



FLORIDA INTERNATIONAL UNIVERSITY

BOARD OF TRUSTEES

FULL BOARD MEETING

Thursday, March 26, 2015
2:00 pm *approximate start time*
Florida International University
Modesto A. Maidique Campus
Graham Center Ballrooms

AGENDA

1. **Call to Order and Chair's Remarks** **Chairman Albert Maury**
2. **Foundation Report** **Thomas M. Cornish**
3. **Public Appearances** **Albert Maury**
4. **President's Report** **Mark B. Rosenberg**
5. **Action Items – Consent Agenda** **Albert Maury**
 - BT1. Minutes, January 14, 2015
 - AP3. Master in Physician Assistant Studies New Program
Proposal - Revised
 - G1. Ratification of Memorandum of Understanding between FIU and
the United Faculty of Florida-FIU Chapter
6. **Action Items**
 - AP1. **University Strategic Plan 2015-2020** **Cesar L. Alvarez**
 - AP2. **New Proposed Overarching Regulation: FIU-105 Prohibited
Discrimination, Harassment and Related Misconduct
Including Sexual and Gender-Based Harassment, Sexual
Violence, Dating Violence, Domestic Violence, and Stalking** **Cesar L. Alvarez**
7. **Status Reports, Board Committees**
 - Athletics Committee Report **Jorge L. Arrizurieta**
 - Finance and Audit Committee Report **Sukrit Agrawal**
 - Academic Policy and Student Affairs Committee Report **Cesar L. Alvarez**
 - Health Affairs Committee Report **Jose J. Armas**
 - Governance Committee Report **Albert Maury**

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| 8. New Business <i>(If any)</i> | Albert Maury |
| 9. Concluding Remarks and Adjournment | Albert Maury |

The next Full Board Meeting is scheduled for Wednesday, June 3, 2015

Agenda Number: 5.1

Title: BT1. Minutes, January 14, 2015

Date: March 26, 2015

Proposed Board Action:

Approval of Minutes of the Florida International University Board of Trustees, Full Board meeting held on Wednesday, January 14, 2015 at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms.

Background Information:

Board members will review and approve the Minutes of the Florida International University Board of Trustees, Full Board Meeting held on Wednesday, January 14, 2015 at the FIU, Modesto A. Maidique Campus, Graham Center Ballrooms.



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
JANUARY 14, 2015
MINUTES**

1. Call to Order and Chair's Remarks

Chair Albert Maury convened the meeting of the Florida International University Board of Trustees at 2:24 p.m., on Wednesday, January 14, 2015, at the Modesto A. Maidique Campus, Graham Center Ballrooms, Miami, Florida.

The following attendance was recorded:

Present:

Albert Maury, *Chair*
Cesar L. Alvarez
Sukrit Agrawal
Jose J. Armas
Jorge L. Arrizurieta
Robert T. Barlick, Jr.
Alexis Calatayud
Mayi de la Vega
Gerald C. Grant, Jr.
Claudia Puig
Kathleen L. Wilson

Excused:

Michael M. Adler, *Vice Chair*
Marcelo Claure

Chair Maury welcomed all Trustees, University faculty and staff. He noted that community-based health care is a central part of FIU's Herbert Wertheim College of Medicine's curriculum. He added that in order to overcome access barriers and to connect people to much needed health care services, converted RVs serve as mobile health clinics that provide free, accessible primary care to household members in their own neighborhoods. Senior Vice President of Medical Affairs and Founding Dean of the Herbert Wertheim College of Medicine John A. Rock facilitated a tour of FIU's mobile clinics.

Chairman Maury reminded the Trustees of the upcoming FIU Day in Tallahassee, which he noted would take place on March 25, 2015. He stated that FIU is scheduled to host the State University System of Florida Board of Governors (the BOG) on November 4-5, 2015, noting that as part of their visit, FIU will also assist in hosting the BOG's third annual Trustee Summit and urged the Trustees to mark their calendars.

2. Foundation Report

Foundation Board of Directors Secretary Carlos B. Castillo provided the Foundation Report. He presented an update on the Next Horizon fundraising campaign, reporting on strategic new hires and recent changes to the organization of the Foundation Board that created five fundraising teams. He stated that as of January 10, 2015, \$13.5 million has been raised towards the \$53 million goal. He added that the Foundation's investment portfolio experienced fiscal year-to-date losses through December 31, 2014 of approximately 2%.

3. Public Appearances

There were no public appearances.

4. President's Report

University President Mark B. Rosenberg reported on the positive strides made in the advancement of FIU's Strategic Land Acquisition Initiative, noting that on November 4, 2014 Miami-Dade county voters approved a referendum that provides that FIU may expand onto 64 acres in Tamiami Park that are currently occupied by the Miami-Dade County Fair and Exposition. He stated that FIU will continue to work with Miami-Dade County and the Fair to find a suitable location to relocate the Fair, adding that the University is also committed to working with elected officials in Tallahassee to identify the funds to pay for the relocation. He added that a proposal will be presented to the Miami-Dade County Board of County Commissioners in March.

President Rosenberg noted that in celebration of the 50th anniversary of FIU's founding, FIU is embarking on a University-wide year of service during which students, employees and alumni will be encouraged to volunteer in the community and extend FIU's history of making a difference. He stated that in recognition of the University's commitment to community engagement and public service, FIU received five Florida Campus Compact awards, including one for the University's partnership with Miami-Dade County Public Schools. He reported that for the second year in a row, the FIU Model United Nations team was ranked fifth "Best Delegation" in North America by BestDelegate.com in its fall 2014 college rankings, making it the top team from the state of Florida. He added that in its first-ever ranking by *Bloomberg Businessweek*, the International MBA program at FIU's College of Business was among the best in the United States, placing at No. 56. He added that the FIU Department of Interior Architecture was ranked among the top 10 interior architecture degree programs in the nation, and first among universities in Florida by *DesignIntelligence*.

President Rosenberg reported on faculty achievements and research news, noting that Dr. David Kadko, professor and associate director of FIU's Applied Research Center, received a major \$700K grant from the National Science Foundation (called GEOTRACES) in which his team will lead a six nation expedition to the Arctic Ocean with the goal of developing predictive capability as the regional ecosystem continues to warm and influence global oceanic and climatic conditions. He stated that wine professor Patrick "Chip" Cassidy received the 2014 President's Council Worlds Ahead Award and that Barry Rosen, Ph.D., associate dean for Research and Graduate Programs and distinguished professor, Department of Cellular Biology and Pharmacology, was awarded the distinction of Fellow of the American Association for the Advancement of Science.

President Rosenberg reported on student achievement, noting that for the second time in three years, a team of students from the OHL School of Construction won the national Construction Management Competition organized by the Associated Builders and Contractors, Inc. He stated that FIU alumnus Alexander Martini earned the highest score among more than 2,800 lawyers who took the Florida Bar Examination in July.

President Rosenberg thanked Trustee Gerald C. Grant, Jr. for his participation in the University's 2014 Homecoming celebration. He provided highlights from the University's athletics program, noting that FIU swimming and diving placed second at the Mizzou Invite in November and that this past season, Richard Leonard garnered First-Team All-Conference USA honors as both corner back and punt returner and was an all-conference honorable mention selection as a kick returner.

5. Action Items – Consent Agenda

Chair Maury noted that the Finance and Audit Committee and Academic Policy and Student Affairs Committee each recommended approval by the Board of the respective action items contained in the Consent Agenda.

Chair Maury asked for comments on any of the items included in the Consent Agenda. Hearing none, a motion was made and passed to accept the Consent Agenda, and members of the Board concurred with the following actions:

- **BT1. Minutes, September 10, 2014** – Approve the Minutes of the Florida International University Board of Trustees, Full Board meeting held Wednesday, September 10, 2014 at the FIU Modesto A. Maidique Campus, Graham Center Center Ballrooms.
- **BT2. Minutes, December 10, 2014** – Approve the Minutes of the Florida International University Board of Trustees, Full Board meeting held Wednesday, December 10, 2014 via conference call.
- **FA1. FIU Direct Support Organizations Financial Audits, FY 2013-14**
 - A. **FIU Foundation, Inc.** - Approve the Florida International University Foundation, Inc. Financial Audit for the 2013-14 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.** - Approve the Florida International University Research Foundation, Inc. Financial Audit for the 2013-14 Fiscal Year and authorize the Executive Director 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** - Approve the Florida International University Athletics Finance Corporation Financial Audit for the 2013-14 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.** - Approve the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for the 2013-14 Fiscal Year and authorize the Executive Director 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.
- **FA2. Investment Policy Amendment** - Adopt revisions to the University's Investment Policy.
 - **FA4. Quality Assessment of FIU Office of Internal Audit** – Approve the report on the Independent Validation Quality Assessment of FIU's Office of Internal Audit.
 - **AP1. Tenure as a Condition of Employment Nominations** - Approve three (3) candidates for Tenure as a Condition of Employment.
 - **AP2. New Program Proposal: Master of Arts in Disaster Management** - Approve the Master of Arts in Disaster Management (CIP 43.0302) new program proposal.
 - **AP3. New Program Proposal: Master of Science in Cybersecurity** - Approve the Master of Science in Cybersecurity (CIP 11.1003) new program proposal.

6. Action Items

FA3. Performance Based Funding Metrics

A. Performance Based Funding – Data Integrity Certification

B. Audit of Performance Based Funding Metrics: Good Process Controls Contribute to their Reliability

Trustee Sukrit Agrawal, Chair of the Finance and Audit Committee, requested that Internal Audit Director Allen Vann present the Data Integrity Certification and Audit of Performance Based Funding Metrics for Board review. Internal Audit Director Vann noted that the BOG requires the Board Chair and University President to jointly execute a Data Integrity Certification affirmatively certifying that the University maintains reliable systems as they relate to BOG data and reporting requirements. Additionally, he indicated that the BOG requested that the Board of Trustees direct the Audit Director to perform an audit of the University's processes completeness, accuracy and timeliness. He stated that the University has good process controls for maintaining and reporting performance metrics data and presented an overview of the four audit recommendations that were made in order to further reduce risk.

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

1. Approve the Performance Based Funding – Data Integrity Certification to be signed by the Chairman of the Board of Trustees; and

2. Approve the Audit Report - Audit of Performance Based Funding Metrics: Good Process Controls Contribute to their Reliability

G1. President's Management Review, 2013-14

Board Chair Maury noted that the Board's Governance Committee met earlier in the day to undertake the assessment of President Rosenberg's accomplishments for the 2013-14 academic year relative to the Board-approved goals and his overall performance.

President Rosenberg presented an overview of the University and President Performance Goals and Results for the 2013-14 academic year Self Evaluation Scorecard detailing the ten BOG performance based funding model metrics and the President's incentive goals. He noted that the University achieved and/or exceeded nine goals, adding that while the academic progress rate did not meet the 3% objective, retention of full-time FTICs with a GPA greater than 2.0 increased from 75% (2012 cohort) to 76% (2013 Cohort), representing a one point improvement. He added that overall, the University surpassed the 34 point goal by achieving 35 total points within the BOG performance based funding scale, which, he added will determine the University's incremental funding for the year.

President Rosenberg noted that while critical initiatives, such as FIU's Strategic Land Acquisition Initiative is not included in the BOG metrics, the process has and continues to require substantial engagement in fundraising, outreach and/or lobbying efforts, within the confines of all applicable laws.

Board Chair Maury noted that as is required by the BOG, he discussed the President's annual evaluation process with the Chair of the Board of Governors. He stated that the cooperation enabled the BOG to provide input in the President's evaluation process prior to Board of Trustees review. Board Chair Maury added that the BOG Chair provided positive feedback regarding the process for evaluating the President's performance as it aligned with the BOG's performance funding metrics.

A motion was made and passed by the FIU Board of Trustees granting a "Superior" performance rating to President Mark B. Rosenberg for his leadership of Florida International University during the 2013-14 academic year.

Board Chair Maury noted that as per the third amendment to Dr. Rosenberg's contract, the Board may, in its discretion, annually award Dr. Rosenberg incentive compensation of up to \$50,000 for the 2013-2014 academic year. Board Chair Maury added that the Board has delegated the Governance Committee with the responsibility of carrying out the award of incentive compensation. He reported that the Governance Committee awarded President Rosenberg \$48,000 in incentive compensation for the 2013-14 academic year.

7. Status Reports, Board Committees External Relations Committee Report

Trustee Claudia Puig, Chair of the External Relations Committee, presented highlights from the Committee's meeting earlier in the day. She reported that the Committee reviewed the 2015

Legislative Priorities and received an update on the University's Strategic Land Acquisition Initiative. She noted that President Rosenberg led the Committee in a discussion on national and critical issues, stating that the Committee will play a critical role in providing guidance on how the University can participate in a free and democratic Cuba. Trustee Puig reminded the Trustees of the upcoming FIU Day in Tallahassee, which she added would take place on March 25, 2015.

Finance and Audit Committee Report

Trustee Sukrit Agrawal, Chair of the Finance and Audit Committee, presented highlights from the Committee's meeting earlier in the day. He provided an update on the budget variance for the first quarter of fiscal year 2014-15, noting that the University and direct support organizations' operating revenues were above estimates by \$1M and that expenses were below estimates by \$23M (or nine percent). He stated that as is stipulated in the Finance and Audit Committee Charter, the Committee met separately with Senior Management and reported that members of Senior Management discussed the auditor's performance.

Academic Policy and Student Affairs Committee Report

Trustee Claudia Puig, Vice Chair of the Academic Policy and Student Affairs Committee, presented highlights from the Committee's meeting earlier in the day. She requested that Provost and Executive Vice President Kenneth G. Furton provide an update on the development of the University's 2015-2020 Strategic Plan. Provost Furton provided an overview of the 2015-2020 strategic planning and implementation process, delineating the overarching goals related to student success and a new funding model that will create a platform for continuing to build the financial base and rewarding efficiencies.

Health Affairs Committee Report

Trustee Jose J. Armas, Chair of the Health Affairs Committee, presented highlights from the Committee's meeting earlier in the day. He reported that the Committee reviewed the Academic Health Center proposed governance and discussed the integration of FIU Student Health Services with the FIU Health Care Network. He added that Assistant Vice President for Disaster Management and Emergency Operations Ruben D. Almaguer facilitated a presentation on the University's emergency response capabilities of the Mobile Van Fleet FIU DART (Disaster Assistance Response Teams).

8. New Business

Board Chair Maury noted that as growing national and international concerns focus on the rise in cyber security risks joining the well-known risks of physical security, the Board's Governance Committee will discuss the establishment of proper platforms for reviewing existing policies and procedures as a means to minimizing the University's exposure. He requested that Trustees review the University's 2014-15 Annual Security and Fire Safety Report

President Rosenberg introduced a brief video clip on the third annual TEDxFIU event.

Chair Maury noted that as the respective terms for Trustees Sukrit Agrawal, Robert T. Barlick, Jr. and Marcelo Claure, expire, they have chosen to not seek reappointment. On behalf of the FIU Board of Trustees, Chair Maury thanked and recognized Trustees Agrawal and Barlick for their

dedicated service and added that they will continue to serve as members of the Board until such time that a successor is named by the appointing bodies, the Governor of the State of Florida and the BOG. Trustees Agrawal and Barlick expressed their gratitude, stating that it was a privilege to work with such a distinguished Board and pledged their commitment to help advance the mission of the University.

9. Concluding Remarks and Adjournment

With no other business, Chair Albert Maury adjourned the meeting of the Florida International University Board of Trustees on Wednesday, January 14, 2015 at 3:49 p.m.

Albert Maury
Chairman
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

MB
2.4.2015

Agenda Number: 5.2

Title: Master's in Physician Assistant Studies - Revised [AP3]

Date: March 26, 2015

Proposed Board Action:

Re-authorize the Master in Physician Assistant Studies degree (CIP 51.09.12) new program proposal.

Background Information:

The Board of Trustees approved the Master in Physician Assistant Studies New Program on March 27, 2014. The program is being submitted to the Board of Trustees for re-authorization as required by the Board of Governor's regulations to convert the program funding from E& G to Auxiliary, and to approve subsequent conversion to Market Rate, subject to meeting all of the requirements for Market Rate programs.

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Agenda Number: 5.3

Title: Ratification of Memorandum of Understanding (MOU) between FIU and the United Faculty of Florida (UFF). The MOU amends the wage article of the Collective Bargaining Agreement (CBA) to authorize retention and merit raises in the 2014-2015 fiscal year only.

Date: March 26, 2015

Proposed Board Action:

Ratify the MOU making changes to the following wage article:

- UFF: Article 11 Salaries in the FIU-UFF 2011-2014 CBA

Background information:

To recognize the contributions of the faculty, FIU entered into an MOU with UFF to provide all eligible employees with a 1.5% retention salary increase and a 1.5% merit salary increase effective on 1/3/15. The merit increase represents 8.9% of the performance funding for 2014-15. This change in the wage articles applies only to fiscal year 2014-2015. UFF ratified its MOU on March 5, 2015. Florida Board of Governors Regulation 1.001(5)(b) provides that each board of trustees shall act as the sole public employer with regard to all public employees of its university for the purposes of collective bargaining, and shall serve as the legislative body for the resolution of impasses with regard to collective bargaining matters.

MEMORANDUM OF UNDERSTANDING

The Florida International University Board of Trustees (FIUBOT) and the Florida International University Chapter of the United Faculty of Florida (FIU-UFF) enter into this Memorandum of Understanding:


WHEREAS, the FIUBOT and FIU-UFF are currently engaged in ongoing collective bargaining encompassing several unresolved issues;


WHEREAS, the FIUBOT and FIU-UFF recognize the rights of the Parties to continue these ongoing negotiations;

WHEREAS, the FIUBOT and FIU-UFF have reached an agreement on certain issues and it is in the mutual interest of the Parties to memorialize these agreements and to allow for timely implementation, particularly with regard to salaries.

NOW THEREFORE, the Parties agree as follows:

1. The FIUBOT and FIU-UFF have reached an agreement on Article 11 "Salaries", as attached, for the 2014-2015 academic year.
2. Although the Parties will continue to engage in collective bargaining negotiations to obtain a resolution of all contract articles and policies, the FIUBOT and FIU-UFF agree to implement the attached Article 11.
3. The Parties agree to continue negotiations in good faith.
4. This memorandum is subject to the ratification requirements of Section 447.309, Florida Statutes.


Chief Negotiator of FIUBOT


Chief Negotiator of FIU-UFF

Date: 2-25-2015

Date: 2-24-2015

ARTICLE 11 SALARIES

11.1 2014 – 2015 Salary Increases.

- (a) **Eligibility.** Except as otherwise specified in this Article, an “eligible employee” for the purposes of this Article shall be defined as an employee who has received at least a satisfactory rating overall on his or her most recent annual evaluation. Where no evaluation was given for assigned responsibilities, performance shall be presumed to have been at least satisfactory overall. Employees on paid or unpaid leave who have not had assigned responsibilities during all or part of the previous Academic Year shall be presumed to have been at least satisfactory overall for purposes of qualifying as an “eligible employee” for purposes of this Article.
- (b) **2014 – 2015 Retention Increase.** Effective January 3, 2015, all eligible employees who were employed on or before January 6, 2014 and have been continuously employed through the effective date of the Agreement shall receive a one and one-half percent (1.5%) retention increase to their base salaries.
- (c) **2014 - 2015 Departmental Merit.** The University shall provide merit funds totaling one and one-half percent (1.5%) of the total bargaining unit payroll as of the last full day of the 2013-2014 Academic Year on a pro rata basis to the departments/units based on their payrolls as of the last full pay period of the 2013-2014 Academic Year. These funds shall be distributed as recurring base increases within each department as set forth in the BOT-UFF Policy concerning Employee Performance Evaluation. If merit criteria apply to the entire college/school, the college/school shall be the unit. Such increases will be effective January 3, 2015. To be eligible, the employee must have been employed on or prior to January 6, 2014 and must be continuously employed through the effective date.

11.2 Convocation Awards. At the annual Faculty Convocation the FIU Board of Trustees or designee may provide to employees one time awards totaling no more than 0.16% of the total employee payroll as of the end of the prior Academic Year for special achievements including awards for teaching, research, service, mentorship, librarianship and advising and Distinguished University Professor, according to the selection procedures established by the Faculty Senate. No later than July 30 of each year, the University shall provide the local UFF chapter a listing of such awards showing the name and department of each employee given an award during the previous academic year and the amount and nature of the award

11.3 2014-2015 Discretionary Awards and Increases. During the 2014-2015 academic year, the FIU Board of Trustees or designee may provide additional salary increases and/or one-time awards totaling no more than one percent (1.0%) of the total employee payroll for market equity considerations, including verified counteroffers and compression/inversion, increased duties and responsibilities, special achievements, Summer Faculty Research Awards; litigation/settlements, and similar special situations. No later than July 30, the University shall provide a listing of the distribution of these funds to the local chapter of UFF. This list will provide the

name and department of the employee and the date, amount and nature of the award or salary increase during the prior academic year.

11.4 Promotion Increases. Effective at the beginning of the academic year in which their promotions are effective, employees shall be awarded promotion increases as follows.

- (a) To Assistant University Librarian or Assistant Professor, a nine percent (9%) increase;
- (b) To Senior Lecturer, Senior Instructor, Research Associate, Associate Scholar/Scientist/Engineer, Associate University Librarian, or Associate Professor, a ten (10%) increase;
- (c) To University Lecturer, University Instructor, Scholar/Scientist/Engineer, University Librarian, or Professor, a twelve percent (12%) increase;

11.5. Notification to Employees. All employees shall receive notice of their salary increases on the Salary Increase Notification Form attached as an Appendix to this Agreement not later than two weeks prior to implementation of the salary increases described in this article. Upon request, an employee shall have the opportunity to consult with the person or committee that makes the initial recommendation for salary increases.

11.6 Contract and Grant-Funded Employees.

- (a) Employees on grants or contracts shall receive salary increases equivalent to similar employees on regular funding, provided that such salary increases are permitted by the terms of the contract or grant and adequate funds are available for this purpose in the grant or contract. In the event such salary increases are not permitted by the terms of the contract or grant, or in the event adequate funds are not provided, the President or representative shall seek to have the contract or grant modified to permit such increases.
- (b) Nothing contained herein shall prevent employees whose salaries are funded by grant agencies from being allotted raises higher than those provided in this Agreement.

11.7 Report to UFF. Except as otherwise provided in this Article 11, no later than 30 days after any increases or bonuses are implemented, the University shall make available to the local chapter of the UFF, in machine-readable format, accurately by category, all increases provided pursuant to this Article, showing for each employee the employee's department, rank, gender, the base salary prior to the increase, the amount of the salary increase provided and the base salary after the salary increase.

11.8 Type of Payment.

- (a) For the academic year, duties and responsibilities assigned by the University to an employee that do not exceed the available established FTE for the position shall be compensated through the payment of Salary, not by OPS.
- (b) For the academic year, duties and responsibilities assigned by the University to an employee that are in addition to the available established FTE for the position shall be compensated through OPS and not Salary.

11.9 Grievability. The only issues to be addressed in a grievance filed pursuant to the Article on Grievance Procedure alleging violation of this Article are whether there is unlawful discrimination under Article 6, or whether there is an arbitrary and capricious application of the provisions of one or more sections of this Article.

ARTICLE 11 SALARIES

11.1 ~~2011—2014 – 2015~~ Salary Increases.

~~(a) 2011—2012 One-time Departmental Merit Bonus.~~ The University shall provide merit funds totaling one percent (1%) of the total bargaining unit payroll as of the last full pay period of the 2010–2011 Academic Year on a pro-rata basis to departments/units based on their payrolls as of the last full pay period of the 2010–2011 Academic Year. These funds shall be distributed as one-time merit bonuses to employees within each department or academic unit consistent with the criteria and procedures set forth in the BOT-UFF Policy concerning Employee Performance Evaluation. If merit criteria apply to the entire college/school, the college/school is the unit. All employees are, or upon appointment will be, assigned to an existing department/unit. Such bonuses shall be paid on December 2, 2011. To be eligible for a one-time merit bonus, the employee must have been employed on or prior to January 4, 2011 and must be continuously employed through the date on which the merit bonus is paid.

(a) **Eligibility.** Except as otherwise specified in this Article, an “eligible employee” for the purposes of this Article shall be defined as an employee who has received at least a satisfactory rating overall on his or her most recent annual evaluation. Where no evaluation was given for assigned responsibilities, performance shall be presumed to have been at least satisfactory overall. Employees on paid or unpaid leave who have not had assigned responsibilities during all or part of the previous Academic Year shall be presumed to have been at least satisfactory overall for purposes of qualifying as an “eligible employee” for purposes of this Article.

~~(b) 2012—2013 2014 – 2015 Retention Increase.~~ Effective ~~on the first day of Academic Year 2012–2013~~ January 3, 2015, all eligible employees who were employed on or before January 2, 2012 and have been continuously employed through the effective date of the increase shall receive a two percent (2%) retention increase to their base salaries.

~~(c) 2012 – 2013 One-time Departmental Merit Bonus.~~ The University shall provide merit funds totaling one percent (1%) of the total bargaining unit payroll as of the last full pay period of the 2011–2012 Academic Year on a pro-rata basis to departments/units based on their payrolls as of the last full pay period of the 2011–2012 Academic Year. These funds shall be distributed as one-time merit bonuses to employees within each department or academic unit consistent with the criteria and procedures set forth in the BOT-UFF Policy concerning Employee Performance

~~Evaluation. If merit criteria apply to the entire college/school, the college/school is the unit. All employees are, or upon appointment will be, assigned to an existing department/unit. Such bonuses shall~~

~~be paid on the first pay date in December 2012. To be eligible for a one-time merit bonus, the employee must have been employed on or prior to January 2, 2012 and must be continuously employed through the date on which the merit bonus is paid.~~

~~(c) 2013—2014 Retention Increase.~~ Effective on the first day of Academic Year ~~2013—6~~ 2014, all eligible employees who were employed on or before January 2, 2013 and have been continuously employed through the effective date of the increase Agreement shall receive a one and one-half percent (1.5%) retention increase to their base salaries.

~~(d) 2013—~~

~~(c) 2014 One-time- 2015 Departmental Merit Bonus.~~ The University shall provide merit funds totaling one and one-half percent (1.5%) of the total bargaining unit payroll as of the last full ~~pay period~~ day of the ~~2012—2013-2014~~ Academic Year on a pro rata basis to the departments/units based on their payrolls as of the last full pay period of the ~~2012—2013-2014~~ Academic Year. These funds shall be distributed as ~~one-time merit bonuses to employees~~ recurring base increases within each department ~~or academic unit consistent with the criteria and procedures as~~ set forth in the BOT-UFF Policy concerning Employee Performance Evaluation. If merit criteria apply to the entire college/school, the college/school ~~is~~ shall be the unit. ~~All employees are, or upon appointment~~ Such increases will be, ~~assigned to an existing department/unit. Such bonuses shall be paid on the first pay date in December 2013, effective January 3, 2015.~~ To be eligible ~~for a one-time merit bonus~~, the employee must have been employed on or prior to January ~~2, 2013~~ 6, 2014 and must be continuously employed through the ~~date on which the merit bonus is paid.~~ effective date.

11.2 2011—2014 Convocation Awards. At the annual Faculty Convocation the FIU Board of Trustees or designee may provide to employees one -time awards totaling no more than 0.16% of the total employee payroll as of the end of the prior Academic Year for special achievements, including awards for teaching, research, service, mentorship, librarianship and advising and Distinguished University Professor, according to the selection procedures established by the Faculty Senate. No later than July 30 of each year, the University shall provide the local UFF chapter a listing of such awards showing the name and department of each employee given an award during the previous academic year and the amount and nature of the award.

11.3 2011—2014-2015 Discretionary Awards and Increases. During the ~~2011-2012~~ 2014-2015 academic year, ~~the 2012-2013 academic year, and the 2013-2014 academic year,~~ the FIU Board of Trustees or designee may provide additional salary increases and/or one-time awards totaling no more than one percent (1.0%) of the total employee payroll ~~as of the last full pay period of the prior academic year. These increases may be provided~~ for market equity considerations, including verified counteroffers and compression/inversion; increased duties and responsibilities; special achievements; Summer Faculty Research Awards; litigation/settlements; and similar special situations. No later than July 30 ~~of each year,~~ the University shall provide a listing of the distribution of these funds to the local chapter of UFF. This list will provide the name and department of the employee and the date, amount and nature of the award or salary increase during the prior academic year.

11.4 Promotion Increases. Effective at the beginning of the academic year in which their promotions are effective, employees shall be awarded promotion increases as follows:

(b) To Assistant University Librarian or Assistant Professor, a nine percent (9%) increase;

(c) To Senior Lecturer, Senior Instructor, Research Associate, Associate Scholar/Scientist/Engineer, Associate University Librarian, or Associate Professor, a ten percent (10%) increase;

(d) To University Lecturer, University Instructor, Scholar/Scientist/Engineer, University Librarian, or Professor, a twelve percent (12%) increase.

11.5 Notification to Employees. All employees shall receive notice of their salary increases on the Salary Increase Notification Form attached as an Appendix to this Agreement not later than two weeks prior to implementation of the salary increases described in this article. Upon request, an employee shall have the opportunity to consult with the person or committee that makes the initial recommendation for salary increases.

11.6 Contract and Grant-Funded Employees.

(a) Employees on grants or contracts shall receive salary increases equivalent to similar employees on regular funding, provided that such salary increases are permitted by the terms of the contract or grant and adequate funds are available for this purpose in the grant or contract. In the event such salary increases are not permitted by the terms of the contract or grant, or in the event adequate funds are not provided, the President or representative shall seek to have the contract or grant modified to permit such increases.

(b) Nothing contained herein shall prevent employees whose salaries are funded by grant agencies from being allotted raises higher than those provided in this Agreement.

11.7 Report to UFF. Except as otherwise provided in this Article 11, no later than 30 days after any increases or bonuses are implemented, the University shall make available to the local chapter of the UFF, in machine-readable format, accurately by category, all increases provided pursuant to this Article, showing for each employee the employee's department, rank, gender, the base salary prior to the increase, the amount of the salary increase or merit bonus provided and the base salary after the salary increase.

11.8 Type of Payment.

(a) For the academic year, duties and responsibilities assigned by the University to an employee that do not exceed the available established FTE for the position shall be compensated through the payment of Salary, not by OPS.

(b) ~~(b)~~ For the academic year, duties and responsibilities assigned by the University to an employee that are in addition to the available established FTE for the position shall be compensated through OPS and not Salary.

11.9 Grievability. The only issues to be addressed in a grievance filed pursuant to the Article on Grievance Procedure alleging violation of this Article are whether there is unlawful discrimination under Article 6, or whether there is an arbitrary and capricious application of the provisions of one or more sections of this Article.

~~**11.10 Eligibility.** Except as otherwise specified in this Article, an —eligible employee— for the purposes of this Article shall be defined as an employee who has received at least a satisfactory rating overall on his or her most recent annual evaluation. Where no evaluation was given for assigned responsibilities, performance shall be presumed to have been at least satisfactory overall. Employees on paid or unpaid leave who have not had assigned responsibilities during all or part of the previous Academic Year shall be presumed to have been at least satisfactory overall for purposes of qualifying as an —eligible employee— for purposes of this Article.~~

Agenda Number: 6.1

Title: University Strategic Plan 2015-2020 [AP1]

Date: March 26, 2015

Proposed Board Action:

Approve the University Strategic Plan 2015-2020.

Background Information:

Pursuant to Board of Governors Regulation 1.001, subsection (3)(c) - University Board of Trustees Powers and Duties, each board of trustees shall adopt a strategic plan in alignment with the Board of Governors' system wide strategic plan and regulations, and the university's mission. University strategic plans shall be submitted to the Board of Governors for approval.

FIU *Beyond Possible* 2020 Executive Summary

Higher education is in the midst of a profound transformation. Every facet of education – what is delivered, how it is delivered, to whom and at what cost – is under scrutiny and impacting change within and throughout every university. This has opened up unprecedented opportunities for universities to rethink how best to educate the next generation of thought leaders.

Florida International University (FIU) recognizes the opportunity this paradigm shift presents. With a forward-facing approach, we will continually assess our environment and make adjustments, strengthening our foundation and upholding our mission and sacred obligation to our students, faculty, staff and community. This obligation is based on our certainty that we provide hope and opportunity to thousands of hard-working students and their families who know that a university education can make a clear difference in the quality of their lives.

Ever Forward

Today FIU offers more than 190 bachelor's, master's and doctoral degrees. Our enrollment of more than 54,000 students places us fifth among the largest public universities in the United States. But size itself is less important than scale to leverage institutional priorities in a context of a dynamically growing community with a high percentage of foreign-born residents, English-language learners, first-generation students and place-bound learners.

FIU serves a diverse community with a student body that represents the future of American public universities. We are a federally designated minority serving institution. More than half of our undergraduate students qualify for Pell grants and are the first in their families to graduate from college.

Where We Are

Today, FIU has two Miami-Dade County campuses in addition to academic centers in South Beach, Brickell, Coconut Grove, the Florida Keys and Broward County. Our Marriott-Tianjin China Program recently celebrated its tenth anniversary.

Although we are faced with an aging infrastructure at both MMC and BBC and the likelihood that we will exhaust our physical footprint in the next decade, we have not abandoned our commitment to our students and the community. In fact, we are on the cusp of doing even greater things. Our proposed expansion onto land adjacent to MMC will enhance our ability to create new jobs for the South Florida economy and produce greater student talent in engineering, the sciences and entrepreneurship – areas that are state priorities and keys to economic development.

We are excited to build upon our vision for a more livable, connected and technological community both in and around the FIU campuses and the South Florida region. UniversityCity, a catalytic project of national significance, will integrate FIU into its surrounding neighborhoods, including the City of Sweetwater, with enhanced access to transportation, housing, shopping and community life that will provide an economic boost to the region.

For FIU, our geography and our demography are our destiny, inextricably linked to our location in a hemispheric and global transportation, communications and cultural arts center. We see ourselves as a 21st century urban public research university that is a solutions-center for our community and reflects the dynamism and diversity of our immigrant community.

The FIU Effect

In the 50 years since its founding and 43 years since accepting its first class of students in 1972, FIU has had a deep impact on the lives of people in this community. We are the only urban public university in

Florida with the honor to have been invited to join the prestigious Phi Beta Kappa Honorary. We have already become the No. 1 producer of Hispanic degrees in the United States. We have achieved a *Washington Monthly* top 25 national ranking among universities that contribute the most to the public good. We have attained a *Times Higher Education* ranking of 73 among all the universities in the world that have been educating students for less than 50 years. We are nationally recognized for our leadership in STEM (science, technology, engineering and math) education for minority students. We have received accolades for online education and community collaborations and made discoveries that are restoring the environment. Our international and area studies programs are top ranked. Our College of Business has excelled in key subject areas vital to our economic competitiveness and our hospitality management programs are globally recognized. We have created a health and medical education paradigm that directly improves the well-being of underserved communities. We have highly ranked professional schools including Architecture, Law, Medicine and Nursing. We are on pace to graduate more than 130,000 students in the next decade. And still, we know we can do more.

The Strategic Plan: A Collaborative Effort

The university community recognizes that student success is everyone's responsibility. Through this strategic plan, we will nurture a culture of continuously improving student success for all faculty, of service excellence for all staff, and of collaboration among units and individuals. With this approach, we will move forward as one to make *FIUBeyondPossible2020* a reality.

FIUBeyondPossible2020 is FIU's roadmap to turn ideas into action and action into impact. We must draw our strength from each other and give our students and community our very best, leveraging the Worlds Ahead brand attributes that define FIU: Vibrant, Community focused, Entrepreneurial, Global, Accessible, and Ideally located.

Development of this plan was a collaborative effort in which students, faculty, staff, alumni and community leaders offered their feedback through their participation on one of the four strategic plan focus committees, their attendance at town hall meetings or their anonymous feedback. The process focused on four key areas: Student Success, Preeminent Programs, Carnegie Very High Research Designation and Financial Base/Efficiency.

The plan's name, *FIUBeyondPossible2020*, reflects the fact that these are precedent-setting goals. We plan to be the first public, majority-minority research institution to achieve these goals because in achieving these goals, FIU will better serve our students, faculty, staff and community.

IMPLEMENTATION

FIUBeyondPossible2020 proposes great advances and innovations for FIU in the next five years. While the plan includes concrete goals and strategies, it does not include implementation details. These details will be developed; a standing strategic plan steering committee will be formed and meet on at least a quarterly basis with the task of assessing and reviewing status reports from each of the implementation committees and recommending course modification as necessary. Updates on the progress toward achieving the strategic plan's goals will be communicated to the university community annually. As we begin the next phase of *FIUBeyondPossible2020* – implementation – we call upon all of the university's stakeholders, including faculty, staff, students, alumni, our political leaders, the Board of Governors, the business and philanthropic communities and others to join us in creating a future worthy of our great university – a future that is truly Worlds Ahead.

THE STRATEGIC PLAN

Student Success

We will offer our students an intense, rigorous learning experience in a supportive academic community, celebrating the intellectual energy that flows from our diverse student population. As part of their university experience, FIU students will gain the critical-thinking skills necessary to meet the challenges of the 21st century. They will learn from world-class faculty who are leading scholars in their fields and who are also well versed in the latest evidence-based teaching practices. Students will work shoulder-to-shoulder with faculty on meaningful research inside and outside the classroom and engage in service learning that impacts our community, our nation and our world.

Preeminent Programs

Building preeminent programs and teams will strengthen FIU's capacity to provide high-quality teaching, engage in state-of-the-art research and creative activity, and collaborate with our local and global communities. We will design and chart our best future as a university by identifying and leveraging those FIU programs that will help us become a leading urban public research university in the 21st century.

Carnegie Very High Research Designation

Knowledge creation is the cornerstone of the academy. FIU will continue to build its research reputation and develop an infrastructure to support its growing research enterprise. We will support the scholarly work of our faculty as they expand the frontiers of innovation, technology and creativity in the sciences, humanities and arts. Striving for Very High Research designation acknowledges FIU's mission and vision as a public research university. FIU will continue to drive economic growth and job creation by increasing patent production, technology transfer and industry collaboration. We recognize that a research-enriched environment leads to a culture of transformative learning that promotes student success and produces graduates who are ready to be leaders in their chosen professions. Outstanding faculty will attract outstanding graduate students who will add to the fabric of knowledge and innovation while inspiring undergraduates to achieve excellence in scholarship and attain a terminal degree.

Financial Base/Efficiency

FIUBeyondPossible2020 is FIU's roadmap for the future. To truly realize its promise, the university must be resilient in the way it responds to external challenges. The legislative funding gap will vary depending upon factors not in our control, and FIU must be prepared to manage those fluctuations and adapt as necessary. We must change our own internal funding model to direct new resources and to ensure existing resources are strategically invested in the units making the greatest impact on improving student success and research. New sources of revenue must be generated while ensuring our current base funding remains intact. To do that, we must strive to exceed Florida SUS BOG performance standards every year.

FIUBeyondPossible2020

Higher education is in the midst of a profound transformation. Every facet of education – what is delivered, how it is delivered, to whom and at what cost – is under scrutiny and impacting change within and throughout every university. This has opened up unprecedented opportunities for universities to rethink how best to educate the next generation of thought leaders.

The globalization and democratization of knowledge has given students more choices regarding where and how they get their education. Technology innovation has created pressure to adopt new forms of pedagogy. The value of a college education is now met with measures like time to degree, ability to get jobs at competitive salaries and student debt upon graduation. Ultimately, these factors have led to changes in how universities are funded.

Florida International University (FIU) recognizes the opportunity this paradigm shift presents. Our own history tells us that necessary change has been the road to growth, to transformation and to advancement.

We are prepared to meet these 21st century challenges. With a forward-facing approach, we will continually assess our environment and make adjustments, strengthening our foundation and upholding our mission and sacred obligation to our students, faculty, staff and community. This obligation is based on our certainty that we provide hope and opportunity to thousands of hard-working students and their families who know that a university education can make a clear difference in the quality of their lives.

The road ahead, our future, is *FIUBeyondPossible2020*.

Worlds Ahead

The university closes the chapter on our Worlds Ahead Strategic Plan (2010-2015) having achieved significant institutional gains during a time when dramatic changes in higher education were afoot. Technological advances, shifting public perceptions, consequential disruptions to state and federal funding for research and education, and increasing oversight and accountability were just some of the issues we encountered early into the implementation of our Worlds Ahead strategic plan.

Years in the Making

Through self-examination and an abiding belief that great challenges beget great opportunities, we initiated in May 2013 a process to create this new strategic plan through the integrating Research, Engagement, Assessment and Learning (iREAL) Commission. The commission was appointed by FIU President Mark B. Rosenberg and chaired by then-Dean of the College of Arts and Sciences Kenneth G. Furton. Since then, more than 150 students, faculty, staff, alumni and community leaders have analyzed numerous challenges and opportunities to develop a path forward for the next five years, laying the foundation for *FIUBeyondPossible2020*.

This is a plan of action, one that when fulfilled will ensure that our university and students continue to thrive. This plan is consistent with who we are – an urban public research university proudly committed to providing a state-of-the-art education for traditional and non-traditional learners – locally and globally; a university that understands its role as an anchor institution in one of the most dynamic and energized cities in the world, Miami.

The plan's key measurable goals include:

- Improving the first-to-second-year retention rate of our first-time-in-college (FTIC) students from 76 to 90 percent
- Boosting our six-year graduation rate among FTIC students from 53 to 70 percent

- Improving our four-year graduation rate of state college (AA) transfer students from 64 to 70 percent
- Strategically increasing our enrollment to 65,000 students and increasingly using digital technologies to enhance face-to-face and distance learning
- Expanding experiential learning opportunities for our students, with special attention to growing available student internships from 4,637 to more than 6,000 annually
- Raising research expenditures from \$130 million annually to \$200 million annually
- Increasing by 30 percent the number of Ph.D. degrees granted to more than 200 annually
- Nurturing an expansion in patents and startups from an average of two per year to 20 annually
- Growing our philanthropic giving to achieve the Next Horizon capital campaign goal of \$750 million

Florida's public university system, like nearly 30 other states, recently adopted a Performance Funding Model, marking a definitive move toward increased accountability and efficiency. This new approach to funding is output based. The Board of Governors (BOG) Performance Funding Model has nine metrics on undergraduate student success outcomes and one metric on percentage of graduate degrees in strategic emphasis. Universities are ranked and can potentially receive (or lose) funding based on their score using the BOG model.

FIUBeyondPossible2020 clarifies the road ahead for FIU. It creates a pathway for our university to succeed and excel during this new era in higher education. It ensures that the university stays laser-focused on the critical goals that will allow us to forge ahead with our mission.

Where We Are

For FIU, our geography and our demography are our destiny, inextricably linked to our location in a hemispheric and global transportation, communications and cultural arts center. Early goals of the university spoke to the need to educate students, provide service to the community and foster greater international understanding.

Today, FIU has two Miami-Dade County campuses in addition to academic centers in South Beach, Brickell, Coconut Grove, the Florida Keys and Broward County. Our Marriott-Tianjin China Program recently celebrated its tenth anniversary.

Although we are faced with an aging infrastructure at both MMC and BBC and the likelihood that we will exhaust our physical footprint in the next decade, we have not abandoned our commitment to our students and the community. In fact, we are on the cusp of doing even greater things. Our proposed expansion onto land adjacent to MMC will enhance our ability to create new jobs for the South Florida economy and produce greater student talent in engineering, the sciences and entrepreneurship – areas that are state priorities and keys to economic development.

We are excited to build upon our vision for a more livable, connected and technological community both in and around the FIU campuses and South Florida region. UniversityCity, a catalytic project of national significance, will integrate FIU into its surrounding neighborhoods, including the City of Sweetwater, with enhanced access to transportation, housing, shopping and community life that will provide an economic boost to the region. Along with its partners – the City of Sweetwater, Miami-Dade Expressway Authority, the State of Florida, IBM and Miami-Dade County – the alliance will also pursue deployment of Intelligent Transportation Systems to improve congestion in the entire region.

Our forward momentum relies on an organizational culture that keeps us on course in pursuit of our mission and goals. With *FIUBeyondPossible2020* we are reaffirming the collaborative content areas that

were identified in our Worlds Ahead strategic plan. Each of these areas is related to our mission, has the potential for significant and sustained growth, and involves engagement at the local and global levels:

The Arts

The Arts are a major driver of the South Florida economy and critical to the life of the mind at FIU. They inform the way we think, create, discern, solve problems and adapt to our rapidly changing world. The creative and academic activities of FIU's faculty, curatorial staff and students in our colleges, schools and three accredited museums – The Patricia and Phillip Frost Art Museum on MMC and The Wolfsonian-FIU and The Jewish Museum of Florida-FIU on Miami Beach – support our quest for excellence and enrich the regional arts scene in our community. Our Miami Beach Urban Studios on Lincoln Road is located in one of the country's most dynamic cultural and entertainment centers. It is an innovative and collaborative hub, bringing together students and professionals in the creative and performing arts.

Environment

The fragile South Florida ecosystem is a major national point of research, study and concern. FIU enjoys unique opportunities to leverage our tropical location for learning and research that focuses on environmental issues. With the Florida Everglades in our backyard, FIU scientists at the Southeast Environmental Research Center have been at the forefront of Florida Everglades research for more than two decades and have made great strides to restore and build resiliency for this vital ecosystem. Additionally, our academic centers include the International Center for Tropical Botany at The Kampong (the only garden of the National Tropical Botanical Garden outside Hawaii) in Coconut Grove, the Aquarius Reef Base in the Florida Keys, the Wall of Wind at the Engineering Center and the Batchelor Environmental Center (in collaboration with the Patricia and Phillip Frost Museum of Science) at BBC. These initiatives will play an important role moving forward in the development of our preeminent programs and in helping our community enhance community sustainability.

Globalization

Miami sits at the crossroads of the Americas, and is a global destination city. As a university, we have long capitalized on our diverse population and location in a city that serves as a gateway to the Americas. Miami is a community where the local and the global collide seamlessly, offering unprecedented opportunities and obligations for teaching, research and policy application. Our global learning initiatives and our other international and area studies programs at MMC serve as the backbone for the "I" in FIU. Our researchers have helped to restore democracy in Latin America and have traveled to the Amazon rainforest, Sub-Saharan Africa and Antarctica, among other exotic locales, to better understand and explain the world in which we live. Our multidisciplinary faculty have also coalesced around our School of International and Public Affairs, which is seeking to become the first school in Florida to receive full membership in the Association of Professional Schools of International Affairs (APSIA), a select group of the most elite schools of international and public affairs in the world.

Global Learning for Global Citizenship is the centerpiece of internationalized undergraduate education at FIU. This curricular and co-curricular initiative provides students with multiple opportunities for active, team-based, interdisciplinary exploration of real-world problems. Capitalizing on FIU's unique demographics and location in the gateway to the Americas, Global Learning for Global Citizenship enables students to achieve specific learning outcomes: global awareness, global perspective and global engagement. More than 140 global-learning courses have been developed by faculty across nearly every department. Students in global learning courses enhance and extend their scholarship through participation in integrated co-curricular activities. Ultimately, Global Learning for Global Citizenship is a promise to every FIU student: Graduates of the university will be empowered with the knowledge, skills and attitudes they need to become informed and engaged citizens of the world.

Health

The quality, cost and availability of health care remain a major challenge for most people living in the United States. Gaps in access to health care lead to health care disparities, which lead to opportunity gaps for many who reside in our community. Miami is at the epicenter of some of the nation's most critical health issues and changing health economy. Our community is burdened by chronic illness, maternal and child health issues, and established and emerging infectious diseases. FIU's health infrastructure has been in evolution since the late 1990s. We are uniquely positioned to provide solutions while training our community's future health care providers. We are also collaborating with clinical and payer affiliates to address these challenges with innovation and scholarship. FIU's academic health collaborative faculty take a cross disciplinary approach to health. Our exemplary programs include the Center for Research on U.S. Latino HIV/AIDS and Drug Abuse, which addresses the escalating twin epidemics of substance abuse and HIV/AIDS affecting Latino communities throughout South Florida; the Benjamín León, Jr. Family Center for Geriatric Research and Education; and the Green Family NeighborhoodHELP, which deploys primary care into neighborhoods whose residents do not traditionally seek medical care. These initiatives and many others send a strong message that FIU is willing to take responsibility for the health and well-being of our community, becoming a national model in collaborative, sustainable and culturally sensitive solutions for health care.

Ever Forward

Since the day we opened for classes in 1972 as an upper-division institution offering 42 degree programs, FIU has been exceeding expectations. Our opening-day enrollment of 5,667 set a higher education record – and sent a clear message that FIU could and would fill a critical public education void in South Florida. In the decades since, we have continued to strive to meet the needs of our community and exceed expectations. We remain Miami's only public research university.

Today we offer 196 bachelor's, master's and doctoral degrees. Our enrollment of more than 54,000 students places us fifth among the largest public universities in the United States. But size itself is less important than scale to leverage institutional priorities in a context of a dynamically growing community with a high percentage of foreign-born residents, English-language learners, first-generation students and place-bound learners.

FIU serves a diverse community with a student body that represents the future of American public universities. We are a federally designated minority-serving institution. More than half of our undergraduate students qualify for Pell grants and are the first in their families to graduate from college. We see ourselves as a 21st century urban public research university that is a solutions-center for our community and reflects the dynamism and diversity of our immigrant community.

The FIU Effect

In the 50 years since FIU's founding and 43 years since accepting our first class of students in 1972, we have had a deep impact on the lives of people in this community. We are the only urban public university in Florida with the honor to have been invited to join the prestigious Phi Beta Kappa Society. We have already become the No. 1 producer of Hispanic degrees in the United States. We have achieved a *Washington Monthly* top 25 national ranking among universities that contribute the most to the public good. We have attained a *Times Higher Education* ranking of 73 among all the universities in the world that have been educating students for less than 50 years. We are nationally recognized for our leadership in STEM (science, technology, engineering and math) education for minority students. We have received accolades for online education and community collaborations and made discoveries that are restoring the environment. Our international and area studies programs are top ranked. Our College of Business has excelled in key subject areas vital to our economic competitiveness and our hospitality management programs are globally recognized. We have created a health and medical education paradigm that

directly improves the well-being of underserved communities. We have highly ranked professional schools including Architecture, Law, Medicine and Nursing. We are on pace to graduate more than 130,000 students in the next decade. And still, we know we can do more.

In addition to building on these distinctive academic strengths, *FIUBeyondPossible2020* charges us to recognize new areas of opportunity and societal need. This mandate necessitates breaking through traditional boundaries. The Florida Consortium of Metropolitan Research Universities partnership is one such example of this innovative thinking. Recognizing that our state's metropolitan universities collectively serve nearly half of the students in the SUS, FIU has joined with the University of Central Florida and University of South Florida in a national model of collaboration rather than competition to effect positive economic and social change and improve all students' access and success. Initiatives such as these are informing our efforts to be a leading American urban public research university of the 21st century.

South Florida is a nexus for today's knowledge-driven, global economy. It is a place where change is constant, ambiguity is the norm and creativity is prized. Our community's vibrant diversity is rich in opportunities for cross-pollination and collaboration in science and technology, health care, education and the arts. To secure a better future for our students, our community and our state, we must unapologetically be drivers of innovation, progress and lasting change.

The Strategic Plan: A Collaborative Effort

FIUBeyondPossible2020 is FIU's roadmap to turn ideas into action and action into impact. We must draw our strength from each other and give our students and community our very best, leveraging the Worlds Ahead brand attributes that define FIU: Entrepreneurial. Global. Ideally located. Accessible. Vibrant. Community focused.

FIUBeyondPossible2020 is a reflection of our Worlds Ahead brand. Indeed, it is our Worlds Ahead spirit that will propel FIU into this new era of opportunity and change.

FIUBeyondPossible2020 represents the efforts of many to construct a new framework, one that is based on student success and very high research, built on the foundation of our preeminent programs and sustained by new models of operational excellence and efficiencies. We believe this framework will enable FIU and its constituents to thrive for years to come.

Development of this plan was a collaborative effort in which students, faculty, staff, alumni and community leaders offered their feedback through their participation on one of the four strategic plan focus committees listed in the Acknowledgments section of this document, their attendance at town hall meetings or their anonymous feedback. The process focused on four key areas:

1. Student Success
2. Preeminent Programs
3. Carnegie Very High Research Designation
4. Financial Base/Efficiency

FIUBeyondPossible2020 enumerates concrete, measurable actions to ensure that FIU's core academic activities are protected and our preeminent programs are supported so that we emerge with our excellence intact and strengthened. In crafting this strategic plan, the university community acknowledges and expects that success will require strategic choices and the discipline to see them through implementation.

The plan's name, *FIUBeyondPossible2020*, reflects the fact that these are precedent-setting goals. We plan to be the first public, majority-minority research institution to achieve these goals. Success will require a collective will to move beyond the familiar. It will take broad-based and continuous support from our internal and external communities. It will force us to step collectively outside our comfort zone to address new challenges.

In achieving the goals outlined in this plan, FIU will better serve our students, faculty, staff and community. Our rankings and prestige will be elevated, institutionally and programmatically, communicating to prospective students, peers and the broader community that our university and its programs have attained a recognized level of excellence.

Mission, Values and Vision

All elements of the strategic plan are infused with FIU's mission, values and vision:

Institutional Mission Statement: FIU is an urban, multi-campus, public research university serving its students and the diverse population of South Florida. We are committed to high-quality teaching, state-of-the-art research and creative activity, and collaborative engagement with our local and global communities.

Core Values: As an institution of higher learning, FIU is committed to the following:

Truth – in the pursuit, generation, dissemination and application of knowledge

Freedom – of thought and expression

Respect – for diversity and the dignity of the individual

Responsibility – as steward of the environment and as citizens of the world

Excellence – in intellectual, personal and operational endeavors

Vision: Florida International University will be a leading urban public research university focused on student learning, innovation and collaboration.

FIUBeyondPossible2020 Strategic Priorities

We recognize that student success is everyone's responsibility. Through this strategic plan, we will nurture a culture of continuously improving student success for all faculty, of service excellence for all staff, and of collaboration among units and individuals. With this approach, we will move forward as one to make *FIUBeyondPossible2020* a reality.

The success of *FIUBeyondPossible2020* will require breaking down silos and synergizing efforts in pursuit of these strategic priorities:

1. FIU will be united for student success and nurture a culture with values centered on effective teaching and enhanced learning in support of continuously improving student success.
2. FIU will prepare graduates at all levels for seamless career integration.
3. FIU will grow student enrollment strategically to 65,000.
4. FIU will drive its growth and academic excellence through a focus on preeminent programs.
5. FIU will strive for the highest Carnegie-related classification of research.

6. FIU will achieve an accelerated and impactful performance in research as indicated by research expenditures, Ph.D. productivity, research faculty growth and technology transfer growth.
7. FIU will foster a campus culture where innovation thrives and contributes to real-world solutions for real-world issues, in the process making a significant, positive impact on Miami's and Florida's economies.
8. FIU will make continuous improvement to streamline activities throughout all units and operations.
9. FIU will open new opportunities for students, faculty and staff and diversify its revenue by raising private dollars and collaborating with public and private institutions in win-win partnerships that leverage new grant opportunities.
10. FIU will develop an incentive-based funding model driven by strategic initiatives that strengthen our university.
11. FIU will institute a focused university branding campaign.

Student Success

We will offer our students an intense, rigorous learning experience in a supportive academic community, celebrating the intellectual energy that flows from our diverse student population. As part of their university experience, FIU students will gain the critical-thinking skills necessary to meet the challenges of the 21st century. They will learn from world-class faculty who are leading scholars in their fields and who are also well versed in the latest evidence-based teaching practices. Students will work shoulder-to-shoulder with faculty on meaningful research inside and outside the classroom and engage in service learning that impacts our community, our nation and our world.

We recognize that the success of our students is highly dependent on the success of our faculty, therefore we will ensure that faculty are supported and rewarded for excellent teaching.

In completing the goals set out in *FIU Beyond Possible 2020*, we are honoring our promise to our students to provide them with a relevant education that will prepare them to thrive as citizens of the world and leaders in their chosen professions. The student goals enumerated in this strategic plan are interrelated; one cannot succeed without the other. Offering greater support to our first- and second-year students leads to increased probabilities of a successful university experience. This, in turn, leads to better retention rates, which leads to improved graduation rates, which leads to greater career success.

GOAL 1: FIU will improve the first-to-second-year retention rate among its FTIC undergraduate students from 76 percent to 90 percent.

Strategies

- A. **Expand the Center for the Advancement of Teaching (CAT).** With only two full-time staff members, CAT is FIU's most effective source of support for faculty innovation, collaborating with faculty in curricular reform and pedagogical transformation. Although educational and pedagogical reform efforts are known to pose considerable challenges, particularly at large institutions, CAT has already played a key role in successful FIU initiatives. In order to meet the need for course reforms in this plan alone, we must increase the capacity of CAT.
 - Hire additional personnel with experience in faculty development, especially in the STEM fields and hybrid courses.

- Create opportunities for faculty to work with CAT either during the academic terms or over the summer to redesign courses.
- Reconfigure current CAT space to support learning environment.

B. Redesign the gateway courses identified as critical for increasing undergraduate success.

FIU has identified certain gateway courses which have high enrollment; high failure rates; and/or are high impact in that they are a predictor of dropout. Redesign will be prioritized based on courses with the greatest impact on student learning outcomes, and new gateway courses may be identified as enrollment patterns change.

- Redesign will follow national best practices for effective pedagogical approaches, including the utilization of effective technology, and be adapted to fit FIU's needs and culture.
- Develop and review data collection and reporting mechanisms to inform students, faculty and administrators on academic success measures.
- Measure improvement then recalibrate approach every semester or year to ensure successful interventions.
- Convert adjunct positions to instructor lines where possible but in particular for high-impact courses where instructor conversions will result in marked improvements in student learning outcomes.
- Math course redesign, discipline-based teams and support from CAT have already resulted in significant gains in Algebra. The university will follow a similar approach to develop the optimum course redesign for all math gateway courses.

C. Revamp First-Year Experience into an FIU Experience course aimed not only at incoming freshmen but also first-time transfer students to build affinity for FIU, facilitate personal development, and teach and reinforce the skills needed for success at FIU.

- Redesign SLS 1501 to standardize class styles and experiences. This includes curriculum redesign, with built-in classroom and out-of-classroom experiences with both the faculty member and peer mentor, and online modules and activities.
- Group students into sections based upon common majors and/or broad-based areas of interest.
- Focus on metacognitive and learning awareness skills.
- Incentivize faculty to teach discipline-specific cohorts of 20-25 students of similar majors to build relationships with peers and peer mentors.
- Train peer mentors in a way similar to learning instructors.
- Incorporate athletic and cultural events into mandatory out-of-classroom experiences.

D. Require all first-year students to purchase a personal computer/laptop to ensure they have the appropriate tools for academic success. Computers were checked out from the library more than 50,000 times in Fall 2014 indicating the necessity of electronic devices in the learning environment.

- Provide financial aid to those who qualify.
- Provide grant opportunities for those who do not qualify for aid.

- Explore bulk purchases at the university level to maximize supplier discounts.
- Educate faculty in the use of technology to engage students with the concepts of the discipline.

- E. Invest strategically in student financial support/improve financial literacy.** Students frequently drop out because of financial aid issues, often over relatively small amounts of money.
- Centralize financial aid with local deployment of scholarships in the relevant units to ensure all available financial aid dollars are being used in the most impactful way.
 - Allocate additional financial aid funds to be used in intentional, data-driven ways to enhance student success based on the model being developed by the consulting firm Noel Levitz.
- F. Improve Writing Across the Curriculum (WAC).** Writing courses play an important role in retention and graduation rates. With further development and investment, the WAC program could better support university efforts.
- G. Support student organizations.** Student organizations are an important way to build affinity for FIU and keep students engaged with a peer group. Additionally, many of FIU's student organizations specifically encourage and support retention and graduation.
- Provide support, space and technical assistance with coordination and scheduling.
- H. Improve space management.** A sense of belonging, being part of a group and having a place to study/rest on campus have a significant impact on retention and graduation rates. This is even more critical for a commuter campus.
- Create discipline-specific learning resource centers and lounges for students to congregate around similar interests.
 - Increase the number of active learning classrooms.
 - Incorporate “sticky” space design into new buildings that encourages clustering of students, has abundant electrical outlets, charge stations, and access to Wi-Fi.
- I. Involve alumni in the development of a freshman mentorship program.** Match each freshman with an FIU graduate who preferably has a career in the student's field of interest so as to facilitate first-year entry into university life.

GOAL 2: FIU will improve the six-year graduation rate among its undergraduate students from 53 percent to 70 percent.

Strategies

A. Improve instruction. The university will considerably increase and enhance faculty development.

- Expand the use of Learning Assistants (LA) and create a central office that coordinates LA recruiting, training and strategic deployment.
- Provide a development track for adjunct to instructor conversions.
- Offer individualized support and consultation by CAT, especially at the early stage

of teaching careers.

- Create a teaching initiatives coordinating committee that brings together regularly all the groups at the institution that are involved in pedagogical reform.

B. Increase hybrid courses. Studies have found that student-learning outcomes such as test scores were slightly better in well-designed online classes than in traditional face to face classes, but that well-designed hybrid classes were best. FIU will substantially increase the number of successful hybrid courses for improved student learning outcomes, classroom space conservation and reduction of student stress in navigating the physical campus.

- Provide technology and pedagogical support for hybrid course development.

C. Continue to build on the Graduation Success Initiative (GSI). The basic four-point framework of the GSI includes: help each student discern an appropriate goal early (major and career), preferably at admission; provide a clear path to that goal; give immediate feedback as to whether the student is on or off that path; and remove barriers on the path at the same time that support is added.

- Expand alert functionalities in student-tracking tool to include not only academic alerts but also financial aid and internship alerts.
- Provide real-time predictive analytics from user data of students who are at risk of failing so that we can provide and measure effective interventions immediately.
- Implement mandatory advising for first-time-in-college students within the first six weeks of classes.
- Develop detailed protocols for advisors to make effective interventions from the first semester to the last.
- Develop dependable technological support and training for the use of instructional technology such as Learning Management Systems and iClickers.

D. Improve communication with students. Students in today's global and fast-paced world communicate in ways far more immediate than in previous years. We recognize that the utilization of current best practices in student communication will help promote the student involvement and retention that is critical to student success.

- Send out succinct emails and text messages.
- Advertise important dates at major events where students congregate to increase awareness.
- Coordinate digital signage to implement campus-wide messaging.
- Institute "Ask" kiosks staffed by senior leadership to solicit direct feedback from students.

GOAL 3: FIU will grow student enrollment strategically to 65,000.

Strategies

A. Continue to develop and expand seamless and accelerated success pathway programs. We need to ensure that every high-potential student wishing to graduate from FIU has a pathway that ensures his or her success.

- Increase support for transfer students. FIU will work with the eight state colleges in South

Florida to develop a robust FIU “Connect4Success” dual admissions program. We will develop relationships with students while they are in state colleges to build affinity for FIU, admit them as FIU students to receive campus benefits and prepare them for academic success upon transferring to FIU.

- Expand student access programs like Education Effect, ACCESS, Golden Scholars, McNair Achievement, Panther LIFE and Fostering Panther Pride, among others, to give students opportunities to realize their college dreams.
- Expand dual enrollment offerings to reach more high school students wishing to earn their college degrees faster and to help us recruit these students to FIU.
- Expand FIU’s enrollment area beyond the South Florida region, strategically targeting specific in-state, national and international regions.

B. Improve and increase online education. FIU will actively support the growth of online education in a responsible manner consistent with our educational and research mission. It is critical to this undertaking and core to our institutional values that teaching and learning in this modality evolve in a way that ensures the same learning experience as face-to-face classrooms and adequate privacy protections for faculty, students and the university.

- Use existing successful online redesign models (FIU Online 2.0 College Algebra) to restructure unsuccessful online courses.
- Develop incentives to adopt low-cost e-textbooks.
- Enhance FIU support for web-assisted courses.
- Require students to complete training on effectively taking online courses.

C. Implement Competency-Based Education and increase prior learning assessment. Competency-Based Education (CBE) is quickly being adopted as a method to provide adult learners with a self-paced approach to degree completion. It involves the identification of competencies that are verified by both faculty and employers to be the requisite knowledge, skills and behaviors necessary for professional success. Prior Learning Assessment (PLA) encapsulates this assessment through a fee-based process of waiving requirements or awarding credit for validated competency attainment through exams, portfolio or third-party evaluation. Both CBE and PLA would provide FIU the opportunity to either shorten time-to-degree or improve degree completion rates for adult learners.

- Conduct a feasibility study and seek guidance from the Council for Adult and Experiential Learning to develop program and infrastructure support as necessary.
- Revise FIU policies to accept CBE and PLA. This will require substantive faculty input.
- Develop a small-scale pilot study before university-wide implementation.

D. Expand self-supporting and market-rate programs with an emphasis on professional master’s programs.

GOAL 4: FIU will prepare graduates at all levels for seamless career integration.

Strategies

- A. Expand Internships.** Students who complete internships and/or participate in work study have significantly higher rates of graduation. Additionally, data shows that college graduates who participate in paid internships while still in school receive more job offers and are paid more directly out of school than students who do not. Our students enjoy the added benefit of partnering with industry leaders – oftentimes because of opportunities created by our powerful FIU alumni base that is nearly 200,000 strong – who are focused on crafting real-world solutions to some of the industries’ most challenging issues in real time.
- Develop a standardized, online application form to make it easier for employers to post positions and students to apply.
 - Develop criteria for internships that provide meaningful learning outcomes for our students.
 - Continue to leverage FIU’s alumni base and relationships with major corporations locally and nationally to establish internships and employment pipelines.
 - Track the number of experiential-learning offerings and enrollments by program.
 - Engage the FIU Alumni Association to build more robust mentorship and externship programs.
- B. Expand service learning.** Engaged learning, when practiced effectively, is one of the most effective strategies for strengthening both institutional and personal bonds with the community and for deepening student learning. Students who participate in engaged learning demonstrate greater mastery of course material as well as improved critical-thinking skills, problem-solving and reflection skills, and communication skills.
- C. Explore the requirement of e-portfolios or a tracking system.** We will consider the addition of a graduation requirement for all FIU students to complete a form of experiential learning that may include undergraduate research, service learning, practicum, internship, cooperative education, design projects and cultural immersion. The e-portfolio or tracking system will assist students in tracking experiential learning and providing evidence of competency-based education and prior learning assessment, classroom work and more in order to build a competitive resume for the job market.

GOAL 5: Develop programs and provide infrastructure to support and incentivize FIU faculty. The university’s commitment to student success requires a commitment to faculty support and development. With growing pressure to teach in innovative ways to increasingly larger classes, it will be critical to provide adequate support to FIU faculty.

Strategies

- A. Develop and implement a faculty reward system to incentivize excellent teaching.**
- Provide course releases to develop new courses and participate in discipline-based teams.
 - Provide stipends to attend course-design workshops.
 - Communicate effectively the support services available to faculty.
 - Develop a fair and comprehensive system for evaluating teaching effectiveness.
 - Incentivize effective teaching of faculty as they address critical lower-division courses. Gateway course instruction should be understood as a university-wide contribution.

- Develop a Top Teachers award and event that would be similar to the current Top Scholars recognition.
- Foster development of departmental and institutional cultures that recognize and reward excellent teaching. Instructors will be selected, retained and rewarded based upon their teaching skills.

B. **Develop programs to support faculty professional development.**

- Expand career and professional development opportunities systematically to support faculty.
- Form Provost Council for the Advancement of Women and Minorities.
- Expand faculty mentor program university-wide.

Preeminent Programs

Building preeminent programs and teams will strengthen FIU's capacity to provide high-quality teaching, engage in state-of-the-art research and creative activity, and collaborate with our local and global communities. We will design and chart our best future as a university by identifying and leveraging those FIU programs that will help us become a leading urban public research university in the 21st century.

A Worlds Ahead university creates an innovation nexus where preeminent programs and teams drive research, creativity, innovation and education. At FIU, already there are distinguished programs whose national rankings and research breakthroughs bring prestige to the university. These programs help our university serve our community, our state, our nation and our world. Moreover, they provide opportunities for winning grants and support, and provide focus for the Next Horizon capital campaign and support student success.

Once these programs are identified, we will build our growth through them, effectively communicating their quality and impact in a way that enhances and expands university visibility, reputation and financial support.

GOAL: FIU will identify and support preeminent programs that are directly aligned with the university's mission and strategic plan and that meet objective criteria that have been identified and agreed upon by university stakeholders.

Strategies

A. Identify key characteristics of preeminent programs.

- Preeminent programs at FIU will:
 - align directly with FIU's mission and strategic plan;
 - elevate FIU's Worlds Ahead initiatives in the arts, environment, globalization and health;
 - be locally/nationally/globally recognized and regarded highly;
 - leverage strengths, challenges, opportunities and characteristics unique to FIU, Miami-Dade and South Florida;
 - partner with external partners as relevant and innovative solution centers for communities and businesses;
 - address emerging global challenges and concerns;
 - offer state-of-the-art and unique learning and research opportunities;
 - provide fertile paths for winning grants or philanthropic dollars;
 - enhance the reputation and strengthen the credibility and brand of FIU;
 - be cost effective when compared with programs and endeavors of a similar nature; and
 - be inclusive, interdisciplinary and sustainable through the collaboration of multiple faculty members across a range of academic ranks and disciplines.

B. Identify objective criteria for assessing programs seeking preeminent status.

- The iREAL Self Evaluation Instrument (SEI) is designed to be an objective, concise, clear, reliable, valid, transparent and useful set of criteria for the self-evaluation of preeminence.
- The iREAL SEI addresses four domains: 1) university priorities; 2) research/creative activities;

3) education outcomes; and 4) costs-to-benefits.

C. Create an institutional process for review and determination of preeminent programs.

- The iREAL SEI will be used as a first-step self-assessment tool for considering preeminence. It will be considered the preliminary self-evaluation component of a more extensive preeminence program application, review and assessment process.
- The applications will be reviewed by an interdisciplinary Preeminent Programs Review Committee (PPRC) that will be appointed by the Provost and Vice President for Research and Economic Development. This committee will operate in a similar fashion to a scientific review/foundation review committee and will make recommendations to the President and Provost, who will ultimately determine which FIU programs will receive preeminent program distinction.

D. Identify an institutional process for supporting preeminent programs.

- Dedicated infrastructure support will include pre-application guidance; PPRC review and feedback; targeted public relations and marketing; and development, finance and research support.
- It is understood that FIU's support units (including Human Resources, Marketing & PR, Development and Research) for preeminent programs should themselves be preeminent. The outstanding scholars associated with FIU's preeminent programs will need outstanding support staff to work with and promote their programs.
- FIU preeminent programs will be promoted substantially through focused public relations, marketing (e.g., nominating faculty for awards) and fundraising. FIU, both internally and with expert external PR consultants, will develop an aggressive media strategy focused on garnering national and global media for FIU's preeminent programs.
- Promotion efforts involving participation and collaboration from faculty, administrators and PR professionals will accompany the designation of preeminence. Materials for marketing preeminence will include an electronic press kit that can be disseminated strategically. Preeminent programs faculty and marketing professionals will collaborate to expand and enhance the reputation of FIU through its preeminent programs.
- The preeminence distinction will be used as a prioritization tool for the administration to make strategic investments, better focusing institutional resources in order to support programs that are aligned with FIU's mission and are high achieving.
- Possibilities for collaboration and connection with preeminent programs will be used to direct the strategic hiring of new faculty. The university's reward systems, and its systems for resource allocation, will encourage and promote preeminence.
- Both return on influence and return on investment should be used to gauge the success of these strategic resource investments.

Carnegie Very High Research Designation

Knowledge creation is the cornerstone of the academy. FIU will continue to build its research reputation and develop an infrastructure to support its growing research enterprise. We will support the scholarly work of our faculty as they expand the frontiers of innovation, technology and creativity in the sciences, humanities and arts.

Striving for Very High Research designation acknowledges FIU's mission and vision as a public research university. The goal is for scholarly productivity that receives national and international distinction and brings visibility to FIU, Miami and Florida. Creating a nexus of innovation and entrepreneurial activities that emanate from research will enhance student success and the economic vitality of our community and our state.

We believe that one of the roles of a metropolitan public research university is to enhance the economic development of its region. We take the education of our workforce seriously knowing that 80 percent of our students stay in our community upon graduation. We employ thousands of area residents and are, in fact, one of Miami-Dade County's top 10 employers. Our faculty expend more than \$130 million annually in research. But there is more we can do to positively influence the region's economy. To that end, FIU will continue to drive economic growth and job creation by increasing patent production, technology transfer and industry collaboration.

To achieve this Very High Research designation, FIU must be intentional in attracting, supporting and retaining outstanding faculty. We recognize that a research-enriched environment leads to a culture of transformative learning that promotes student success and produces graduates who are ready to be leaders in their chosen professions. Outstanding faculty will attract outstanding graduate students who will add to the fabric of knowledge and innovation while inspiring undergraduates to achieve excellence in scholarship and attain a terminal degree.

Quantifiable FIU milestones toward Very High Research designation are: increase research expenditures from \$130 million per year to \$200 million per year; increase doctoral degree production from 159 per year to 200 per year; increase postdoctoral fellows from 83 to 120; and increase patent and startup production from an average of two per year to 20 per year.

GOAL 1: The university will strive for the highest Carnegie-related classification of research, Very High Research (VHR). In the process, it will establish FIU as an interdisciplinary solutions center for the local community and beyond.

Strategies

- A. Develop strong interdisciplinary research through Organized Research Units (ORUs).** An Organized Research Unit consists of an interdepartmental group of faculty members and students formed to address an area of research, usually a grand challenge-type issue. It strengthens interdisciplinary programs of research and teaching conducted by the faculty and provides graduate and post-doctoral students with added research opportunities, facilities and assistance. ORUs will:
- Facilitate interdisciplinary collaboration across departments and fields of research that do not generally interact.
 - Facilitate the engagement of faculty across humanities and STEM fields.
 - Facilitate engagement of faculty from non-Ph.D. departments in Ph.D. education and training.
 - Positively impact FIU's competitiveness for external research and doctoral education funding.

- Enhance and expand FIU's contributions to innovation and the expansion of the frontiers of science.
- Contribute to the objective of making FIU an interdisciplinary solutions center.

B. Increase research faculty in strategic areas through the Faculty Cluster Hiring Initiative and Postdoctoral Fellows Initiative. To achieve VHR classification, FIU will increase faculty productivity as measured by research funding, discoveries, patents and the production of Ph.D. graduates. Additionally, at departmental levels, per capita faculty productivity in research funding will improve. Faculty Cluster Hiring and a Postdoctoral Fellows Initiative will be important components supporting the key research objectives.

- From 2008-2014, cluster hire areas at the university brought in \$48 million in research awards. Additionally, substantial collaborations occurred among these clusters of Biomedical Engineering (adaptive neural systems), Medical Physics (neuroscience, brain mapping), Neuro-Immune Pharmacology (neuro-AIDS), and Child Mental Health (ADHD, depression, anxiety, substance abuse and neuropsychology).
- Faculty Cluster Hiring Initiative. FIU will reserve 25 percent of vacant lines for the Faculty Cluster Hiring Initiative. Cluster hires will focus on STEM areas and support the growth of research expenditures, Ph.D. productivity, postdoctoral fellows and undergraduate graduation rates. Additionally, cluster hires will connect to established ORUs and preeminent programs (both centers and programs).
- Postdoctoral Fellows Initiative. FIU will increase research faculty through the addition of postdoctoral fellows. This will positively impact research funding and increase Ph.D. productivity.
- Create a classification system with career paths for research faculty. Academic Affairs and the Office of Research will create a position classification system that provides a uniform career ladder for research faculty (non-tenure track faculty) to provide support and development.
- Create a classification system and training program for postdoctoral fellows. Postdoctoral fellows (temporary employees with a limited appointment) should be defined as no more than five to seven years since attainment of Ph.D. The position must have a training component.

C. Increase Ph.D. production. FIU will make great strides in increasing its Ph.D. production. To achieve the current productivity levels of peer institutions, typically more than 200 Ph.D.s annually, FIU must have adequate numbers of faculty active in research within its Ph.D. programs. The Faculty Cluster Hiring and Postdoctoral Fellows Initiative will contribute to an increase of research-active faculty supporting Ph.D. programs by strategically hiring into programs with greater potential for increasing Ph.D. productivity. Similarly, the ORUs will allow for the contributions of faculty from departments that do not have Ph.D. programs in Ph.D. training.

- Provide secondary appointments for outstanding faculty. Provide secondary appointments for DAS and other outstanding faculty in departments that do not have a Ph.D. program where they can contribute to doctoral training so these faculty members have greater engagement in Ph.D. production.
- Create Ph.D. tracks and other mechanisms for cross-disciplinary collaboration.
- Recruit top Ph.D. and post-doctoral students nationally and internationally by leveraging

faculty research match and preeminent programs.

- Expand Ph.D. student funding in grants. Expand Ph.D. student funding through training grants (e.g., NSF-Bridge to Doctorate; NIH-T32s) and mentorship for individual doctoral fellowships (e.g., NIH F31), private foundations, professional organizations as well as FIU funding sources – fellowships, Gas, TAs, RAs, departments and centers. To achieve this, create a grant-writing position for student-training programs.
- Mentor DAS faculty. Develop a Ph.D. advising and mentoring program for DAS faculty and administrators. Recognize and incentivize DAS faculty efforts.
- Create differential workloads for research-active faculty.

D. Enhance, support and facilitate the research environment at FIU. Achievement of VHR goals requires a coordinated support of research infrastructure such as labs, other key support areas (personnel hiring and purchasing), and the reduction of structural barriers that often impede faculty productivity.

- Create a Research Infrastructure Support Unit (RISU). This centralized unit will coordinate and integrate maintenance of research facilities (including prioritizing renovation and future construction), manage the allocation of research space for doctoral students and reduce institutional barriers to research.
- Engage RISU with the Vice President for Research and Economic Development to actively address barriers that are identified.
- Expand faculty mentoring and enhance external sponsored-research services through reviewing of proposals and grant-writing support.

E. Develop and implement a faculty reward system to motivate faculty productivity. Faculty productivity is the most fundamental element to achieving VHR classification. Moreover, such productivity remains key to FIU's competitive growth in the state's performance funding as well as in the increasingly competitive research funding environment.

- Create an individual incentive program, which would include a reevaluation and adjustment of the current Faculty Research Incentive Bonus program to incentivize research funding and Ph.D. productivity.
- Develop a unit-based incentive program to provide direct F&A resources to departments based on departmental research funding per capita productivity. Per capita productivity at the departmental level can be measured in various ways. These include, on an annual basis, average amount of funding per faculty, average number of grants per faculty and average number of grant applications per faculty.

F. Allocate a VHR fund from E&G and F&A. Implementation of the plan will require dedicated resources. The Cluster Hiring Initiative will dedicate faculty lines in strategic areas. However, there will be a need for funding of start-up resources for cluster hires, the Postdoctoral Fellows Initiative and other components of the proposed strategic initiatives.

- Directly invest F&A for strategic initiatives. Add 25 percent of F&A to the proposed 2.5-10 percent university investment in the implementation of the strategic plan.

- G. Increase FIU's innovation impact.** Create a diversified research portfolio that includes the transfer of its technological discoveries to the marketplace, the translation of its basic research to applications that address solutions to a variety of challenges, and a broadening of the sources of funding to research.
- Review and consider modifying policies and faculty evaluation criteria (including Promotion and Tenure) to incentivize and reflect FIU's emphasis on innovation.
 - Include technology transfer and innovation as criterion in cluster hiring. There should be some level of consideration of the innovation and discovery potential of faculty of preeminent programs.
 - Define FIU's innovation space. Establish a central hub for innovation within the Office of Research and Economic Development that will coordinate the university's efforts in entrepreneurship and technology transfer.
 - Increase FIU's patent portfolio to average 20 patents per year.
 - Increase FIU's startups to average 20 per year.
 - Establish a transparent process to technology transfer from filing disclosures to developing a monitoring plan.

Goal 2: FIU will increase its sponsored research expenditures from \$130 million to \$200 million annually. Strategies for VHR Classification attainment will also support this goal.

Strategies

- A. Strategic hiring of faculty through cluster hiring and hiring faculty with sponsored research funding potential as a criterion.**
- Increase research faculty and postdoctoral fellows.
 - Increase Ph.D. productivity.
 - Expand faculty mentoring services, grant proposal review services and grant writing services.
- B. Develop more tools concerning all aspects of obtaining and managing sponsored research: faculty mentoring, grant writers in specific areas (e.g., writers for student-training grants).**
- C. Create incentives for faculty and units engaged in sponsored research.**
- D. Connect with external stakeholders that can partner in research.**
- E. Compete for the best graduate students.**
- F. Focus resources for research in large centers and preeminent programs.**
- G. Focus faculty efforts for solution centers on research rather than auxiliary efforts.**
- H. Better data management to inform strategic research investments and track research efforts.**

Financial Base/Efficiency

FIU *Beyond Possible 2020* is FIU's roadmap for the future. To truly realize its promise, the university must be resilient in the way it responds to external challenges. The legislative funding gap will vary depending upon factors not in our control, and FIU must be prepared to manage those fluctuations and adapt as necessary.

We must change our own internal funding model to direct new resources and to ensure existing resources are strategically invested in the units making the greatest impact on improving student success and research. New sources of revenue must be generated while ensuring our current base funding remains intact. To do that, we must strive to exceed Florida SUS BOG performance standards every year. We must engage in the reengineering of the existing pedagogy and adopt more effective approaches which research has demonstrated improves student-learning outcomes. We will utilize technological advances to identify institutional vulnerabilities and swiftly implement improvements. Similarly, we will adopt common platforms to collect student engagement and performance data and implement mandatory advising for at-risk students. We will work more closely with Miami-Dade County Public Schools and our state colleges to ensure that our students are well prepared for the FIU experience. We will educate and provide opportunities for our students so that they are ready to enter the workforce as innovators and leaders when they graduate.

To accomplish these goals, we must continuously ask ourselves key questions. Which activities and services are core to the university's mission? How do we incentivize colleges, faculty and staff and achieve the goals we set forth? Where should we make investments?

The goals and strategies outlined in this section seek to increase the university's financial resources and enhance our partnerships in order to provide more opportunities for students and give our community access to quality education.

GOAL 1: FIU will expand its financial base via organizational efficiencies.

Strategies

- A. Cultivate a culture of collaboration.** Collaboration is an institutional value that will unify our large and diverse organization.
- B. Leverage technology, existing systems and platforms to eliminate redundancies and repair process breakdowns.** Identify synergies and develop shared services with other SUS institutions such as the Florida Consortium of Metropolitan Research Universities.
- C. Create a climate of accountability at all levels of the organization.** Identify and address problematic structural silos in order to improve the strategic management of the institution.
- D. Centralize and standardize shared central services to achieve economies of scale.**
- E. Evaluate university fee structures and related costs to ensure the university remains competitive in the market.**
- F. Identify non-mission critical activities and evaluate contracting with third parties to provide those functions.**
- G. Evaluate monetization of university assets to raise the capital investment dollars necessary for the expansion of the university and its future.**

GOAL 2: FIU will institute a focused FIU branding campaign.

Strategies

- A. Implement synchronized, strategic and focused FIU branding campaign to increase constituent engagement.** The university must create a clear, compelling, consistent and powerful identity that will give FIU a competitive advantage. The brand must speak to the qualities that set FIU apart.
- B. Align branding campaign with the ongoing FIU capital campaign.** Leverage the enhanced FIU brand to realize the university's vision for philanthropic transformation.
- C. Understand, define and communicate consistently the FIU brand aspirations or "brand promise."** The definition must be based on the institution's personality and be consistent with institutional behavior. The brand promise must be relevant both to internal and external constituents. Once established, the brand promise will be operationalized and delivered consistently throughout the entire institution.
- D. Continuously and strategically highlight FIU "experts" and be nimble enough to capitalize on trending issues.**

GOAL 3: Enhance the Next Horizon comprehensive capital campaign. Philanthropic gifts are made to people and programs at institutions where they can make the most impact. Successful completion of the campaign will require a collective effort. Preeminent programs and faculty cluster hires can strategically raise the profile of an institution and attract philanthropy to it and many other areas.

Strategies

- A. Increase endowed funds to provide a sustainable source of support for the university.** These investments are structured so that the corpus remains intact while generating spendable earnings in perpetuity. Endowments will support:
 - Scholarships. Endowed scholarships generate sustainable support for students and may be based on need or merit. To ensure that endowed scholarships make an immediate impact, the university must increasingly ask for a portion of endowed investments to be allocated for immediate support as the corpus grows. The need to attract top students and facilitate access to an FIU degree is of the utmost importance to our academic community.
 - Preeminent programs and research. As determined by FIU's academic leadership, endowed support for our preeminent programs and research ensures sustainable funding for the initiatives that will globally elevate the FIU brand.
 - Faculty and staff. Endowment opportunities will enable the university to recruit and retain faculty and staff of the highest quality, including deans, chairs, professors, fellows and post-doctoral support.
- B. Capital funds will support the construction and enhancement of facilities across the university.** In order to remain competitive, renovations and additional construction due to new program requirements, increases in enrollment and the need to upgrade technology within buildings will require significant resources.

- C. **Operating funds will provide immediate support to meet the greatest needs of the university.** Investments in operating funds will include unrestricted gifts, annual gifts, sponsorships and Athletics support.
- D. **Create and sustain a culture of philanthropic investments in FIU as outlined by the strategies below:**
- Engage in ongoing assessments to ensure wherever possible that FIU priorities align with fundraising potential.
 - Ensure that case statements being written by university entities and overseen by University Advancement and campaign counsel Marts & Lundy align with the FIU brand and reflect, in part, those programs that have been identified as preeminent.
 - Ensure that colleges, schools, academic units, museums, centers and Athletics have a completed five-year fundraising plan with goals and metrics to be achieved by 2020. Create plans based on established fundraising priorities and a clear, strategically focused, compelling vision that inspires donors to invest in FIU. Identify and articulate visions for transformation that lead units across the university to preeminence and innovation.
 - Standardize donor relations, recognition and prospect clearance across FIU.
 - Ensure that the primary function of all volunteer boards is the ability to give and get at an impactful philanthropic level.
 - Engage the university in a discussion at the departmental level on the significance of creating a philanthropic culture and the long-term impact of the capital campaign on FIU.
 - Leverage university-wide special events and tie in fundraising opportunities.
 - Attract, recruit and retain top qualified development professionals, evaluate current compensation models and provide specialized training.

GOAL 4: FIU will develop and implement an incentive-based funding model. The university will work with unit leaders and budget managers to ensure communitywide dialogue, transparency and understanding.

Strategies

- A. **Transition the university budgeting process for Education and General (E&G) funds from the current incremental budgeting model to an incentive-based allocation model to align financial performance more closely with outcomes, increase financial transparency, improve efficiency and increase financial accountability.** Align budget allocations and performance funds to colleges based on outcomes for the Florida Board of Governors, FIU Board of Trustees and other institutional metrics. Leverage faculty/staff attrition to implement a strategic reallocation of human resources.
- B. **Invest resources to significantly improve the collection, production, analysis and dissemination of data to improve the decision-making process based on reliable data.**
- C. **Invest in a university-wide budget and planning tool.** It will be the medium by which the university delivers a transparent budgeting model and provide the necessary data and reports to hold units accountable for financial results. The budget and planning tool will provide unit leads a

consolidated view of all funding sources along with reports with real-time data that will enable them to better manage the unit's funds and make adjustments accordingly.

GOAL 5: FIU will maximize revenues to support growth. Grow enrollment commensurate with student demand and academic capacity by adding more on-line, hybrid, dual enrollment, graduate, transfer and non-resident students.

Strategies

- A. Increase sponsored research in strategic areas that address community needs or solve local and global issues.**
- B. Increase public-private partnerships focused on enhancing the university's mission.**
- C. Refine periodic reviews of centers, institutes and programs to reflect outcome-based productivity and relevance.**
- D. Incentivize, synchronize and streamline innovation and entrepreneurial initiatives including technology transfer.**

IMPLEMENTATION

FIUBeyondPossible2020 proposes great advances and innovations for FIU in the next five years. The plan establishes high expectations and offers a framework and guide for FIU to fulfill these aspirations of future excellence. While the plan includes concrete goals and strategies, it does not include implementation details.

These details will be developed in the following manner:

- A standing strategic plan steering committee will be formed and meet on at least a quarterly basis with the task of assessing and reviewing status reports from each of the implementation committees and recommending course modification as necessary.
- Multiple implementation committees will be formed and co-chaired by academic and administrative leads. Implementation strategies will be prioritized by the steering committee working with the implementation committees.
- Unit strategic plans will align with *FIUBeyondPossible2020*.
- Funding needed to implement *FIUBeyondPossible2020* will be identified from auxiliary and/or foundation funds, returned overhead from contracts, and grants and/or E&G funding.
- Each *FIUBeyondPossible2020* strategy will align with one or more of the critical performance indicator goals.
- Specific annual targets will be set in order to meet the 20 critical performance indicator goals by 2020 as seen in the table below:

Updates on the progress toward achieving the strategic plan's goals will be communicated with the university community annually.

As we begin the next phase of *FIUBeyondPossible2020* – implementation – we call upon all of the university's stakeholders, including faculty, staff, students, alumni, our political leaders, the Board of Governors, the business and philanthropic communities and others to join us in creating a future worthy of our great university – a future that is truly Worlds Ahead.

Table 1

20 Critical Performance Indicator Goals

2014	Performance Indicator	2020
79%	FTIC 2-year retention with GPA above 2.0	90%
53%	FTIC 6-year graduation rate	70%
64%	AA transfer 4-year graduation rate	70%
68%	Percent bachelor's degrees without excess hours	80%
\$26K	Average cost per bachelor's degree	\$20K
77%	Percent of bachelor's graduates employed full-time or in continuing education	80%
\$36K	Median wage of bachelor's graduates	\$40K
46%	Bachelor's degrees in strategic areas	50%
52%	Graduate degrees in strategic areas	60%
6,219	Bachelor's degrees awarded to minorities	7,200
1,982	Number of First Gen graduates	2,300
4,637	Number of students participating in internships	6,000
159	Research doctoral degrees per year	200
83	Research staff/post-doctoral Fellows	129
2	Number of patents per year	20
2:8	Number of startups-AUTM:SBDC definitions	5:20
\$176M	Private gifts - overall endowment	\$300M
\$53M	Private gifts - annual gifts	\$70M
\$197M	Auxiliary revenue per year	\$240M
\$20M	Auxiliary operating income	\$25M
\$133M	Research expenditures	\$200M
\$107M	S&E expenditures	\$165M
54,000	Total number of FIU students enrolled	65,000
67:8:25	Mode of delivery (face-to-face:hybrid:online)	30:30:40

ACKNOWLEDGMENTS

President Mark B. Rosenberg

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Agenda Number: 6.2

Title: New Proposed Overarching Regulation: FIU-105 Prohibited Discrimination, Harassment and Related Misconduct Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking [AP2]

Date: March 26, 2015

Proposed Board Action:

Approve Regulation FIU-105 Prohibited Discrimination, Harassment and Related Misconduct Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking; Repeal regulation FIU-103 Non-Discrimination Policy and Discrimination Compliant Procedures; and repeal regulation FIU-104 Sexual Harassment.

Background Information:

In response to changes in the law of Title IX (prohibition of sexual violence) and the Violence Against Women Act (prohibits sexual violence, dating violence, domestic violence, and stalking), Regulation FIU-105 was created as a comprehensive system to address these types of misconduct engaged in by students or employees. Because existing regulations FIU-103 and 104 contain overlapping and now outdated requirements, these regulations are being repealed.

These regulations are being repealed and Regulation FIU-105 is being promulgated pursuant to: Florida Board of Governors regulation 1.001(5)(a) which provides for each boards of trustees to establish "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)(j)(l) which provides 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.

SUMMARY
Proposed FIU Regulation on Discrimination,
Harassment and Related Misconduct

A new regulation, entitled “Prohibited Discrimination, Harassment and Related Misconduct Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking” (the “Prohibited Discrimination Regulation”), has been posted for consideration by the BOT at its March meeting. This comprehensive regulation consolidates 2 existing regulations: FIU-103 Non-Discrimination Policy and Discrimination Complaint Procedures and FIU-104 Sexual Harassment, and includes additional components to address changes in the law – specifically, requirements from (1) the US Department of Education regarding Title IX, and (2) the federal Violence Against Women Act (VAWA) and related regulations. Note that the final VAWA regulations become effective July 2015.

Beyond reviewing the laws and related regulatory guidance, the University of North Carolina at Chapel Hill (UNC-Chapel Hill) Title IX/VAWA policy was evaluated in putting together this new FIU regulation. UNC-Chapel Hill dedicated a high level resources and effort to this endeavor as a result of being under three OCR investigations of alleged Title IX violations. As part of the policy drafting, UNC-Chapel Hill hired the Chief Regional Counsel from the OCR office in Washington, D.C., to serve as its Title IX Coordinator. He was instrumental in drafting the policy.

Overview of Changes in the Law:

From US Department of Education Dear Colleague Letters in the area of Title IX, specifically in the area of sexual violence, the following are required or recommended to be implemented:

- ☐ Dissemination of a notice of non-discrimination
- ☐ Designation of a Title IX Coordinator
- ☐ Adoption of appropriate grievance procedures to provide for prompt and equitable resolution of a sex discrimination complaint when a student is involved by:
 - Providing interim protective measures to the alleged victim
 - Using the preponderance of the evidence standard when evaluating these reports
 - Providing the alleged victim and perpetrator similar and timely access to information
 - Having a grievance procedure that specifies timelines. According to the US Department of Education, investigations typically take 60 days but can vary depending on the complexity.
 - If there is an appeals process, affording the alleged victim and perpetrator the same rights.
- ☐ Provide training to all involved in the grievance process (e.g., Title IX Coordinator, investigators, adjudicators)
- ☐ Provide training to employees on how to report sexual violence complaints
- ☐ Take immediate action to address sexual violence and its effects as well as prevent retaliation

From VAWA, the following is required to be implemented (many are the same/similar as the US DOE requirements described above):

- ☐ Adds sexual violence, domestic violence, dating violence, and stalking to the Clery crimes
- ☐ Provides definitions for the relevant terms
- ☐ Adds national origin and gender identity to hate crimes
- ☐ Requires the adoption of policies to address and prevent campus sexual violence
- ☐ Requires that institutional policies include a statement as to the standard of evidence used in investigating and/or disciplining, as necessary, behavior that would constitute sexual assault, domestic violence, dating violence, and/or stalking

- ☐ Requires that institutional officials who conduct proceedings to address these incidents be trained on how to investigate and conduct hearings that “protect the safety of victims” and “promotes accountability”
- ☐ Requires that institutional policies identify sanctions or protective measures imposed following a determination of the commission of rape, acquaintance rape, domestic violence, dating violence, sexual assault and/or stalking
- ☐ Requires that alleged victims and perpetrators be entitled to the same opportunities to be present during disciplinary proceedings, etc. involving a complaint under VAWA
- ☐ Requires alleged victims and perpetrators be notified “simultaneously” in “writing” of the outcome of the proceeding, appeals procedure, any change to the result before it becomes final, and when the result becomes final
- ☐ Requires that institutional policies address victim’s confidentiality, including recordkeeping
- ☐ Imposes the requirement to offering training to both the incoming employees and students as well having an ongoing campaign of awareness for existing employees and students

Key Components included in the Proposed Regulation:

- ☐ Included provisions to address the changes in law described above
- ☐ Included gender expression to the non-discrimination statement to address the changing landscape of this area
- ☐ Added the following concepts to provide clarity needed to implement the legal requirements:
 - Consent (to sexual relationships)
 - Incapacitation (which would mean that someone does not have the capacity to consent to sexual relationships)
 - Who is a responsible employee for purposes of reporting violations involving sexual misconduct, domestic violence, dating violence, and/or stalking
 - Renamed the accused employee or student as the Responding Party to make the term sound less judgmental
 - Renamed the victim as the Reporting Party to make the term less offensive to this community

Key Provisions Retained from the original FIU regulations:

- ☐ Noted that the University is committed to the principles of academic freedom but that conduct that is sufficiently severe to interfere with an individual’s ability to participate in employment or educational programs is discrimination and is prohibited
- ☐ The scope of the regulation to apply to on and off-campus activities
- ☐ Noted that the University discourages amorous or sexual relations between employees (i.e., faculty and staff) and students
 - Included the qualifier that FIU strongly discourages such relationships
 - Made it clearer that it is prohibited for an individual to evaluate (including academic evaluations) or supervise another person with whom he or she is having an amorous or sexual relationship
 - The addition of the term direct supervising relationship was included
 - Included language to allow a division, college, or department to create a stronger policy if desired

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION**

REGULATION TITLE: Prohibited Discrimination, Harassment and Related Misconduct Including Sexual and Gender-Based Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking

REGULATION NO.: FIU-105

SUMMARY OF THE REGULATION: The Regulation provides for a comprehensive method of addressing discrimination and harassment, among the changes, bringing the University into compliance with the recent changes in the law as set forth in the Violence Against Women Act and related guidance issued by the Department of Education for Title IX and combining two existing regulations in the areas of sexual harassment and non-discrimination. The proposed regulation will replace the FIU-103 Non-discrimination Policy and Discrimination Complaint Procedures and FIU-104 Sexual Harassment.

TEXT OF REGULATION: The full text of the Proposed Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://regulations.fiu.edu>. If you would like a copy of the proposed Regulation, please contact Eli Deville, Special Assistant to General Counsel, Office of the General Counsel, devillee@fiu.edu (305) 348-2103.

AUTHORITY: Board of Governors regulation 1.001(5)(a).

NAME OF PERSON INITIATING PROPOSED REGULATION: Jaffus Hardrick, Vice President of Human Resources and Vice Provost for Student Access & Success

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

THE CONTACT PERSON REGARDING THIS REGULATION IS: Eli Deville, Special Assistant to General Counsel, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199. Email: devillee@fiu.edu. Phone: 305-348-2103, Fax: (305) 348-3272.

DATE OF PUBLICATION: February 23, 2015

THE FULL TEXT OF THE PROPOSED REGULATION IS PROVIDED BELOW:

FIU-105 REGULATION ON PROHIBITED DISCRIMINATION, HARASSMENT AND RELATED MISCONDUCT INCLUDING SEXUAL AND GENDER-BASED HARASSMENT, SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING

Responsible University Officer: Title IX Coordinator

Responsible Office: Equal Opportunity Programs and Diversity

- I. Policy Statement
- II. Scope and Applicability
- III. Definitions
- IV. Prohibited Conduct
- V. Reporting Options
- VI. Interim Protective Measures Available Through the University
- VII. Investigation and Resolution of a Report of a Potential Violation of This Regulation
- VIII. Additional Resources
- IX. Retaliation Prohibited
- X. Education and Prevention Programs
- XI. Annual Review
- XII. Contacts

I. POLICY STATEMENT

Florida International University (FIU or the University) affirms its commitment to ensure that each member of the University community shall be permitted to work or study in an environment free from any form of illegal discrimination based on race, color, religion, age, disability, sex (including sexual misconduct), sexual orientation, gender identity or expression, national origin, marital status, veteran status, and/or any other legally protected status (collectively referred to as Protected Status¹). The University recognizes its obligation to work towards a community in which diversity is valued and opportunity is equalized.

The University recognizes that discrimination and/or harassment based on a Protected Status undermines the integrity of the academic and work environment. All members of the University community should be able to work and/or learn in an atmosphere free from discrimination and/or harassment; and the University is committed to addressing conduct that violates these standards. The University encourages all community members to take reasonable and prudent actions to prevent or stop Prohibited Conduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement, or seeking assistance from a person in authority. Community members who chose to exercise this responsibility will be supported by the University and protected from Retaliation. It is the particular responsibility of those members of the University community who hold positions of authority over others to avoid actions that are, or can be considered, a violation of this Regulation or as unprofessional.

This Regulation prohibits all forms of Discrimination and Harassment based on Protected Status. It expressly, therefore, prohibits Sexual Violence and Sexual Exploitation, which by definition involves conduct of a sexual nature and is prohibited form of Sexual or Gender-Based Harassment. This Regulation further prohibits Dating Violence, Domestic Violence and/or Stalking, which does

¹ Any word or phrase that is capitalized is a defined term and is contained in the Section III Definitions.

not need to be based on an individual's Protected Status to be prohibited under this Regulation. Finally, this Regulation prohibits Complicity for knowingly assisting in an act that violates this Regulation and Retaliation against an individual because of his or her good-faith participation in the reporting, investigation, or adjudication of violations of this Regulation. University students and employees who violate this Regulation may face discipline up to and including expulsion or termination.

To foster a climate that encourages prevention and reporting of Discrimination, Harassment, and related misconduct, the University will actively promote prevention efforts, educate the community, respond to all reports promptly, provide Interim Protective Measures to address safety and emotional well-being, and act in a manner that recognizes the inherent dignity of the individuals involved.

The University is committed to the principles of free inquiry and expression. Vigorous discussion and debate are fundamental to this commitment, and this Regulation is not intended to restrict teaching methods or freedom of expression, nor will it be permitted to do so. Offensiveness of conduct, standing alone, is not sufficient for the conduct to constitute prohibited Harassment. The conduct must be sufficiently severe to interfere with an individual's ability to participate in employment or educational program and activities from both a subjective and objective perspective. Prohibited Conduct under this Regulation is not a proper exercise of academic freedom and may not be legally protected expression. On the contrary, Prohibited Conduct compromises the University's integrity as well as its tradition of intellectual freedom.

II. SCOPE AND APPLICABILITY

This Regulation applies to the conduct of University students and employees, including faculty and staff. The non-discrimination provisions also apply to contractors and other third parties under circumstances within the University's control. The Regulation provides for the prompt and equitable resolution of reports of Discrimination, Harassment, and related misconduct.

This Regulation applies to all Prohibited Conduct that occurs on campus. It also applies to Prohibited Conduct that occurs off campus, including online or electronic conduct, if: the conduct occurred in the context of an employment or education program or activity of the University, had continuing adverse effects on campus, or had continuing adverse effects in an off-campus employment or education program or activity. Examples of covered off-campus conduct include athletic competitions, University-sponsored study abroad, research, or internship programs. In determining whether the University has jurisdiction over off campus conduct that is not part of an educational program or activity of the University, the Title IX Coordinator/Director of the Equal Opportunity Programs/Diversity Office will consider the seriousness of the alleged conduct, the risk of harm involved, whether both parties are members of the campus community, and/or whether the off campus conduct is part of a series of actions that occurred both on and off campus.

Regardless of where the conduct occurred and with whom, the University will offer resources and assistance to community members who are subject to Prohibited Conduct. The University will also assist the Reporting Party in identifying and contacting external law enforcement agencies and community resources, as desired.

DEFINITIONS

- A. **Reporting Party** is defined as any individual who may have been the subject of any Prohibited Conduct by an individual or organization covered under the Regulation regardless of whether the Reporting Party makes a report or seeks action under the Regulation.
- B. **Responding Party** is defined as any individual who has been accused of violating the Regulation.
- C. **Protected Statuses** is defined as certain characteristics possessed by an individual that have been afforded protection by law, such as age, color, creed, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, or veteran status.
- D. **Age** is defined as the number of years from the date of a person's birth. With respect to employment, individuals who are forty (40) years of age or older are protected from Discrimination and Harassment. There is no age threshold for students or other participants in educational programs or activities.
- E. **Color** is defined as an individual's skin pigmentation, complexion, shade, or tone.
- F. **Creed** is defined as a well-formed and thought-out set of beliefs held by more than one individual, which may not necessarily involve belief in a supreme being. The University will accommodate an individual's observances and practices required by their creed unless it is unable to reasonably accommodate an individual's creed-required observance or practice without undue hardship.
- G. **Disability** is defined as any person who has a physical or mental impairment that substantially limits one or more major life activities; or has a record of such impairment; or is regarded as having such impairment. A qualified person with a disability must be able to perform the essential functions of the employment or the academic, athletic, or extra-curricular program, with or without reasonable accommodation.
- H. **Gender** is defined as an individual's socially constructed status based on the behavioral, cultural, or psychological traits typically associated with societal attribution of masculinity and femininity, typically related to one's assigned sex at birth.
- I. **Gender Expression** is defined as how someone expresses gender through appearance, behavior, or mannerisms. A person's Gender Expression may or may not be the same as the Gender Identity or Gender.
- J. **Gender Identity** is defined as the Gender with which an individual identifies psychologically regardless of what Gender was assigned at birth.
- K. **Genetic Information** is defined as the information about (i) an individual's genetic tests, (ii) the genetic tests of family members of such individual, and (iii) the manifestation of a disease or disorder in family members of such individual. Genetic Information includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research that includes genetic services by such individual or any family member of such individual.
- L. **National Origin** is defined as an individual's actual or perceived country or ethnicity of

origin.

M. ***Race*** is defined as an individual's actual or perceived racial or ethnic ancestry or physical characteristics associated with a person's race, such as a person's color, hair, facial features, height, and weight.

N. ***Religion*** is defined as all aspects of religious observance and practice as well as belief.

O. ***Sex*** is defined as an individual's biological status of male or female, including pregnancy. Conduct of a sexual nature is by definition based on Sex as a Protected Status.

P. ***Sexual Orientation*** is defined as the inclination or capacity to develop intimate emotional, spiritual, physical, and/or sexual relationships with people of the same Sex or Gender, a different Sex or Gender, or irrespective of Sex or Gender.

Q. ***Veteran's Status*** is defined as disabled veterans, special disabled veterans, Veterans of the Vietnam era, and other protected Veterans as defined by federal and state law.

R. ***Prohibited Conduct*** is defined as misconduct based on any form of Discrimination and Harassment based on a Protected Status and Domestic Violence, Dating Violence, Stalking, Complicity, and Retaliation.

S. ***Sexual or Gender-Based Harassment*** is defined as those incidents that are sufficiently pervasive, persistent, or severe that a reasonable person would be adversely affected to a degree that interferes with his/her ability to participate in or to realize the intended benefits of a University activity, employment, or resources.

Sexual or Gender-Based Harassment includes

(1) unwelcome sexual advances, requests for sexual favors and other verbal, physical, or electronic conduct of a sexual nature that creates a hostile, intimidating, or abusive environment;

(2) verbal, physical, or electronic conduct based on Sex, Gender, Sexual Orientation, or sex-stereotyping that creates a hostile, intimidating, or abusive environment, even if those acts do not involve conduct of a sexual nature; or

(3) exhibiting what is perceived as a stereotypical characteristic for one's Sex or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived Sex, Gender, Sexual Orientation, Gender Identity, or Gender Expression of the individuals involved.

T. ***Sexual Assault² or Sexual Violence*** is defined as forms of Sexual or Gender-Based Harassment that involve having or attempting to have Sexual Contact with another individual without Consent.

U. ***Sexual Exploitation*** is defined as a form of Sexual or Gender-Based Harassment that involves one or more of the following behaviors committed for any purpose, including sexual arousal or gratification, financial gain, and/or other personal benefit:

(1) taking sexual advantage of another person without Consent;

(2) taking advantage of another's sexuality; or

² The following terms included in this definitional section also have corresponding Florida statutory definitions because the behavior may constitute a crime: sexual assault, sexual exploitation, dating violence, domestic violence, stalking, aggravated stalking, and sexual assault. Some Florida criminal statutes overlap with the definitions contained in the Regulation and some may provide greater protection. The noted Florida criminal statutes may be found [here](#).

(3) extending the bounds of consensual Sexual Contact without the knowledge of the other individual.

Examples of Sexual Exploitation include, but are not limited to:

- threatening to disclose an individual's Sexual Orientation, Gender Identity, or Gender Expression;
- observing another individual's nudity or Sexual Contact, or allowing another to observe the same, without the knowledge and Consent of all parties involved;
- non-consensual streaming of images, photography, video, or audio recording of Sexual Contact or nudity, or distribution of such without the knowledge and/or Consent of all parties involved;
- prostituting another individual;
- knowingly exposing another individual to a sexually transmitted infection, without the individual's knowledge and/or Consent;
- knowingly failing to use contraception without the other party's knowledge and/or Consent; and
- inducing Incapacitation for the purpose of taking sexual advantage of another person.

V. **Sexual Contact** is defined as the intentional touching or penetration of another person's clothed or unclothed body, including but not limited to the mouth, neck, buttocks, anus, genitalia, or breast, by another with any part of the body or any object in a sexual manner. Sexual Contact also includes causing another person to touch their own or another's body in the manner described above.

W. **Consent** is defined as an affirmative act or statement by each person that is informed, freely given and mutually understood.

- It is the responsibility of each person involved in any sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity.
- Consent must be ongoing throughout a sexual activity and can be revoked at any time.
 - Within each sexual encounter, there may be separate individual sexual acts involved, and consent to one act by itself does not constitute consent to another act.
- Lack of protest or resistance does not mean consent, nor does silence mean consent has been granted.
- The existence of a dating relationship between the persons involved, or the fact of past sexual relations, should never by itself be assumed to be an indicator of consent for any current or future sexual encounter.
- If Coercion or Force is used, there is no consent.
- If a person is mentally or physically incapacitated so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes but is not limited to conditions due to age, alcohol or drug consumption.
 - Someone under 16 years of age cannot consent to sexual activity regardless of the age of the other person. Someone who is at least 16 years of age but less than 18

years of age cannot consent to sexual activity if the other person is 24 years of age or older.

- Whether one has taken advantage of a position of influence over another may be a factor in determining consent.

X. **Coercion or Force** is defined to include conduct, intimidation, and/or express or implied threats of physical, emotional, or financial harm that would reasonably place an individual in fear of immediate or future harm and that is employed to persuade or compel someone to engage in Sexual Contact.

Examples of Coercion or Force include

- causing the deliberate Incapacitation of another person;
- conditioning an academic benefit or employment advantage on submission to the Sexual Contact;
- threatening to harm oneself if the other party does not engage in Sexual Contact; or
- threatening to disclose an individual's Sexual Orientation, Gender Identity, Gender Expression, or other personal sensitive information if the other party does not engage in the Sexual Contact.

Y. **Incapacitation** is defined as a temporary or permanent state in which a person cannot make informed, rational judgments because the person lacks the physical or mental capacity to understand the nature or consequences of his or her words and/or conduct and/or the person is unable to physically or verbally communicate consent.

Z. **Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party. The existence of such a relationship shall be determined based on the Reporting Party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purpose of this definition—

- (1) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (2) Dating violence does not include acts covered under the definition of domestic violence.

Z. **Domestic violence** is defined as (1) A felony or misdemeanor crime of violence committed—

- (1) By a current or former spouse or intimate partner of the Reporting Party;
- (2) By a person with whom the Reporting Party shares a child in common;
- (3) By a person who is cohabitating with, or has cohabitated with, the Reporting Party as a spouse or intimate partner;
- (4) By a person similarly situated to a spouse of the Reporting Party under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- (5) By any other person against an adult or youth Reporting Party who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

AA. **Stalking** is defined as (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress. (ii) For the purposes of this definition--(A)

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Reporting Party.

BB. **Complicity** is defined as any act that knowingly aids, facilitates, promotes, and/or encourages the commission of Prohibited Conduct by another person.

CC. **Retaliation** is defined as acts or words taken against an individual because of the individual's participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Protected activity includes an individual's good faith: (i) participation in the reporting, investigation, and/or resolution of an alleged violation of this Regulation; (ii) opposition to policies, practices, and/or actions that the individual reasonably believes are in violation of the Regulation; or (iii) requests for accommodations on the basis of religion or disability. Retaliation may include intimidation, threats, Coercion, physical harm, or adverse employment or educational actions. Retaliation may be found even when an underlying report made in good faith was not substantiated. Retaliation may be committed by the Responding Party, the Reporting Party, or any other individual or group of individuals.

DD. **Title IX Coordinator** is defined as the individual who oversees FIU's response to reports and complaints that involve sexual violence, dating violence, domestic violence, and/or stalking, who monitors the outcomes, identifies and addresses any patterns, and assesses the effects on the campus climate so the University can address such issues that affect the wider school community.

EE. **Interim Protective Measures** is defined as those temporary actions taken by the University to ensure equal access to its education programs and activities and to foster a more stable and safe environment during the process of reporting, investigating, and/or disciplining, if appropriate, a violation of this Regulation.

FF. **Responsible Employee** is defined as any employee who has the authority to take action to redress sexual violence, domestic violence, dating violence and/or stalking; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or who has been designated as Campus Security Authority.

GG. **Campus Security Authorities** is defined as those University employees who have a duty of reporting incidents of behavior that may constitute a Clery Crime to the Clery Coordinator (e.g., members of the University Police Department and those officials with significant responsibility for student and campus activities). An official with significant responsibility for student and campus activities is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Examples of Campus Security Authorities include:

- the Dean of Students
- the Director of Campus Life
- any Residential Life professionals (e.g., Resident Advisor)
- staff at the Office of Student Conduct and Conflict Resolution who oversee the student conduct process
- the athletic coaches
- a faculty advisor to a student organization

HH. *Clery Crimes* are defined as:

(i) Primary crimes include

(A) Criminal homicide (i.e., murder, non-negligent manslaughter, negligent manslaughter)

(B) Sex offenses (i.e., rape, fondling, incest, statutory rape)

(C) Robbery

(D) Aggravated assault

(E) Burglary

(F) Motor vehicle theft, and

(G) Arson

(ii) Arrests and referrals for disciplinary actions, including (A) arrests for liquor law violations, drug law violations, and illegal weapons possession. (B) Persons not included

(ii)(A) above but were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

(iii) Hate crimes including

(1) Larceny-theft

(2) Simple assault

(3) Intimidation, and

(4) Destruction/damage/vandalism of property.

To constitute a hate crime, it must appear that the Reporting Party was intentionally selected because of the perpetrator's bias against the Reporting Party. Bias includes the Reporting Party's actual or perceived Race, Religion, Gender, Gender Identity, Sexual Orientation, Ethnicity, National Origin, and Disability, and

(iv) Dating violence, domestic violence, and stalking

II. *Response Team* is defined as a group of designated individuals who respond to a report of sexual misconduct, dating violence, domestic violence, and/or stalking.

JJ. *Minor* is defined as a person who is under the age of 18 years old.

KK. *Preponderance of the Evidence* is defined as when the information that is presented supports a finding that it is more likely than not that a violation occurred.

III. PROHIBITED CONDUCT

A. Discrimination and Harassment Based on All Protected Statuses Prohibited

This Regulation prohibits all forms of Discrimination and Harassment based on an individual's Protected Status, including, Age, Color, Creed, Disability, Gender, Gender Expression, Gender Identity, Genetic Information, National Origin, Race, Religion, Sex, Sexual Orientation, Veteran's Status and/or any other legally protected status. In addition, this Regulation prohibits related misconduct, including Domestic Violence, Dating Violence, Stalking, Complicity, and/or Retaliation.

This Regulation prohibits Discrimination, meaning any unlawful distinction, preference, or detriment to an individual as compared to others that is based on an individual's Protected Status and that is sufficiently serious to unreasonably interfere with or limit:

- An employee's or applicant for employment's access to employment or conditions and benefits of employment (e.g., hiring, advancement, assignment); or
- A student's or admission applicant's ability to participate in, access, or benefit from educational programs, services, or activities (e.g., admission, academic standing, grades, assignment, campus housing).

Discrimination includes failing to provide reasonable accommodations, consistent with state and federal law, to a qualified person with a disability.

This Regulation prohibits Harassment, which is a type of Discrimination that occurs when verbal, physical, electronic, or other conduct based on an individual's Protected Status interferes with that individual's (a) educational environment (e.g., admission, academic standing, grades, assignment); (b) work environment (e.g., hiring, advancement, assignment); (c) participation in a University program or activity (e.g., campus housing); and/or (d) receipt of legitimately requested services (e.g., disability or religious accommodations), thereby creating hostile environment harassment or quid pro quo harassment, as defined below.

Hostile environment harassment: Unwelcome conduct based on Protected Status that is so severe, persistent, or pervasive that it alters the conditions of education, employment, or participation in a University program or activity, thereby creating an environment that a reasonable person in similar circumstances and with a similar identity would find hostile, intimidating, or abusive. An isolated incident, unless sufficiently severe, does not amount to hostile environment harassment.

Quid pro quo harassment: Unwelcome conduct based on Protected Status where submission to or rejection of such conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education, employment, or participation in a University program or activity.

Consistent with the definitions provided above, below are examples of conduct that constitutes Discrimination and Harassment:

- May be blatant and involve an overt action, threat, or reprisal; or may be subtle and indirect, with a coercive aspect that is unstated but implied.
- May or may not include intent to harm.
- May not always be directed at a specific target.
- May be committed by anyone, regardless of Protected Status, position, or authority. While there may be a power differential between the Reporting Party and the Responding Party (perhaps due to differences in age or educational, employment, or social status), Discrimination and Harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the Reporting Party has a current or previous relationship, including a romantic or sexual relationship.
- May be committed by or against an individual or by or against an organization or group.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting.
- May be a pattern of behavior or, if sufficiently severe, a one-time event.
- May be committed in the presence of others when the Reporting Party and Responding Party are alone, or through remote communications, including email, text messages, or social media.
- May take the form of threats, assault, property damage, economic abuse, and violence or threats of violence.
- May include harassing or retaliatory behavior directed to a sexual or romantic partner, family member, friend, or pet of the Reporting Party.

The University strongly discourages amorous or sexual relations between employees (i.e., faculty and staff) and students. Such relationships, even when consensual, may be exploitive, and imperil the integrity of the educational process or work environment. They may also lead to charges of Sexual Harassment.

However, when an individual evaluates (including academic evaluations) or directly supervises another individual with whom he or she has an amorous or sexual relationship, a conflict is created and that is Prohibited Conduct. The University will take action to resolve any conflict of interest created by these relationships.

Whenever a conflict of interest situation arises or is reasonably foreseen, the employee in a position of authority must resolve any potential conflict of interest by taking necessary steps, including, but not limited to, removing himself or herself from evaluative or academic decisions concerning the other individual. If he or she is unable to resolve personally the conflict of interest, he or she is required to inform the immediate supervisor promptly and seek advice and counsel in dealing with the conflict. The employee, along with the supervisor, is responsible for taking steps to ensure unbiased supervision or evaluation of the employee or student. Failure to resolve potential or actual conflict of interest situations as described in this Regulation may result in disciplinary action in accordance with University policies.

This Regulation does not preclude a division, college, or department from having a stronger policy against amorous or sexual relationship between employees or between faculty and/or staff with students provided that the policy is approved following the procedure set forth in University Policy 150.205 Developing University-Wide Policies.

B. SEXUAL ASSAULT, SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING ARE PROHIBITED FORMS OF DISCRIMINATION

Just as the University's prohibition of discrimination based on Protected Status (including Sexual Assault as a form of Sexual Harassment) is grounded in federal law, so is its prohibition against Domestic Violence, Dating Violence, and Stalking. The University's response to Sexual Assault, Sexual Violence, Domestic Violence, Dating Violence, and Stalking is governed by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C. § 1092(f) (the Clery Act) and Section 304 of the 2013 Amendments to the Violence Against Women Act. Such acts violate the essential dignity of our community member(s) and are contrary to our institutional values. The University is committed to taking all appropriate steps to eliminate Sexual Assault, Sexual Violence, Domestic Violence, Dating Violence and Stalking; prevent the recurrence of such acts; and address their effects, both for the Reporting Party and the broader community. The University recognizes that Sexual Assault, Sexual Violence, Domestic Violence, Dating Violence, and Stalking encompass a broad spectrum of conduct and will respond according to both the severity of the offense and the threat it poses to the campus community.

IV. REPORTING OPTIONS

The University is committed to providing reporting options through multiple contact points across campus that are broadly accessible to all University community members. Any individual can make a report under this Regulation to the individuals or to the individuals/departments listed below. The report may be made in person, by telephone, in writing, by e-mail, electronically, or anonymously. All reports will be shared with the Title IX Coordinator and University's Response Team. If the report involves a Minor, the Florida Department of Children and Families will be contacted as required by Florida Statutes Sections 39.201 and 39.205 and the University Mandatory Reporting of Child Abuse, Abandonment, and Neglect policy (see <http://policies.fiu.edu/files/785.pdf>).

REPORTING OPTIONS

Below is a list of University employees to which someone could report.

<u>Shirlyon McWhorter</u> <u>Title IX Coordinator</u> <u>Director, Equal Opportunity Programs and Diversity</u> <u>PC215 Phone: (305) 348-2785</u> <u>E-Mail: eopd@fiu.edu</u>	<u>Kristen Kawczynski</u> <u>Deputy Title IX Coordinator</u> <u>Director, Student Conduct and Conflict Resolution</u> <u>GC311A Phone: (305) 348-3939</u> <u>E-Mail: kristen.kawczynski@fiu.edu</u>
<u>Julie Berg</u> <u>Deputy Title IX Coordinator</u> <u>Senior Associate Athletic Director</u> <u>USCBA 202A Phone: (305) 348-2352</u> <u>E-Mail: julie.berg-Mc_Graw@fiu.edu</u>	<u>Larry Lunsford</u> <u>Vice President of Student Affairs</u> <u>GC219K Phone: (305) 348-2797</u> <u>E-Mail: Larry.Lunsford@fiu.edu</u>
<u>Cathy Akens</u> <u>Associate Vice President of Student Affairs</u> <u>Dean of Students</u> <u>GC219E Phone: (305) 348-6726</u> <u>E-Mail: Catherine.Akens@fiu.edu</u>	<u>Karyn Boston</u> <u>University Compliance Officer</u> <u>Office of University Compliance and Integrity</u> <u>PC429 Phone: (305) 348-2216</u> <u>E-Mail: karyn.boston@fiu.edu</u>

Below is a list of web-based reporting options.

<u>Silent witness which provides confidential reporting to the FIU Police Department:</u> <u>http://police.fiu.edu/Silent_Witness.php</u>	<u>Maxient reporting which provides confidential reporting to Student Affairs:</u> <u>https://publicdocs.maxient.com/incidentreport.php?FloridaIntlUniv</u>
<u>FIU Ethical Panther line which provides confidential reporting to the University Compliance Office at</u> <u>www.convercent.com/report or by calling 1-844-312-5358.</u>	

In determining to whom to report, it is important that the Reporting Person understand the consequences of making such a report.

A. University Employees Who Must Report Violations

The University employees who are obligated by law or by University designation to report potential violations of this Regulation are those who are Responsible Employees and Campus Security Authorities. Examples of Responsible Employees include Deans, Directors, Department Chairs, Coaches, Student Affairs professionals (including Resident Advisors), and faculty who serve as advisors to student groups. Members of the University Police Department are also Responsible Employees. Responsible Employees will safeguard an individual's privacy, but are **required** by the University to immediately share all details about a report of Prohibited Conduct (including the known details of the incident (e.g., date, time, location), the names of the parties involved, a brief description of the incident and whether the incident has been previously reported) with the Title IX Coordinator in person, by telephone, electronically, or by email. Such reporting ensures timely support for all parties and enables an effective and consistent institutional response.

Campus Security Authorities must share all known details of an incident which may constitute a Clery Crime, consistent with the expectations for Responsible Employees with the Clery Act Coordinator and the Title IX Coordinator. The Clery Act Coordinator is responsible for maintaining the University's daily crime log and annual security report which contains information on certain crimes but no identifying information with respect to a Reporting Party.

B. Other Individual's Reporting Obligation (Except Confidential Resources)

All other employees (who are not designated as confidential resources) will safeguard an individual's privacy, but are **strongly encouraged** to share any information about such conduct with the Title IX Coordinator and/or a member of the Response Team in recognition of the understanding that centralized reporting is an important tool to address, end and prevent Prohibited Conduct.

Similarly, all **students** (who are not otherwise required to report as a Responsible Employee and/or Campus Security Authority) are **strongly encouraged** to report any information, including reports or partial reports, to the Title IX Coordinator and/or a member of the Response Team.

C. Confidential Resources

The trained professionals designated below can provide counseling, information, and support in a confidential setting. These confidential resources will not share information about an individual (including whether that individual has received services) without the individual's express permission unless there is a threat of serious harm to the patient/client or to others or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a Minor). The on-campus professionals are also available to help an individual make a report to the University.

On Campus:

Victim Empowerment Program (VEP)

Counseling and Psychological Services (CAPS)

MMC | SHC 270

(305) 348-2277

BBC | WUC 320

(305) 919-5305

Office Employee Assistance

[MMC | UHSC136](#)
[BBC | ACII 246B](#)
[\(305\) 348-2469](#)

University Student Health Services

[MMC | SHSC](#)
[\(305\) 348-3336](#)
[BBC | SHSC](#)
[\(305\) 919-5620](#)

[The following individuals serve as an ombudsperson to either the students or faculty. These individuals will protect the confidentiality of the student or faculty member to the extent permitted by law. However, they are considered both a Responsible Employee and Campus Security Authority.](#)

[Tony Delgado Office of the \(Student\) Ombudsperson](#)
[Assistant Dean of Students](#)
[GC219 Phone: \(305\) 348-2797](#)
[E-Mail: Tony.Delgado@fiu.edu](#)

[Barbara Bader](#)
[Faculty Ombudsperson](#)
[Office of the Provost](#)
[PC529 Phone: \(305\) 348-0296](#)

[The following are off-campus providers which provide confidential services. However, these providers have no obligation to report to the University.](#)

JMH Rape Treatment Center
[\(305\) 585-7273](#)

Florida Council Against Sexual Violence Information Line
[1-888-856-RAPE](#)

[For any report under this Regulation, every effort will be made to respect and safeguard the privacy interests and safety of all individuals involved in a manner consistent with the need for a careful assessment of the allegation and any necessary steps to eliminate the conduct, prevent its recurrence, and address its effects. Privacy and confidentiality have distinct meanings under this Regulation.](#)

1. Privacy

[Privacy generally means that information related to a report under this Regulation will only be shared with those University employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. If the decision is made to pursue an action against a Responding Party, information related to the report will be](#)

shared with the Reporting Party at the same time as it is shared with the Responding Party. Information regarding a report will not be shared with either party's parents or guardians unless the party is a Minor (and sharing is permissible under the Family Education Rights and Privacy Act (FERPA)); the party has signed a waiver that is compliant with FERPA; or there is an articulable threat to the health or safety of the party or other individuals.

2. Confidentiality

Confidentiality means that information shared with designated campus or community professionals will only be disclosed with the individual's express written permission unless there is a continuing threat of serious harm to the patient/client or to others or there is a legal obligation to reveal such information (e.g., where there is suspected abuse or neglect of a Minor). An individual can seek confidential assistance and support by speaking with specially designated Confidential Resources.

3. Records

The Equal Opportunity Programs/Diversity Office will maintain records of all reports under this Regulation and their outcomes in order to track patterns and systemic behaviors.

4. Release of Information

If a report of Prohibited Conduct discloses a serious and immediate threat to the campus community, FIU Police Department will issue a timely notification to protect the health or safety of the community as required by the Clery Act. The notification will not include identifying information about a Reporting Party.

Pursuant to the Clery Act and the 2013 Amendments to the Violence Against Women Act, anonymous statistical information regarding reported criminal incidents must be shared with FIU Police Department for inclusion in the daily crime log. This information will also be included in the University's annual security report.

All University proceedings are conducted in accordance with the requirements of Title IX, the Clery Act, the Violence Against Women Act, FERPA, state and local law, and University Regulation. No information, including the identity of the parties, will be released from such proceedings except as required or permitted by law or University Regulation.

5. Understanding the Difference Between Making a Report to the University and Seeking Confidential Assistance Through a Confidential Resource

There is a distinction between making a report to the University such as to a Responsible Employee, Campus Security Authority, or the University Police and seeking confidential assistance through confidential resources. Making a report to the University by contacting one of the groups listed above means that the report will be shared with the Title IX Coordinator and/or members of the University's Response Team. The Title IX Coordinator and/or a University Response Team member will communicate with the Reporting Party regarding resources, support and to identify the appropriate action to respond to the report as outlined in this Regulation. There are many options for resolution of a report, and a Reporting Party is encouraged to make a report even if he or she does not want the University to take action against a Responding Party. The University will make every effort to respect a Reporting Party's autonomy if that is the Reporting

Party's desire. Support and resources are always available to a Reporting Party regardless of the chosen course of action. Notwithstanding the Reporting Party's decision, the University will assess whether it is necessary to take some action to continue to provide a safe and non-discriminatory environment. The University will advise the Reporting Party as necessary.

By contrast, information shared with a Confidential Resource will not be disclosed to anyone else, including the University, except under very limited circumstances. Any individual may choose to seek support from confidential professionals on and off campus, including the staff at the Victim Empowerment Program, the counselors at the University Counseling and Psychological Services Center, medical health providers, clergy, and rape crisis counselors.

D. Mandatory Reporting of Abuse, Abandonment, and Neglect Policy of a Minor

This policy applies to all Florida International University (FIU) faculty, staff, students and volunteers. This policy implements the mandatory reporting obligations in Florida law regarding child abuse, abandonment and neglect. In the State of Florida, any person who knows, or has reasonable cause to suspect, that a Minor is abused, abandoned or neglected must immediately report this information to the Florida Department of Children and Families (DCF) in order that no harm comes to the Minor.

In the course of their employment, research, service and/or academic endeavors, all FIU faculty, staff, students and volunteers are expected to report instances of abuse, abandonment and neglect of a Minor which they know of or have reasonable cause to suspect. FIU strives to create an environment where anyone who knows of, or has reasonable cause to suspect, abuse, abandonment or neglect of a Minor feels empowered to report it without any fear of retaliation. Additionally, any person who knows, or has reasonable cause to suspect, that a Minor is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender must immediately report the information to the DCF. The means to contact DCF are set forth below in the Procedures section outline in the University policy which can be found online at: <http://policies.fiu.edu/files/785.pdf>.

E. The Effect of Making a Report

Making a report to the University means telling a Responsible Employee or Campus Security Authority what happened, in person, by telephone, in writing, by e-mail, electronically, or anonymously. The University encourages a Reporting Party or someone on the Reporting Party's behalf to make a report directly to a Responsible Employee or Campus Security Authority. In turn, these University employees will, as quickly as possible, refer the report to the Title IX Coordinator and/or the Response Team to assure consistent application of this Regulation.

Upon receipt of a report, the Title IX Coordinator and/or the Response Team will conduct an initial assessment of the incident or behavior at issue which includes evaluating the risk of harm to the parties, any other individuals, or the broader campus community; the Reporting Party's desired course of action; and the necessity for any Interim Protective Measures to protect the safety of the Reporting Party, any other individuals, and/or the community. A member of the Response Team will offer appropriate resources to support the Reporting Party and at the conclusion of the initial assessment, determine the appropriate manner of resolution.

The University recognizes that deciding whether to make a report and choosing how to proceed are personal decisions. A Reporting Party does not have to decide whether to request any particular course of action. Choosing to make a report and deciding how to proceed after making a report is a process that unfolds over time. The University will make every effort to respect a Reporting Party's choice, including the desire for autonomy, in making the determination as to how to proceed. Resources are always available to support a Reporting Party regardless of the course of action chosen. All individuals are encouraged to make a report regardless of when or where the incident occurred, and to seek any necessary help from campus or community resources. Notwithstanding the Reporting Party's decision, the University will assess whether it is necessary to take action to continue to provide a safe and non-discriminatory environment. The University will advise the Reporting Party as necessary.

VI. INTERIM PROTECTIVE MEASURES AVAILABLE THROUGH THE UNIVERSITY

When a report is received, the Title IX Coordinator or designee, in consultation with other appropriate administrators, will make an assessment of any risk of harm to the parties, any other individuals, or to the broader campus community and may impose reasonable and appropriate Interim Protective Measures when necessary to protect the safety of the parties or witnesses involved and/or to provide academic or other appropriate support. Interim Protective Measures are temporary actions taken by the University to ensure equal access to its education programs and activities and to foster a more stable and safe environment during the process of reporting, investigating, and/or disciplining, if appropriate, a violation of this Regulation. Because they are temporary in nature, interim protective measures may be amended or withdrawn as additional information is gathered. The Title IX Coordinator or designee, in consultation with other administrators, will maintain consistent contact with the parties so that all safety, emotional, and physical well-being concerns can be reasonably addressed.

Interim Protective Measures may be applied to the Reporting Party, the Responding Party, and/or other involved individuals as appropriate to ensure their safety and well-being. Interim Protective Measures may be requested by the parties or the University at any time, regardless of whether any particular course of action is sought by the Reporting Party. The range of Interim Protective Measures may include:

- Access to counseling services and assistance in setting up initial appointments
- Imposition of a "No-Contact Order" for all or part of any University property
- Rescheduling of exams and assignments
- Providing alternative course completion options
- Change in class schedule, including the ability to drop a course without penalty or to transfer sections
- Change in work schedule or job assignment
- Change in campus housing assignment
- Assistance from University support staff in completing housing relocation, if feasible
- Limiting access to certain University facilities or activities pending resolution of the matter
- Voluntary leave of absence from work in accordance with University policies
- Providing an escort to assure safe movement between classes and activities

- Arranging for medical services
- Providing academic support services, such as tutoring
- University-imposed leave, suspension, or separation for the Responding Party
- Any other feasible measure(s) which can be tailored to the involved individuals to achieve the goals of this Regulation.

All individuals are encouraged to report concerns about the adequacy of the Interim Protective Measures or failure of another individual to abide by any Interim Protective Measure to the Title IX Coordinator. Violations of Interim Protective Measures will be addressed in accordance with this Regulation. The Title IX Coordinator will take appropriate, responsive, and prompt action to enforce Interim Protective Measures and/or to respond to Retaliation by another party or witness.

VII. INVESTIGATION OF A REPORT OF A POTENTIAL VIOLATION OF THIS REGULATION AND RESOLUTION OF AN INVESTIGATION

If, after an initial assessment of a report of a Prohibited Conduct, the Title IX Coordinator determines that an investigation is necessary, the Title IX Coordinator will oversee the investigation. If Reporting Party and the Responding Party are students, the Director of Student Conduct and Conflict Resolution/Deputy Title IX Coordinator will work with the Title IX Coordinator regarding the investigation. All investigations will be conducted in a prompt fashion to determine what occurred and whether steps must be taken to resolve the situation. The investigation phase will be completed within 60 calendar days from the filing of a report or when the University becomes aware of behavior that may be a violation of this Regulation. The parties will be advised of any extension of time as needed to complete the investigation phase.

There may be instances in which a Reporting Party is unable or unwilling to pursue a report of Discrimination, but where the University administration is aware of the behavior. In such instances, the Title IX Coordinator may choose to pursue an investigation of the alleged offense. The decision of whether or not to take further action on a report will be based on an assessment of safety and the maintenance of a non-discriminatory environment.

The investigation may include, but shall not be limited to, interviewing the Reporting Party and the Responding Party regarding the allegations, interviewing other persons who may have information relevant to the allegations, preparing witness statements for all persons interviewed, and reviewing of any relevant documents. Upon completion of the investigation, a report shall be prepared which includes a summary of the complaint, a description of the investigation, and the findings of fact.

A. Resolution of the Investigation When Both Parties are Employees or if the Responding Party is an Employee and the Reporting Party is a Student

If the Reporting Party and Responding Party are employees or if the Responding Party is an employee and the Reporting Party is a student, the investigation report shall be given to the following people at the same time: the Vice President for Human Resources or designee, the Reporting Party, the Responding Party, the immediate supervisor of the Responding Party, and the appropriate vice president or department head for additional action as necessary.

Either party may seek review of the investigation report to the Vice President for Human Resources or a designee by filing an appeal within three (3) calendar days of receipt of the investigation report. The appeal shall be based on one or more of the following: relevant evidence was not reviewed and/or new evidence is available, or the factual evidence was insufficient to support the findings. The appeal shall be in writing and shall set forth the issues to be considered in the appeal. Copies of the appeal shall be provided to the other party. The other party may file a response to the appeal to the Vice President for Human Resources or designee within three (3) days of receipt of the appeal. The Vice President for Human Resources or designee shall issue a written finding within three (3) calendar days after receipt of the appeal, or of a response to the appeal, whichever is later, and will give the report to all parties at the same time. These deadlines may be extended provided all parties mutually agree in writing to the extension.

Upon final acceptance by the Vice President for Human Resources or designee of a written finding that there was a Preponderance of Evidence that an employee violated this Regulation, the Director of Employee Labor and Relations Department, the immediate supervisor of the Responding Party, and the Title IX Coordinator will determine the disciplinary action to be taken against the Responding Party. The resolution of the complaint will be communicated to the Reporting Party and the Responding Party at the same time. Disciplinary action shall be taken in accordance with the Regulations and policies affecting the class of employee and the terms of any applicable collective bargaining agreement.

B. Resolution of the Investigation When Both Parties are Students or the Reporting Party is an Employee and the Responding Party is a Student

If the Reporting Party and Responding Party are students or if the Reporting Party is an employee and the Responding Party is a student, the investigation report shall be given to the Reporting Party, the Responding Party, and the Director of Student Conduct and Conflict Resolution/Deputy Title IX Coordinator at the same time. The Director of Student Conduct and Conflict Resolution/Deputy Title IX Coordinator will determine whether the Responding Party should be charged with a violation of the Student Code of Conduct and will advise the Title IX Coordinator accordingly. If such determination is made, the Student Code of Conduct will govern the process. See FIU Regulation 2501 at <http://regulations.fiu.edu/regulation>.

VIII. ADDITIONAL RESOURCES

A. Equal Opportunity Programs and Diversity Office

The Equal Opportunity Programs and Diversity Office has primary responsibility for administering this Regulation and oversees the investigation, response to, and resolution of all reports of Prohibited Conduct; however, questions, concerns, and/or reports may also be addressed to any member of the Response Team.

Title IX Coordinator

The University has a designated the Director of the Equal Opportunity Programs and Diversity as the Title IX Coordinator. The Title IX Coordinator oversees the University's investigation, response to, and resolution of all reports of Prohibited Conduct based on sex (including Sexual or

Gender-Based Harassment and Sexual Violence), Domestic Violence, Dating Violence, and Stalking, and of related Complicity and Retaliation involving students, faculty, and staff. The Title IX Coordinator is:

- Knowledgeable and trained in University policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a Reporting Party, a Responding Party, or a third party about University and community resources and reporting options;
- Available to provide assistance to any University employee regarding how to respond appropriately to a report of Title IX-related Prohibited Conduct, Domestic Violence, Dating Violence, Stalking, and/or related Retaliation;
- Participates in ensuring the effective implementation of this Regulation, including monitoring compliance with all procedural requirements, recordkeeping, and timeframes;
- Responsible for overseeing training, prevention, and education efforts and annual reviews of climate and culture; and
- Maintains all discrimination reports.

Inquiries or concerns about Title IX may be referred to the University's Title IX Coordinator. Concerns about the University's application of Title IX under this Regulation may be addressed to the United States Department of Education, Office for Civil Rights:

Title IX Coordinator	Office for Civil Rights
Shirlyon McWhorter	(800) 421-3481
(305) 349-2785 shirlyon.mcwhorter@fiu.edu	Email: OCR@ed.gov

B. Response Team

A report of Prohibited Conduct may be made to any designated person or by any method included in the Reporting Option section above. Members of the Response Team can help any University community member understand the Regulation and the options for resolving concerns raised under this Regulation in academic or work settings at the University. The Response Team will attempt to protect and safeguard the privacy of all individuals involved in a manner consistent with the need for a careful assessment of and response to the report.

The Response Team consists of a small “need to know” number of individuals. Depending on the roles (e.g., student, faculty, and staff) of the Reporting Party and the Responding Party, the Response Team includes the following:

- Title IX Coordinator
- Student Conduct and Dispute Resolution Director/Deputy Title IX Coordinator
- Dean of Students
- Director of Victim Empowerment Program
- Director of Residential Life
- Assistant Chief of Police of the University Police Department
- Vice President for Academic Affairs
- Senior Associate Athletic Director/Deputy Title IX Coordinator
- Other administrators as needed depending on the facts and circumstances of the case.

C. How to Get Help In the Event of an Emergency

Anyone who has experienced Sexual Violence, Domestic Violence, Dating Violence, and/or Stalking is urged to immediately seek help. In life threatening situations, dial 911. Other help includes seeking medical assistance, seeking confidential counseling or crisis response, filing a report with law enforcement, and making a report to the University. FIU Police Department will help any individual get to a safe place, provide transportation to the hospital, contact another law enforcement agency, and offer information about the University's resources and processes. Information about the difference between Reporting Options and confidential resources is listed above.

<u>Emergency Response</u>	<u>Medical Treatment</u>	<u>Confidential Counseling & Crisis Response</u>
<u>Call 911</u> <u>FIU/MMC Police</u> (305) 348-5911 <u>FIU/BBC Police</u> (305) 919-5911 <i>Other Agencies Not Affiliated with FIU that can be Contacted for Emergency Assistance</i> <u>Sweetwater Police Department</u> (305) 552-9900 <u>Miami-Dade Police Department</u> (305) 476-5423	<u>FIU Student Health Services</u> <u>MMC SHSC</u> (305) 348-2401 <u>BBC SHS</u> (305) 919-5307 <i>Other Agencies Not Affiliated with FIU that can be Contacted for Medical Treatment</i> <u>Rape Treatment Center</u> (305) 585-5185	<u>FIU Counseling and Psychological Services (CAPS)</u> <u>counselingservices.fiu.edu</u> <u>MMC SHC 270</u> (305) 348-2277 <u>BBC WUC 320</u> (305) 919-5305 <u>Victim Empowerment Program (VEP)</u> <u>vep.fiu.edu</u> 24 Hour Hotline (305) 348-3000 <u>FIU Office of Employee Assistance</u> <u>MMC UHSC136</u> <u>BBC ACII 246B</u> (305) 348-2469

IX. RETALIATION PROHIBITED

Retaliation is expressly prohibited by this Regulation, and the University will take immediate and responsive action to any report of Retaliation or any violation of Interim Protective Measures. During the investigation and resolution of violations of this Regulation that are alleged in good faith, reasonable steps will be taken to protect the Reporting Party, the Responding Party, and other participants in the reporting, investigation, and resolution process from Retaliation. Any individual who engages in Retaliation will be subject to prompt and appropriate disciplinary action. Individuals who have a concern about potential or actual Retaliation should contact the Title IX Coordinator for assistance in addressing the concern. If the concern about Retaliation involves the Equal Opportunity Programs/Diversity Office or Title IX Coordinator, an individual may contact the Vice President of Human Resources.

X. EDUCATION AND PREVENTION PROGRAMS

The University is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of the University's policies and procedures; relevant definitions, including prohibited conduct, discussion of the impact of alcohol and illegal drug use; Consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff;

and information about risk reduction. Incoming first year students and new employees will be offered primary prevention and awareness programming as part of their orientation. Returning students and employees will also have ongoing opportunities for training and education. The Title IX Coordinator maintains an education and prevention calendar and tailor programming to campus needs and climate. Online training programs can be accessed through the Division of Human Resources Talent Management and Development's website at http://hr.fiu.edu/index.php?name=professional_development.

As part of the University's commitment to provide an educational and work environment free from Prohibited Conduct, this Regulation will be disseminated widely to the University community through email communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication.

XI. ANNUAL REVIEW

This Regulation is maintained by the Equal Opportunity Programs and Diversity office. The Equal Opportunity Programs and Diversity Office and Title IX Coordinator will review this Regulation on at least an annual basis, with the assistance of an advisory group consisting of student, faculty, staff, and community representatives selected by senior leadership of that office. The review will capture evolving legal requirements, evaluate the supports and resources available to the parties, and assess the effectiveness of the resolution process (including the fairness of the process, the time needed to complete the process, and the sanctions and remedies imposed). The review will include the opportunity for individuals affected by the Regulation to provide feedback and will incorporate an aggregate view of reports, resolution, and climate. The Title IX Coordinator will prepare an annual report, publicly available, which will include recommendations and steps taken to improve the delivery of services and the effectiveness of the Regulation and procedures.

XII. CONTACT

Questions about this Regulation should be directed to Shirlyon McWhorter, the Title IX Coordinator and Director of the Equal Opportunity Programs and Diversity office at Florida International University Modesto A. Maidique Campus PC 321 11200 S.W. 8th Street Miami Florida. The telephone number for the Equal Opportunity Programs and Diversity office is 305.348.2785. The fax number is 305.348.3459. The Title IX Coordinator's email address is shirlyon.mcwhorter@fiu.edu.

The Title IX Coordinator has appointed the following people as Deputy Title IX Coordinators:

- Dr. Kristen Kawczynski, Director of the Student Conduct and Conflict Resolution Department. Her contact information is: (305) 348-3939. Her email address is kristen.kawczynski@fiu.edu.
- Julie Berg, Senior Associate Athletic Director. Her contact information is: (305) 348-2352 Her email address is: Julie.berg-Mc_Graw@fiu.edu.

Specific Authority: Board of Governors Regulation 1.001 (5)(a). History-- Formerly FIU-104 (repealed) and FIU-103 (repealed). New _____.