phase 1 of the North building and the total project cost is \$1.263 million (\$1.04 million for construction, \$80,000 for design, \$12,000 asbestos abatement, \$10,000 telecommunications /IT/wiring, \$2,600 Fire Marshall fees, and \$114,000 for contingency). Due to the complexities associated with undertaking the project in an occupied building, we would like to begin this project at the end of April 2020 in order to achieve completion during the summer.

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Additional funding approval of \$1,184,000 is needed in order to proceed with the project. Carryforward funding of \$1,000,000 that was budgeted for new Facilities Project Management Software, as approved by the BOT and by the Florida Board of Governors (BOG) in September 2019, along with \$184,000 in remaining PECO funding (if needed, considering the \$114,000 project contingency), will be used to fund the project. The Facilities Project Management Software has not started and will be postponed until next fiscal year.

FIU has consulted with BOG staff on the amendment to the FCO and Carryforward budgets and no additional BOG approval will be required. The project and expenditures will be reflected in the 2020-21 FCO budget that will be submitted to the BOT and BOG in September 2020.

Supporting Documentation: Information behind the Finance and Facilities Committee tab

February 26, 2020

Subject: Tenure as a Condition of Employment Nominations

Proposed Board Action:

Approve three (3) candidates for Tenure as a Condition of Employment (TACOE) 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 TACOE nominees hold tenure at their previous institutions and have been selected to receive TACOE based on the caliber of their work.

Supporting Documentat	tion	1
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Information behind the Academic Policy and Student Affairs Committee tab

February 26, 2020

Subject: Proposed Amendments to Regulation FIU-108 Access to Student Education Records

Proposed Board Action:

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.

Background information:

Regulation FIU-108 Access to Student Education Records is being amended to clarify definitions, directory information categories, and provide updated information regarding the privacy of and access to student education records. This regulation was last amended in September of 2008.

The Family Educational Rights and Privacy Act (FERPA) codified in 20 U.S.C. section 1232g, and sections 1002.225 and 1006.52 of Florida Statutes requires that institutions maintain student education records in a confidential and secure manner.

The proposed changes include: 1) Additional custodian of records categories and the location of such records; 2) Updated information concerning the annual notification to students; 3) Providing clear and concise language on the inspection of records, access to and release of records without consent, and requests to amend education records; 4) Updating directory information categories by removing student local and permanent address, telephone numbers, and date and place of birth.

Supporting Documentation:

Information behind the Academic Policy and Student Affairs Committee tab

February 26, 2020

Subject: New Program Proposal: Bachelor of Science in Cybersecurity

Proposed Board Action:

Approve the Bachelor of Science in Cybersecurity (CIP 11.1003) new program proposal.

Background Information:

The School of Computing and Information Sciences in the College of Engineering and Computing at Florida International University is proposing a new Bachelor of Science degree in Cybersecurity under Science, Technology, Engineering, and Mathematics (STEM).

The proposed Bachelor of Science in Cybersecurity program will generate cybersecurity professionals who would meet the security job demand in South Florida as well as state and national levels. Consequently, this will improve the security of information and systems at regional, state, and federal levels and thereby strengthen organizations.

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

February 26, 2020

Subject: New Program Proposal: Bachelor of Arts in English Education

Proposed Board Action:

Approve the Bachelor of Arts in English Education (CIP 13.1305) new program proposal.

Background Information:

The College of Arts, Sciences, and Education (CASE) is proposing a new Bachelor of Arts in English Education.

The B.A. in English Education degree provides students with an academic and skills-based program that prepares them for careers in education. The proposed degree would support FIU's mission of serving the diverse population of South Florida, providing an opportunity for our students--many of them first-generation college students rooted to the area--to gain the skills and training needed to become secondary educators teaching literacy skills to the community. The proposed degree builds on the foundation of the existing English Education track, which has been available since 2011.

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

February 26, 2020

Subject: New Program Proposal: Bachelor of Science in Behavioral Neuroscience

Proposed Board Action:

Approve the Bachelor of Science in Behavioral Neuroscience (CIP 42.2706) new program proposal.

Background Information:

The Department of Psychology in the College of Arts, Sciences, and Education (CASE) at Florida International University is proposing a new Bachelor of Science in Behavioral Neuroscience.

The proposed degree program will be the first STEM program offered through the Department of Psychology reflecting a growing field-wide emphasis on neuroscience in experimental and clinical psychology. The degree will provide a rigorous undergraduate education with an emphasis in science-based clinical neuroscience, systems and behavioral neuroscience, neuroplasticity, mental health disorders, research methodology, statistics, and data analysis, in addition to foundational STEM courses needed to fulfill the competitive requirements of the fastest growing career sectors for medical and science-based professional career paths.

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

February 26, 2020

Subject: New Program Proposal: Bachelor of Science in Rehabilitation and Recreational Therapy

Proposed Board Action:

Approve the Bachelor of Science in Rehabilitation and Recreational Therapy (CIP: 51.2399) new program proposal.

Background Information:

The Recreation and Sport Management Program in the Department of Counseling, Recreation and School Psychology in the College of Arts, Sciences, and Education at Florida International University is proposing a new Bachelor of Science in Rehabilitation and Recreational Therapy.

The new proposed degree, B.S. in Rehabilitation and Recreational Therapy, is a degree in an area of strategic emphasis with a health focus. The proposed degree is currently offered as Recreational Therapy tracks under the B.S. in Recreation and Sport Management. The new proposed degree will increase the number of bachelor's degrees in strategic areas, promote student success and access in programs related to health, facilitate target advising, streamline graduate and reporting requirements, facilitate more efficient tracking of student progress, offer a degree name that fits the training and career goals of students, prepare critical workforce in health, and allow program to pursue specialized program accreditation.

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

February 26, 2020

Subject: Updated Exclusion Resolution and Designation of Key Management Personnel and Delegation of Authority

Proposed Board Action:

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.

RESOLUTION

WHEREAS, the Florida International University ("FIU"), a university in the State University System of Florida, desires to enter and has entered into contractual obligations with agencies of the United States Government, including contractual obligations requiring security clearance; and

WHEREAS, current Department of Defense (DoD) policy requires that the Chair of the FIU Board of Trustees and all FIU principal officers meet the personnel clearance requirements established for the level of the University's security clearance; and

WHEREAS, said DoD policy permits the exclusion from the personnel security clearance requirement of members of the Board of Trustees and other officers, provided that this Board adopts a resolution stating that such Board members and officers designated by name shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of FIU, and that they do not occupy positions that would enable them to adversely affect FIU's policies or practices in the performance of classified contracts for the DoD or other agencies of the National Industrial Security Program; and

WHEREAS, following a prior Resolution on the matter, by Resolution dated September 5, 2018 (the "Exclusion Resolution"), it was resolved that the following Board of Trustees members, who were at the time serving on the Board, shall not require, shall not have, and can be excluded from access to all classified information in the possession of FIU, and do not occupy positions that would enable them to adversely affect FIU's policies or practices in the performance of classified contracts for the Department of Defense (DoD) or other agencies of the National Industrial Security Program. As such, they were excluded from the requirements for a personnel security clearance.

Claudia Puig	Trustee, Chair
Jose J. Armas	Trustee, Vice Chair
Cesar L. Alvarez	Trustee
Leonard Boord	Trustee
Dean C. Colson	Trustee
Gerald C. Grant, Jr.	Trustee
Michael G. Joseph	Trustee
Natasha Lowell	Trustee

The Florida International University Board of Trustees February 26, 2020 Consent Agenda – G1 Page | 2

Justo L. Pozo	Trustee
Joerg Reinhold	Trustee
Marc D. Sarnoff	Trustee
Jose L. Sirven, III	Trustee
Rogelio Tovar	Trustee

WHEREAS, the composition of the FIU Board of Trustees has changed since the adoption of the Exclusion Resolution in that the term of the following Trustees ended on the following dates: Jose L. Sirven, III, September 30, 2018; Justo L. Pozo, January 5, 2020; and Michael G. Joseph, January 30, 2020 and the terms of the following Trustees began on the following dates: Sabrina L. Rosell, October 1, 2018; Donna J. Hrinak, January 6, 2020; and T. Gene Prescott, January 31, 2020. Accordingly, an update to the Exclusion Resolution is needed to reflect the current composition of the FIU Board of Trustees and the exclusion of those Board members, including the new Board of Trustees members, from the requirements for a personnel security clearance.

NOW THEREFORE, BE IT RESOLVED, that the following Board of Trustees members shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of FIU, and do not occupy positions that would enable them to adversely affect FIU's policies or practices in the performance of classified contracts for the Department of Defense (DoD) or other agencies of the National Industrial Security Program. As such, they are excluded from the requirements for a personnel security clearance.

Claudia Puig	Trustee, Chair
Jose J. Armas	Trustee, Vice Chair
Cesar L. Alvarez	Trustee
Leonard Boord	Trustee
Dean C. Colson	Trustee
Gerald C. Grant, Jr.	Trustee
Donna J. Hrinak	Trustee
Natasha Lowell	Trustee
T. Gene Prescott	Trustee
Joerg Reinhold	Trustee
Sabrina L. Rosell	Trustee
Marc D. Sarnoff	Trustee
Rogelio Tovar	Trustee

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

Adopted this 26th day of February, 2020 by the Board of Trustees of Florida International University.

The Florida International University Board of Trustees February 26, 2020 Consent Agenda – G1 Page | 2

Claudia Puig Chair FIU Board of Trustees Mark B. Rosenberg Corporate Secretary FIU Board of Trustees

Supporting Documentation: None

February 26, 2020

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 Preeminence 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 Preeminence 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 18, 2019. 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 2, 2020.

Supporting Documentation:	Information behind the Audit and Compliance Committee tab
Facilitator/Presenter:	Gerald C. Grant, Jr., Audit and Compliance Committee Chair