



Full Board
June 16, 2022

FIU, Modesto A. Maidique Campus, Graham Center Ballrooms and via Zoom

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 1:35 p.m. on Thursday, June 16, 2022.

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 (via Zoom)*; Roger Tovar, *Board Vice Chair*; Cesar L. Alvarez; Jose J. Armas; Carlos A. Duarte; Donna J. Hrinak; Natasha Lowell (*via Zoom*); Cristhofer E. Lugo; Gene Prescott; Joerg Reinhold; Chanel T. Rowe (*via Zoom*); and Marc D. Sarnoff.

Carlos Trujillo was excused.

Board Chair Colson welcomed all Trustees and members of the University administration and the University community accessing the meeting via the webcast. He also welcomed Mr. R. William "Bill" Funk and members of the R. William Funk and Associates team.

Board Chair Colson presented each member of the Board with the following books: *The Prince of los Cocuyos* by Richard Blanco; *The Madonnas of Leningrad* by Debra Dean; and *Nouns and Verbs: New and Selected Poems* by Campbell McGrath.

Board Chair Colson requested that Board Vice Chair Tovar chair the remainder of the meeting given that he was participating by Zoom.

Board Vice Chair Tovar recognized Vice President for Development and Innovation Philanthropy, George Corton '03, MBA '14, who is separating from the University at the end of the current fiscal year to pursue a new role in the private sector. Trustee Carlos A. Duarte also recognized VP Corton's work with the FIU Foundation, Inc.

Board Vice Chair Tovar welcomed and introduced Student Government Association President and student Trustee Cristhofer E. Lugo. Board Vice Chair Tovar commented on the October 12, 2022 Committee Workshops of the Florida Board of Governors to be held at FIU and advised Trustees that further details will be shared on the annual Trustee Summit, which is required of all Board of Governors-appointed Trustees.

In recognition of Trustee Joerg Reinhold's service on the Board, which concludes on July 31, 2022, Board Vice Chair Tovar presented Trustee Reinhold with a plaque.

2. Public Appearances

There were no public appearances.

3. Foundation Report

FIU Foundation, Inc. Board of Directors Treasurer Andre L. Teixeira indicated that through May 31, 2022, \$85.3M has been raised, surpassing the \$84M goal. He pointed out that the \$750M Next Horizon Campaign goal was surpassed, noting that \$761M has been raised to-date. He added that of said \$761M, 69% is outright gifts, state match, and new pledges, \$120M is made up of planned gifts, and \$118M of gifts in kind. Director Teixeira remarked that for the 10 months through April 30, 2022, \$83.8M in total philanthropy was raised and \$35.7M was received in cash. He reported that the alumni giving participation rate is 9.3%, an increase over the prior year's rate of 5.4%. He commented that the final phase of the Next Horizon Campaign will build a movement where alumni feel connected to FIU through events, program, storytelling, volunteering, and philanthropic support. Director Teixeira remarked on the goal to achieve an 18% annual alumni giving rate by 2025. He reported that as of April 30, 2022, the Foundation's total investment portfolio stands at approximately \$410M and that the Total Managed Assets returned -6%. Director Teixeira added that, through June 14, 2022, the Total Managed Assets returned -11%.

In response to Trustee Carlos A. Duarte, Senior Vice President for Advancement and CEO of the FIU Foundation, Inc. Howard R. Lipman, commented on the naming rights for the Engineering Building. He pointed out that the program plan has been defined, the process to create sales tools is in underway, and that the Superlative group has been engaged to assist in the naming efforts. Sr. VP Lipman remarked on a verbal commitment and on 15-multimillion-dollar prospects that have been engaged.

4. President's Report

Interim University President Kenneth A. Jessell indicated that FIU was awarded a National Endowment for the Humanities grant to highlight contributions of Miami's Black residents. He stated that FIU received a \$2.5M gift from the George and Bernice Cooke Scholarship Foundation for Women to establish an endowment to provide scholarships to nontraditional and veteran/military FIU students. Interim President Jessell commented that a collaboration between researchers at FIU's Herbert Wertheim College of Medicine and the College of Engineering and Computing has resulted in a U.S. patent that could eventually revolutionize how heart disease is treated and prevent cardiovascular disease. He mentioned that Hilary Landorf, Founding Executive Director of the Office of Global Learning Initiatives and Associate Professor, is the recipient of the 2022 NAFSA International Education Award for Leadership and Collaboration. Interim President Jessell noted that Mark Allen Weiss, Associate Dean of the College of Engineering and Computing and Distinguished Professor of Computer Science, was honored with the Association for Computing Machinery Karl V. Karlstrom Outstanding Educator Award for advancing the art and science of computer science education. Interim President Jessell reported that Professor Heidi M. Mansour was elected to the American Institute for Medical and Biological Engineering's 2022 Class of the College of Fellows.

Interim President Jessell remarked that FIU alumni have forged careers at all levels of the federal government in Washington, D.C., highlighting Ernesto Alfonso '11 and Pierina Anton Lopez '20. He commented that three College of Arts, Sciences & Education doctoral students, Brianna Martinez, Christopher J. Sorich, and Brenda Guerrero, have received National Science Foundation Graduate Research Fellowships. Interim President Jessell indicated that a team of FIU Business Hollo School of Real Estate students placed first in the United States, and third out of a worldwide field of 33, in the 2022 ARGUS University Challenge, a business case competition drawing the best and brightest young minds in the field. He stated that FIU's award-winning Model UN team continued its track record of excellence this year, earning a No. 3 ranking in the collegiate Model UN circuit, behind only the University of Chicago and American University. He further stated that FIU Model UN delegates Hayley Serpa, Alexander Sutton, and Marek Kong were named to the 2021-22 Model UN All-Stars Team. Interim President Jessell reported that engineering students, Amanda Perez, Alexandra Berkova, and Ana Claus, earned first place at Schneider Electric's Go Green for North America, a continental-wide clean energy competition, for their seawater battery project. He mentioned that two (2) FIU students, Jordan Hill and Brittany Torres Rivera, have received renowned Fulbright U.S. Student Program Awards, from the U.S. Department of State and the Fulbright Foreign Scholarship Board.

Interim President Jessell commented that FIU Theatre's production of *Fahrenheit 451* was honored with two national awards by the Kennedy Center American College Theater Festival at their National Awards Ceremony. He mentioned that Gerald Torres '21, was the winner of a prestigious Carnegie Endowment fellowship and is at the forefront of cybersecurity and international relations. He remarked that exceptional young alumni, Johnathan Cyprien '12, Alejandro Arias '09, Hector Mujica '11, Etinosa Oghogho Ph.D. '20, and Andrea Headley MS '15, PhD '18, were recognized for their service and professional contributions with the inaugural FIU Alumni 5 Under 35 award. Interim President Jessell remarked on the spring commencement ceremonies.

5. Action Items – Consent Agenda

Board Vice Chair Tovar indicated that the Audit and Compliance Committee recommended approval by the Board of action item AC1, that the Finance and Facilities Committee recommended approval by the Board of action items FF2-FF7, that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1-AP4, and that the Governance Committee recommended approval of action items G1 and G2 contained in the Consent Agenda.

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

- **BT1. Minutes, April 26, 2022** - Approve the Minutes of the FIU Board of Trustees, Full Board meeting held on April 26, 2022.
- **AC1. Proposed Amendment to Regulation FIU-117 Fraud Prevention and Detection** - Approve the proposed amendment of Regulation FIU-117 Fraud Prevention and Detection 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 and as a result of the regulation-making process.

- **FF2. Proposed 2022-23 Fixed Capital Outlay Budget/Capital Improvement** - Approve Florida International University's 2022-23 Fixed Capital Outlay Budget and authorize the University President to amend the budget as necessary, consistent with Legislative, Florida Board of Governors' and Florida International University Board of Trustees directives and guidelines.
- **FF3. Request for Approval of Florida International University's 2023-24 Fixed Capital Outlay Legislative Budget Request Consisting of the five-year Capital Improvement Plan** - Approve FIU's 2023-24 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan and authorize the University President to amend the Legislative Budget Request as necessary, consistent with Florida Board of Governors and Florida International University Board of Trustees directives and guidelines.
- **FF4. Proposed Amendments to Regulation FIU-1101 Tuition and Fees Schedule for the 2022-23 academic year** - Approve amended Regulation FIU-1101 Tuition and Fees Schedule 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 and as a result of the regulation-making process.
- **FF5. Engineering Building Phase I (BT-919) —Third Amendment to Prior Budget Approval** - Approve the request to expand the size and budget of Engineering Building Phase I from the currently approved budget of \$75.4 million to \$79.7 million to accommodate cost increases in the construction market and refinements in the project's design since December 2021.
- **FF6. Approval of Amendment No. 5 to the 2010-20 Campus Master Plan for the Engineering Center Campus Redesignating Land Use to Accommodate the Construction of Academic and Research Facilities** - Approve Amendment No. 5 to the Campus Master Plan for the Engineering Center to accommodate the construction of Academic and Research Facilities.
- **FF7. Approval of Contracts greater than or equal to \$3,000,000:**
 1. *ITN-2022-00057 for Office Supplies and Products, Vendor: ODP Business Solutions*
 2. *Renewal with Oracle America, Inc for Application Support and licenses*
 3. *Renewal with Mythics, Inc, Oracle Cloud Service Subscription*

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 contracts 1-3 as described in the Board materials and (ii) authorize the University President or his designee to execute, on behalf of the University, the aforementioned contracts and all of the documents, and take all actions, that may be necessary to effectuate the transactions contemplated in the respective contracts.

- **AP1. Tenure Nominations** - Approve the Tenure Nominations as specified in the Board materials.
- **AP2. Proposed Amendment to Regulation FIU-108 Access to Student Education Records** - Approve the revisions to Regulation FIU-108 Access to Student Education Records, and delegate authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.
- **AP3. Program Termination: Bachelor of Arts in Italian Language and Literature** – Recommend that the Florida Board of Governors terminate the Bachelor of Arts in Italian Language and Literature (CIP 16.0902).
- **AP4. Program Termination: Bachelor of Science in Communications** - Recommend that the Florida Board of Governors terminate the Bachelor of Science in Communications (CIP 09.0102).
- **G1. Updated Exclusion Resolution** - Adopt a Resolution that updates the exclusion of the named members of the FIU Board of Trustees from the requirements for a personnel security clearance.
- **G2. Ratification of the Wage Reopener for Fiscal Years 2021-2022 and 2022-2023 for the 2020-2023 Collective Bargaining Agreement between The Florida International University Board of Trustees and Florida Public Employees Council 79, affiliate of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME)** - Ratify the wage reopener for fiscal years 2021-2022 and 2022-2023 of the 2020-2023 Collective Bargaining Agreement between the Florida International University Board of Trustees and the Florida Public Employees Council 79, affiliate of the American Federation of State, County, and Municipal Employees, AFL-CIO (*AFSCME*).

6. Action Item

FF1. Proposed 2022-2023 University and Direct Support Organizations Operating Budgets

Board Vice Chair Tovar pointed out that the Finance and Facilities Committee engaged in a thorough review of the proposed 2022-23 University and Direct Support Organizations operating budgets. There were no further questions from the Trustees.

A motion was made and unanimously passed that the FIU Board of Trustees approve the FIU 2022-23 University and Direct Support Organizations Operating Budgets and authorize the University President to amend the budgets consistent with Legislative, Board of Governors and FIU Board of Trustees directives and guidelines.

7. Status Reports, Board Committees

Board Vice Chair Tovar mentioned that the following Committees met earlier in the day: Audit and Compliance; Finance and Facilities; Academic Policy and Student Affairs; and Governance.

Audit and Compliance Committee Report

Trustee Duart, Audit and Compliance Committee Chair, provided highlights from the Audit and Compliance Committee's meeting earlier in the day, pointing out that the Committee approved the 2022-23 Work Plans for Internal Audit and Compliance and Integrity. He indicated that Mr. Trevor L. Williams, the University's Chief Audit Executive, reported on recently completed audits and commented on six (6) ongoing audits in various stages of completion. Trustee Duart explained that Ms. Jennifer LaPorta, Chief Compliance and Privacy Officer, provided updates related to the global risk and foreign influence governance activities and additional process improvements. Trustee Duart indicated that, as is mandated by the Committee's Charter, the Committee met with the Chief Audit Executive without the presence of senior management.

Academic Policy and Student Affairs Committee Report

Trustee Donna J. Hrinak, Academic Policy and Student Affairs Committee Vice Chair, provided highlights from the Committee's meeting earlier in the day. She noted that Trustee Reinhold provided the Faculty Senate update and Trustee Lugo provided the Student Government report.

Finance and Facilities Committee Report

Board Vice Chair Tovar, Chair of the Finance and Facilities Committee, provided highlights from the Committee's meeting earlier in the day. In terms of the Invitation to Negotiate for marketing and media services, he reported that the evaluation committee recommended Andwell, Blue Daisy Media, Moore Communications Group, Wragg & Casas Public Relations, Stinghouse Advertising, and Z Advertising. Board Vice Chair Tovar added that the Finance and Facilities Committee approved the contracts with said firms with a term of three (3) years and the option to renew for two (2) additional, one-year terms. Relating to the Invitation to Negotiate for University signage, he indicated that the evaluation committee recommended Binca and Animarca USA Inc. He stated that Finance and Facilities Committee also approved the contracts with said firms for a term of two (2) years and the option to renew for three (3) additional, one-year terms. Board Vice Chair Tovar pointed out that the Committee also approved the membership renewal with Education Advisory Board (EAB) Navigate Services. He commented that Interim Chief Financial Officer and Senior Vice President for Finance and Administration Aime Martinez presented the Financial Performance Review for the third quarter ending March 31, 2022 and reported that operating revenues were above estimates by \$3.1M and that operating expenses were below estimates by \$25.4M.

Governance Committee Report

Board Vice Chair Tovar provided highlights from the Governance Committee meeting. He pointed out that the Committee was not originally scheduled to meet, noting that the Committee convened to review changes to the Wage Article for the AFSCME Collective Bargaining Agreement. He commented that item was approved as part of the Full Board's Consent Agenda and is a well-deserved recognition for the nearly 1,000 employees that are covered in the unit, who have an average annual salary of 36,500.

8. Presidential Search Update

Board Vice Chair Tovar, Chair of FIU Presidential Search Committee, commented on the June 1, 2022 meeting of the FIU Presidential Search Committee. Mr. R. William "Bill" Funk or R. William Funk & Associates pointed out that presidential resignations and retirements are at record levels. He

highlighted other current presidential searches and described the candidate finalists for recently completed searches. He remarked that increasingly deans of professional schools are being selected during recent presidential searches. In terms of feedback received, Mr. Funk mentioned a growing awareness of FIU's success, recognition of Miami dynamism and growth, reassurance of Sunshine Law revisions, concern regarding internal candidates, and FIU termed as a "dream machine", which referred to the University's role in helping individuals reach their dreams.

Mr. Funk described results to date, noting that the diverse pool of candidates is comprised of presidents, provosts, vice presidents, deans, and non-traditional candidates who, generally, are from public universities or were with public universities early in their respective careers. He indicated that at the Committee's next meeting, which will be held later in the day, Committee members will be provided access to the encrypted password protected website to view the resume and cover letters of all the active candidates. He added that each Committee member will then submit a listing of up to eight (8) candidates that they would like to potentially interview. Mr. Funk stated that he and his firm will tabulate said results and develop a matrix to help guide the Committee's discussions. He added that through consensus and dialogue, the Committee, at its June 24, 2022 meeting, will select approximately eight (8) to 10 individuals for interviews.

Mr. Funk noted that the interviews are tentatively scheduled for July 13 and 14, 2022. He indicated that at the conclusion of the interviews on July 14, 2022, the Committee will select the finalists that they are recommending to the Board of Trustees. He explained that before the lists of finalists is announced, background checks will be conducted on each of the finalists.

In response to Trustee Reinhold, Mr. Funk indicated that the number of women and individuals from underrepresented groups comprises about 60% of the total pool. Board Vice Chair Tovar also commented that the pool of candidates is broad and diverse. In response to Trustee Lugo, Board Vice Chair Tovar and Mr. Funk indicated that delaying the on-campus interviews for the start of the fall semester could have a potentially negative impact given candidate expectations for successive progression through key dates. Mr. Funk added that on-campus interviews will be widely publicized in order to ensure that the University community is made aware of those opportunities to interact with the candidates.

9. New Business

No new business was raised.

10. Concluding Remarks and Adjournment

With no other business, Board Vice Chair Roger Tovar adjourned the meeting of the Florida International University Board of Trustees Full Board on Thursday, June 16, 2022, at 2:51 p.m.

Dean C. Colson
Chair
FIU Board of Trustees

Kenneth A. Jessell
Corporate Secretary
FIU Board of Trustees