



# **FLORIDA INTERNATIONAL UNIVERSITY**

## **BOARD OF TRUSTEES**

### **FULL BOARD MEETING**

Thursday, November 29, 2012  
2:00 pm *approximate start time*  
Florida International University  
Modesto A. Maidique Campus  
Graham Center Ballrooms

### **AGENDA**

- |   |                              |
|---|------------------------------|
| <b>1. Call to Order and Chair's Remarks</b> | <b>Chairman Albert Maury</b> |
| <b>2. Foundation Report</b>                 | <b>Justo L. Pozo</b>         |
| <b>3. Public Appearances</b>                | <b>Albert Maury</b>          |
| <b>4. President's Report</b>                | <b>Mark B. Rosenberg</b>     |
| <b>5. General Counsel Presentation</b>      | <b>Kristina Raattama</b>     |
| <b>6. Action Items – Consent Agenda</b>     | <b>Albert Maury</b>          |
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- BT1. Minutes, June 29, 2012
  - BT2. Minutes, September 11, 2012
  - FA1. Request for Approval of Florida International University's Revised 2013-14 Capital Improvement Fee Trust Fund Legislative Budget Request
  - FA2. FIU Direct Support Organizations Financial Audits, FY 2011-12
    - A. FIU Foundation, Inc.
    - B. FIU Research Foundation, Inc.
    - C. FIU Athletics Finance Corporation
    - D. FIU Academic Health Center Health Care Network Faculty Group Practice, Inc.
  - FA3. Signature Authority –Italy Program Account
    - A. Depository
    - B. Authorization to Sign Checks for FIU in Italy Program
  - FA4. Approval of the Amendments to the Bylaws of the Florida International University Foundation, Inc.
  - AP1. Tenure as a Condition of Employment Nominations

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

AP2. Master of Laws (LL.M.) New Degree Program Proposal *(Revised)*

AP3. Naming of the Department of Construction Management as the  
“OHL School of Construction Management”

AP4. Naming of the School of Real Estate as the “Tibor and Sheila  
Hollo School of Real Estate”

**7. Status Reports, Board Committees**

- Finance and Audit Committee Report
- Academic Policy and Student Affairs Committee Report
- Athletics Committee Report

**Sukrit Agrawal**

**Cesar L. Alvarez**

**Jorge L. Arrizurieta**

**8. New Business** *(If any)*

**Albert Maury**

**9. Concluding Remarks and Adjournment**

**Albert Maury**

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Call to Order and Chair's Remarks**

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**Proposed Board Action:**

None. Information only.

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**Background Information:**

Albert Maury, FIU Board of Trustees Chair, will convene the meeting with opening remarks.

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**Supporting Documentation:** N/A

**Facilitator/Presenter:** Albert Maury, *Chair, FIU Board of Trustees*



**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Foundation Report**

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**Proposed Board Action:**

None. Information only.

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**Background Information:**

Justo L. Pozo, FIU Foundation, Inc. Board of Directors Chair, will report on the activities of the Foundation Board since the last meeting of the Board of Trustees.

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**Supporting Documentation:** N/A

**Facilitator/Presenter:** Justo L. Pozo, *Chair, FIU Foundation, Inc. Board of Directors*



**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Public Appearances**

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**Proposed Board Action:**

None. Information only.

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**Background Information:**

Public Comment Period (if timely requested and approved)

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**Supporting Documentation:** N/A

**Facilitator/Presenter:** Albert Maury





**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: President's Report**

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**Proposed Board Action:**

None. Information only.

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**Background Information:**

Mark B. Rosenberg, President, will provide the University report.

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**Supporting Documentation:** N/A

**Facilitator/Presenter:** Mark B. Rosenberg, *President, Florida International University*



**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: General Counsel Presentation**

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**Proposed Board Action:**

None. Information only.

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**Background Information:**

Kristina Raattama, General Counsel, presents.

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**Supporting Documentation:** N/A

**Facilitator/Presenter:** Kristina Raattama, *General Counsel, Florida International University*

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Approval of Minutes of Meetings held June 29, 2012; and September 11, 2012**

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**Proposed Board Action:**

Approval of Minutes of the Florida International University Board of Trustees, Full Board meeting held on Friday, June 29, 2012 via conference call; and Minutes of the Full Board meeting held on Tuesday, September 11, 2012 at the FIU Modesto A. Maidique Campus, Graham Center Ballrooms.

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**Background Information:**

Board members will review and approve the Minutes of the Florida International University Board of Trustees, Full Board Meeting held on Friday, June 29, 2012 via conference call; and Minutes of the Full Board meeting held on Tuesday, September 11, 2012 at the FIU Modesto A. Maidique Campus, Graham Center Ballrooms.

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**Supporting Documentation:**

Florida International University Board of Trustees Full Board Meeting Minutes: June 29, 2012 (BT1); September 11, 2012 (BT2)

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**FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES  
FULL BOARD MEETING  
JUNE 29, 2012  
MINUTES**

**1. Call to Order and Chair's Remarks**

Chairman Albert Maury convened the meeting of the Florida International University Board of Trustees at 3:05 p.m., on Friday, June 29, 2012, via conference call.

The following attendance was recorded:

**Present:**

Albert Maury, *Chair*  
Michael M. Adler, *Vice Chair*  
Sukrit Agrawal  
Cesar L. Alvarez  
Jorge L. Arrizurieta  
Robert T. Barlick, Jr.  
Marcelo Claure  
Mayi de la Vega  
Laura Fariñas  
Gerald C. Grant, Jr.  
Claudia Puig

**Excused:**

Jose J. Armas  
Thomas A. Breslin

Chairman Maury welcomed all Trustees, University faculty and staff. He thanked all Trustees for making themselves available to participate in the conference call.

On behalf of the University, President Mark B. Rosenberg expressed his gratitude to Trustees Laura Fariñas, Gerald C. Grant, Jr., and Claudia Puig, noting that their participation in FIU's Work Plan presentation to the Florida Board of Governors Strategic Planning Committee was instrumental in advocating FIU's unique mission and responsibility to students and the community.

**2. Action Items**

**BT1. Honorary Degree Nomination**

Provost and Executive Vice President Douglas Wartzok presented the Honorary Degree Nomination for Board review and approval, noting that the Faculty Senate recommended Mr. Maurice A. Ferré as a recipient of a doctoral degree from the University. Provost Wartzok commented that Mr. Ferré is a former City of Miami Mayor with a long history of dedicated service to the community. Provost Wartzok noted that the honorary doctorate will be conferred at a future commencement ceremony.

A motion was made and passed that the Florida International University Board of Trustees endorse Mr. Maurice A. Ferré as a recipient of a doctoral degree *honoris causa* from Florida International University.

## **BT2. Approval of New Educational Site**

Senior Vice President, University Advancement; President and CEO, FIU Foundation Inc Howard R. Lipman presented the New Educational Site for Board review and approval, noting that the Jewish Museum of Florida, Inc. (JMOF) is located in Miami Beach and is a secular, historical museum that is accredited by the American Association of Museums. He added that the JMOF's mission is to collect, preserve and interpret the material evidence of the Florida Jewish experience from when Jews were first allowed to settle in 1763 and up to the present and to interpret this history in the context of the American Jewish experience. He stated that on June 9, 2012, the FIU Foundation, Inc. accepted a gift of the property and other assets of the JMOF, which he stated can provide the opportunity for enhanced academic and public programs, through research, teaching and engagement, for FIU students and faculty.

College of Arts and Sciences Dean Kenneth G. Furton provided a brief overview of the FIU-JMOF five-year academic integration plan, noting that the use of the JMOF facility and its collection of archival materials would serve to enhance the development of existing and new curriculum, expand academic programs and further extend community outreach efforts.

Associate Vice President for Business and Finance, Aime Martinez, noted that the environmental phase I inspection, the structural engineering study and survey were completed, adding that no major adverse findings resulted. She stated that the entire site size is 19,500 sq. ft. and includes two restored, masonry constructed former synagogue buildings joined together by a glass-enclosed atrium. She also stated that both buildings are listed on the National Register of Historic Places and have been very well maintained.

Associate General Counsel Rafael Paz provided an overview of the JMOF-FIU Gift Agreement, noting that the JMOF's financial assets, real property, furniture and fixtures will be transferred to the FIU Foundation, Inc., while the collection of archival material will be transferred to the University's College of Arts and Sciences. He added that existing JMOF employees will become employees of the University's College of Arts and Sciences.

General Counsel M. Kristina Raattama provided background information regarding the review of constitutional issues undertaken by the University in connection with the JMOF gift and explained that anytime FIU undertakes an activity which could have, or be perceived to have, a religious element, it must be evaluated against constitutional limits. She then described the various factors and matters considered in the evaluation, the areas requiring the most careful consideration, and an assessment of the constitutional limits.

A motion was made and passed that the Florida International University Board of Trustees approve the JMOF Gift Agreement in the form presented and delegate to the University President and the Foundation President and CEO the authority to finalize all exhibits; and approve the JMOF being established as a "special purpose center" of Florida International University.



### **3. New Business**

*No new business was raised.*

### **4. Concluding Remarks and Adjournment**

With no other business, Chairman Albert Maury adjourned the meeting of the Florida International University Board of Trustees on Friday, June 29, 2012, at 3:32 p.m.

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Albert Maury  
*Chairman*  
*FIU Board of Trustees*

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Mark B. Rosenberg  
*Corporate Secretary*  
*FIU Board of Trustees*

*MB*  
*7.10.12*

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**FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES  
FULL BOARD MEETING  
SEPTEMBER 11, 2012  
MINUTES**

**1. Call to Order and Chair's Remarks**

Chair Albert Maury convened the meeting of the Florida International University Board of Trustees at 9:08 a.m., on Tuesday, September 11, 2012, at the Modesto A. Maidique Campus, Graham Center Ballrooms, Miami, Florida.

The following attendance was recorded:

**Present:**

Albert Maury, *Chair*  
Michael M. Adler, *Vice Chair*  
Sukrit Agrawal  
Cesar L. Alvarez  
Jose J. Armas  
Jorge L. Arrizurieta  
Robert T. Barlick, Jr.  
Laura Fariñas  
Gerald C. Grant, Jr.  
C. Delano Gray

**Excused:**

Marcelo Claure  
Mayi de la Vega  
Claudia Puig

Chair Maury welcomed all Trustees, University faculty and staff. He introduced and welcomed State University System of Florida Board of Governors Chair Dean Colson. Chair Maury noted that the FIU Board of Trustees looks forward to a continued collaboration with the Board of Governors, particularly in the development of strategic decisions to overcome the State's financial challenges.

Chair Maury welcomed Vice Chair of the FIU Foundation, Inc. Board of Directors Dr. Nelson L. Adams, noting that Dr. Adams has been a member of the Foundation Board since 2004 and began his first term as Vice Chair in June 2012. Chair Maury also welcomed newly-elected Faculty Senate Chair C. Delano Gray, noting that he is an instructor in the College of Business Administration School of Accounting.

Chair Maury asked for a moment of silence in remembrance of September 11, 2001.

On behalf of the Board, Chair Maury congratulated the University's student athletes on their remarkable performances during the start of the 2012-13 season and provided brief highlights on the planned Homecoming events.

## **2. Comments from State University System of Florida Board of Governors Chair**

State University System of Florida Board of Governors Chair Dean Colson noted that the State University System of Florida has developed three tools that aid in guiding the System's future: Strategic Plan 2012-2025; Annual Accountability Report; and the University Work Plans. He added that the State University System will use these documents to help advocate for all System institutions and to create an opportunity for increased coordination among the institutions and their boards of trustees. Based on the Board of Governors review of the University Work Plans, he noted that multiple institutions were affected by a common set of issues: improving retention and graduation rates; increasing STEM degree production; and reducing student debt. He presented data that illustrates how these issues compare among System institutions. He then led a discussion on performance based funding and maintaining quality in years of declining State resources.

Trustees voiced a concern that the State's greater emphasis on performance based accountability and the reliance on traditional metrics may not appropriately capture FIU's unique mission and strengths. Trustees discussed the importance of FIU's commitment to access and the community, noting challenges such as serving a large percentage of economically disadvantaged students where many must hold full- or part-time employment.

## **3. Foundation Report**

Foundation Board of Directors Vice Chair Dr. Nelson L. Adams noted that Foundation Chair Justo L. Pozo sent his regrets as he was not able to attend. On behalf of the FIU Foundation, Inc., Board of Directors Vice Chair Adams provided the Foundation Report, noting that fiscal year-to-date (*through August 31, 2012*) gains in the Foundation's investment portfolio total approximately \$5.2 million. He also noted that the Foundation's Investment Committee was in the process of developing a Request for Proposals for investment consulting services. Sr. Vice President, University Advancement/President and CEO of the FIU Foundation, Inc. Howard R. Lipman provided a brief overview on the 2011-12 fiscal year fundraising achievements.

## **4. Public Appearances**

*There were no public appearances.*

## **5. President's Report**

University President Mark B. Rosenberg introduced Professor Bruce McCord. He reported that with funding from the National Institute of Justice and, as recently published in the Journal of Forensic Sciences, Professor McCord and doctoral candidate Jennifer Greaux discovered a new technique that identifies the chemical signature of the powder inside a bullet. President Rosenberg introduced a video which depicts this unique process that potentially can link a suspect to the ammunition fired even if the weapon is not found. Professor McCord discussed his research work in the areas of explosives residue detection, rapid DNA analysis and toxicology.

President Rosenberg reported on research news, noting that Dr. Naphtali Rishe has a new National Science Foundation Grant: "FIU Accelerating Innovation Research (AIR) Industry Ecosystem Pipeline Research." He stated that AIR will create an innovation ecosystem engaged in the development and technology transfer of breakthroughs in Data Intensive Applications. He further

noted that the public-private partnerships within the AIR ecosystem will establish a network between academia and industry. He added that AIR is also funded with an industry matching \$1.2M commitment from companies such as IBM, Sanofi Pasteur, Corelogic Spatial Solutions, Neuroscience Centers of Florida, Vcom 3D, Inc., Soliton Enterprises, Inc., and others.

President Rosenberg highlighted four examples of outstanding new faculty joining FIU with National Institute of Health (NIH) funding and expertise in the strategic area of health. He noted that Dr. Raul Gonzalez recently received two R01 grants from the NIH (\$5M) titled "The Impact of Cannabis Use on the Neuropsychological Functioning of Individuals with HIV/AIDS," and "Cognitive Neuropsychology of HIV and Drug Abuse." He added that Dr. Yuk-Ching Tse-Dinh's research has been continuously funded by the NIH since 1990, totaling \$7M and noted that she joins FIU with a new five-year R01 grant funded by the NIH (\$1.8M), titled "Bacterial Cell Killing by Topoisomerase I." He stated that Dr. Angela Laird joins FIU with a new five-year R01 grant funded by the NIH (\$2.5M), titled "Meta-Analysis in Human Brain Mapping." He added that Dr. Shuliang Jiao's research has been funded by the NIH, the DOD and industry and reported that he joins FIU with a new five-year R01 grant funded by the NIH (\$4M), titled "Multi-modal Functional Retinal Imaging for Diabetic Retinopathy."

President Rosenberg reported that on the 20<sup>th</sup> anniversary of Hurricane Andrew, FIU unveiled the new Wall of Wind, which he noted is the nation's first university research facility capable of simulating Category 5 hurricane winds. He added that the Wall of Wind is a collaborative project between the International Hurricane Research Center and the College of Engineering and Computing and has already had a significant impact in mitigating hurricane damage by enhancing building codes, validating innovative mitigation technologies, and developing new materials. President Rosenberg concluded the University Report with a video containing multiple clips of the event's media coverage.

## **6. 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, June 14, 2012** – Approve the Minutes of the Florida International University Board of Trustees, Full Board meeting held on Thursday, June 14, 2012 at the FIU Modesto A. Maidique Campus, MARC International Pavilion.
- **FA1. Tuition for Market Rate Programs, 2013-14 Academic Year** – Approve market tuition rates for the Professional Masters of Science in Counseling Psychology and the Master of Science in International Real Estate offered through continuing education beginning academic year 2013-14.

- **AP1. Tenure as a Condition of Employment Nominations** - Approve six (6) candidates for Tenure as a Condition of Employment as specified in the Board materials.
- **AP2. Proposed Amendment to the Bylaws of the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc.** - Approve the Bylaws of the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. (FIU-HCN), as amended and restated on July 26, 2012, and authorize FIU-HCN Management to take all actions necessary pertaining to these amended bylaws.
- **AP3. Honorary Degree Nomination** - Endorse His Majesty Don Juan Carlos I de Borbon of Spain as a recipient of a doctoral degree *honoris causa* from Florida International University.

Chair Maury stated that the Board of Trustees is required to conduct an annual evaluation of the University's President and added that for this year, the Board has elected to evaluate and review the President's performance and the University Goals as a Full Board in lieu of having the Personnel Committee conduct the evaluation and review the goals. He noted that President Rosenberg agreed to this modification in the process. Chair Maury added that as per the Board's Operating Procedures, no agenda item may come before the Board unless it has been previously considered and recommended by a Committee of the Board with the exception of agenda items determined to be an emergency item.

A motion was made and passed that for the current meeting only, the Board will suspend the Operating Procedures as it pertains to the requirement that agenda items be considered and recommended by a Committee prior to review by the Full Board to accomplish the following:

- President's Management Review, 2011-12 Academic Year; and
- University Goals, 2012-13 Academic Year

## **7. Action Items**

### **BT2. President's Management Review, 2011-12**

President Rosenberg presented a self-appraisal report of the 2011-12 academic year's performance, delineating the achievements relative to each of the Board-approved goals.

Trustees discussed the President's performance during the 2011-12 academic year based on his achievement of the mutually agreed upon goals. Trustees stated that it was particularly noteworthy that the fundraising target for the 2011-12 academic year was surpassed given the current economic climate in the region that has negatively impacted philanthropic giving. Members commended President Rosenberg for his outstanding leadership and remarkable outreach efforts. Trustees also commented that some of the goals are long-term objectives where results cannot be measured immediately and praised the achievements during these years of declining State revenues.

Chairman Maury noted the importance of each Board member's efforts in meeting the University's fundraising goals. He urged President Rosenberg to analyze opportunities for an inclusive approach for Board members to assist in fundraising efforts.

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 2011-12 academic year.

### **BT3. University Goals, 2012-13**

President Rosenberg presented the proposed University Goals report for the 2012-13 academic year, noting that during the next academic year, the University will pursue the specific initiatives outlined in the Work Plan to achieve FIU's mission and goals. He added that the Work Plan identifies a path to implement the mission and achieve the vision of FIU. He stated that efforts will be focused on achieving initiatives, which are organized following the State University System of Florida Board of Governors format: Academic Quality; Operational Efficiency; and Return on Investment.

Trustees discussed the importance of traditional metrics as trends demonstrate the State's greater emphasis on performance based funding but also noted the importance of non-traditional metrics as they serve to capture FIU's unique mission, strengths and challenges. Chair Maury requested that the University develop a broader data set that extends beyond the traditional metrics in order to consider key factors that influence retention and graduation rates, such as test scores, high school grade point averages, student employment obligations, on-campus housing, and various other metrics. President Rosenberg stated that ongoing discussions relating to higher education benchmarks place a greater importance on non-traditional metrics and student learning. He added that as an essential component in ensuring student preparedness and success, FIU will continue to develop the partnership with Miami-Dade County Public Schools (M-DCPS) in order to improve the quality of instruction and school leadership.

A motion was made and passed by the FIU Board of Trustees adopting the University Goals for the 2012-13 Academic Year

## **8. Status Reports, Board Committees**

### **External Relations Committee Report**

Trustee Jorge L. Arrizurieta, Vice Chair of the External Relations Committee, presented highlights from the Committee's meeting on Wednesday, September 5, 2012. He reported that the Committee engaged in a substantive discussion led by President Rosenberg on six vital questions to help shape the university's agenda for the community it serves. Trustee Arrizurieta noted that Committee members expressed the importance of the relocation of the Miami-Dade County Fair & Exposition, Inc. (the Fair) and the expansion of FIU onto the current Fair site in order to better serve the current and anticipated student growth, adding that this was a critical initiative. He stated that Trustees and liaisons praised FIU's partnership with M-DCPS as a mutually beneficial relationship, stating that it is critical to prepare students for academic success at the collegiate level. He added that given FIU's location, the University's administration should develop a strategic plan to aggressively pursue opportunities that will become available once Cuba transitions to a democracy.

### **Finance and Audit Committee Report**

Trustee Sukrit Agrawal, Chair of the Finance and Audit Committee, presented highlights from the Committee's meeting on Wednesday, September 5, 2012. He reported that the Committee recognized two employees from the University's Financial Aid office, Jorge Leniv and Gregory Mackey, and thanked them for their hard work and dedicated service to providing critical support to FIU students throughout the year. Trustee Agrawal noted that the University and direct support organizations' operating revenues were above estimates by \$38M (or five percent), which can be primarily attributed to greater than anticipated demand for Market Rate continuing education programs. He also reported that the University and direct support organizations' operating expenses were below estimates by \$2.4M (or zero percent). He stated that Educational and General expenses were below estimates by \$20.4M mainly due to delays in spending on base operations and critical investments and vacant positions from the University and Herbert Wertheim College of Medicine. He added that Auxiliary Enterprises ended above estimates by \$16M primarily due to higher programmatic and administrative expenses in academic programs offset by vacant positions, and these were covered by additional revenues. He further noted that the Committee engaged in a substantive discussion on student debt.

### **Academic Policy and Student Affairs Committee Report**

Trustee Cesar L. Alvarez, Chair of the Academic Policy and Student Affairs Committee, presented highlights from the Committee's meeting on Wednesday, September 5, 2012. He reported that in accordance with Board of Governors directives, the Student Code of Conduct Regulation was amended to reflect: more specificity in the definition section of the regulation as to the number of days for advance notification to the student of the charges made against him/her (5 business days) and the student's right to inspect the record (3 business days); notification to a student who is suspended or expelled of his/her right to appeal to the court; and allowing students to bring to the disciplinary hearing an advisor of his/her choosing (previously only members of the University community could serve as advisors). He noted that these changes were noticed on the Board of Trustees regulations webpage. He added that the Committee welcomed FIU alumnus Carlos Gomez who graduated in the summer with a dual Bachelor's degree in International Business and Finance, and with Honors. Trustee Alvarez stated that while Mr. Gomez took six years to complete his undergraduate degrees, he engaged in robust academic and extracurricular activities including study abroad in China where he learned Mandarin, development of Honors College courses with the Associate Dean, serving on the Executive Board of the International Business Honors Society, and engaging the community through collaboration with Sweetwater City officials on neighborhood initiatives. He noted that Mr. Gomez classified the many activities he was involved in at FIU as critical in helping to prepare him professionally and personally for his master's work at Stanford.

### **9. New Business**

Chair Maury noted that following an individual's service as Chair or Trustee of the Board, the Board may designate such former Chair or Trustee as Chairperson Emeritus or Trustee Emeritus, adding that such categories are for honorary purposes to recognize past Chairpersons and Trustees who have provided extraordinary service and contributions to the University and are no longer serving in that capacity. Chair Maury then recognized Trustee Cesar L. Alvarez who presented a Resolution to the Board proposing to name Mr. S. Lawrence Kahn, III as Trustee Emeritus.



A motion was made and passed that the FIU Board of Trustees designate Mr. S. Lawrence Kahn, III as Trustee Emeritus.

WHEREAS, Mr. S. Lawrence Kahn, III began his involvement with Florida International University in 1999 as chairman of the President's Council (formerly known as Council of 100); and

WHEREAS, Mr. Kahn was instrumental in establishing the President's Council Outstanding Faculty Award (now known as the Worlds Ahead Faculty Award) which is a key initiative with a lasting impact on faculty recognition and retention; and

WHEREAS, in 2001, Mr. Kahn joined the FIU Foundation Board of Directors where he served dutifully for ten years in various capacities including as its chairperson from 2006-2008; and

WHEREAS, Mr. Kahn also served as a member of the Board of Trustees of Florida International University (the BOT) from 2009-2011; and

WHEREAS, Mr. Kahn's dedication to higher education was made evident in his leadership and service as the BOT's Chairperson of the Academic Policy and Student Affairs Committee; and

WHEREAS, Mr. Kahn not only gave of his time and service as a member of various institutional volunteer leadership boards, he also made evident his support for the University in his generosity to the programs and research critical to FIU's advancement;

NOW, THEREFORE, BE IT RESOLVED that the BOT hereby designates Mr. S. Lawrence Kahn, III as a Trustee Emeritus of this Board with all the rights, honors and privileges thereunto appertaining; and

BE IT FURTHER RESOLVED that the University Administration take all actions necessary to give effect to this Resolution.

#### **10. Concluding Remarks and Adjournment**

With no other business, Chair Albert Maury adjourned the meeting of the Florida International University Board of Trustees on Tuesday, September 11, 2012, at 11:37 a.m.

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Albert Maury  
*Chairman*  
*FIU Board of Trustees*

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Mark B. Rosenberg  
*Corporate Secretary*  
*FIU Board of Trustees*

*MB*  
*9.19.12*

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Request for Approval of Florida International University's Revised 2013-14  
Capital Improvement Fee Trust Fund Legislative Budget Request**

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**Proposed Board Action:**

Approve Florida International University's revised 2013-14 Capital Improvement Fee Trust Fund (CITF) Legislative Budget Request and authorize the University President to amend the Legislative Budget Request as necessary, consistent with State University System of Florida Board of Governors (BOG) and Florida International University Board of Trustees (the BOT) directives and guidelines.

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**Background Information:**

Section 1013.64(4)(a), Florida Statutes, requires the BOT to update annually its fixed capital outlay budget request. On June 14, 2012, the FIU BOT approved the CITF Legislative Budget Request in the amount of \$17,900,000 for the expansion of the Graham University Center, for the expansion of the Recreation Center at the Modesto A. Maidique Campus, and renovations to the Wolfe University Center. On October 9, 2012, the BOG revised the proposed CITF allocation to FIU to \$27,773,943, an increase of \$9,873,943. Based upon the new allocation, FIU's CITF 2013-14 Legislative Budget Request must be amended by the BOT.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Florida International University Foundation Inc., Financial Audit, 2011-12**

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**Proposed Board Action:**

Approve the Florida International University Foundation, Inc., Financial Audit for the 2011-12 Fiscal Year and authorize the President and 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.

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**Background information:**

Pursuant to Regulation FIU-1502 (2)(f), the Florida International University Foundation, Inc., must submit an independently conducted financial audit of its accounts and records, which should be approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and approval.

The Florida International University Foundation, Inc., Financial Audit for the 2011-12 fiscal year was approved by the Florida International University Foundation, Inc. Board of Directors on October 27, 2012, and the University President is recommending its approval.

Florida Board of Governors Regulation 9.011 (4) University Direct Support Organizations and Health Services Support Organizations, states in relevant part:  
Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees or designee, the Board of Governors, and the Auditor General for review.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Florida International University Research Foundation, Inc. Financial Audit,  
2011-12**

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**Proposed Board Action:**

Approve the Florida International University Research Foundation, Inc. Financial Audit for the 2011-12 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.

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**Background information:**

Pursuant to Regulation FIU-1502 (2)(f), the Florida International University Research Foundation, Inc. must submit an independently conducted financial audit of its accounts and records, which should be approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and approval.

The Florida International University Research Foundation, Inc. Financial Audit for the 2011-12 fiscal year was approved by the Florida International University Research Foundation, Inc. Board of Directors on October 29, 2012, and the University President is recommending its approval.

Florida Board of Governors Regulation 9.011 (4) University Direct Support Organizations and Health Services Support Organizations, states in relevant part:  
Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees or designee, the Board of Governors, and the Auditor General for review.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Florida International University Athletics Finance Corporation Financial  
Audit, 2011-12**

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**Proposed Board Action:**

Approve the Florida International University Athletics Finance Corporation Financial Audit for the 2011-12 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.

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**Background Information**

Pursuant to Regulation FIU-1502 (2)(f), the Florida International University Athletics Finance Corp. must submit an independently conducted financial audit of its accounts and records, which has been approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and approval.

The Florida International University Athletics Finance Corp. Financial Audit for the 2011-12 fiscal year was approved by the Florida International University Athletics Finance Corp. Board of Directors on October 24, 2012, and the University President is recommending its approval.

Florida Board of Governors Regulation 9.011 (4) University Direct Support Organizations and Health Services Support Organizations, states in relevant part:  
Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees or designee, the Board of Governors, and the Auditor General for review.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Florida International University Academic Health Center Health Care  
Network Faculty Group Practice, Inc. Financial Audit, 2011-12**

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**Proposed Board Action:**

Approve the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for the 2011-12 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.

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**Background information:**

The Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. (FIU HCN) must submit an independently conducted financial audit of its accounts and records, which has been approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and approval.

The FIU HCN Financial Audit for the 2011-12 fiscal year was approved by the FIU HCN Board of Directors on October 30, 2012, and the University President is recommending its approval.

Florida Board of Governors Regulation 9.017 (2)(e) Faculty Practice Plans, states in relevant part that each Faculty Practice Plan shall include and/or provide for an annual audit, which shall be forwarded to the Board of Governors for review and oversight.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Depository**

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**Proposed Board Action:**

Approve the following banking institution as a designated depository at which University funds may be deposited:

Banco Nazionale del Lavoro (BNL)

Furthermore, approve that the University President, the Senior Vice President for Finance and Administration and Chief Financial Officer, and the University Treasurer are each individually authorized to take all actions necessary to open or close bank accounts at the designated depository. Additionally, the following person is also authorized to take all actions necessary to open or close bank accounts in the above-mentioned bank:

Hilarion Arnaldo Martinez, Senior International Officer.

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**Background Information:**

The Florida International University Board of Trustees is updating its official records with respect to the banking institutions that may serve as depositories of University funds.

Section 1011.42 of the Florida Statutes provides that the board of trustees of each university shall designate the depositories in which any university funds may be deposited, as provided by Florida Statutes.

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**Supporting Documentation:** N/A

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Authorization to Sign Checks for Florida International University in Italy Program Account**

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**Proposed Board Action:**

Approve the following officers and employees of the University as authorized to sign checks to pay the legal obligations of the University from the designated University depository related to the Florida International University in Italy program:

Kenneth A. Jessell, Chief Financial Officer and  
Senior Vice President for Finance and Administration

Cecilia Hamilton, Associate Vice President and  
University Controller

Hilarion Arnaldo Martinez, Senior International Officer

Matthew Hamilton Rice, Director, FIU in Italy Program

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**Background Information:**

The Florida International University Board of Trustees (the BOT) is updating its official records to reflect University officers and employees authorized to sign checks to pay legal obligations on behalf of the University.

The University has depositories at banking institutions at which University funds are deposited and the University pays its legal obligations from said depositories. As such, the BOT must state with particularity the legal name and title of University employees who are authorized to sign checks to pay legal obligations of the University.

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**Supporting Documentation:** N/A

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Approval of the Amendments to the Bylaws of the Florida International University Foundation, Inc.**

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**Proposed Board Action:**

Approve the Florida International University Foundation Inc. Bylaws as amended and restated on October 27, 2012 and authorize the President and CEO of the Foundation to take all actions necessary pertaining to these amended Bylaws.

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**Background Information:**

On October 27, 2012, the Florida International University Foundation Inc. Board of Directors approved amendments to the Foundation's Bylaws.

The main Bylaw revisions that the Foundation's Board of Directors approved are as follows: (1) increase the membership of the Board of Directors from fifty (50) members to sixty (60) members; (2) create a streamlined process for Executive Committee approval of new members; (3) provide the Board with the ability to extend officers' terms of service by one additional year; and (4) restructure the Board's various committees to achieve greater Board participation and promote sound decision-making and governance, consistent with best practices.

The Florida International University Board of Trustees (the BOT) must approve any amendments to the Florida International University Foundation, Inc. Bylaws before their becoming effective.

Regulation FIU-1502 Direct Support Organizations (2) (a) provides that any amendments to the Articles of Incorporation or Bylaws of a direct support organization must be submitted by the President of the University to the BOT for approval prior to becoming effective.

Article 9, Section 1 of the Florida International University Foundation Inc. Bylaws provides that any amendment to the Bylaws, approved by the Foundation's Board, shall be submitted by the University President to the BOT for approval prior to its effective date.

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Tenure as a Condition of Employment Nominations**

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**Proposed Board Action:**

Approve seven (7) candidates for Tenure as a Condition of Employment (TACOE).

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**Background Information:**

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

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

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**Supporting Documentation:**

Information behind the Academic Policy and Student Affairs Committee tab

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Master of Laws (LL.M.) New Degree Program Proposal** *(Revised)*

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**Proposed Board Action:**

Approve the Master of Laws (LL.M.) degree (CIP 22.0202) new program proposal.

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**Background Information:**

The Master of Laws new program proposal was approved by the Florida International University Board of Trustees on June 14, 2012. Since then, the State University System of Florida Board of Governors has requested the confirmation of the approval of this degree as a standalone degree in the FIU College of Law.

This program advances the educational mission of FIU and the College of Law. Offering an LL.M. is a mark of academic standing for law schools in the United States.

The proposed LL.M. program directly supports institutional goals and the Florida State University System's Strategic Planning priorities and accountability measures.

Each university board of trustees shall approve for implementation new degree programs at the bachelor's, master's, advanced master's, and specialist levels in accordance with sections (3) and (5) of Florida Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*

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

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Naming of the Department of Construction Management as the “OHL School of Construction Management”**

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**Proposed Board Action:**

Approve the naming of the Department of Construction Management as the “OHL School of Construction Management” in accordance with the provisions of the naming agreement related thereto.

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**Background Information:**

International construction company, Obrascón Huarte Lain (OHL) and President and Chairman of the OHL Board of Directors Juan-Miguel Villar Mir have partnered with Florida International University’s College of Engineering and Computing to provide support for the construction management program and create the first named school in the history of the college.

In light of the support and commitment to the construction management program with this gift, the University desires to name the School as the “OHL School of Construction Management.”

State University System of Florida Board of Governors Regulation 1.001, University Board of Trustees Powers and Duties (7)(g) states:

Each board of trustees shall be responsible for the use, maintenance, protection, and control of, and the imposition of charges for, university-owned or university-controlled buildings and grounds, property and equipment, name trademarks and other proprietary marks, and the financial and other resources of the university.

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**Supporting Documentation:** N/A

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Naming of the School of Real Estate as the “Tibor and Sheila Hollo School of Real Estate”**

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**Proposed Board Action:**

Approve the naming of the School of Real Estate as the “Tibor and Sheila Hollo School of Real Estate” in accordance with the provisions of the naming agreement related thereto.

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**Background Information:**

South Florida developer Tibor Hollo and his wife Sheila, through a generous gift from the Tibor and Sheila Hollo Foundation, have made an important commitment to build on the foundation of Florida International University’s existing real estate program and provide support for the Tibor and Sheila Hollo Research Fellows.

In light of the support and commitment to the expansion of real estate education with this gift, the University desires to name the School as the “Tibor and Sheila Hollo School of Real Estate.”

State University System of Florida Board of Governors Regulation 1.001, University Board of Trustees Powers and Duties (7)(g) states:

Each board of trustees shall be responsible for the use, maintenance, protection, and control of, and the imposition of charges for, university-owned or university-controlled buildings and grounds, property and equipment, name trademarks and other proprietary marks, and the financial and other resources of the university.

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**Supporting Documentation:** N/A

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Status Reports, Board Committees**

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**Proposed Board Action:**

None. Information only.

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**Background Information:**

These Committees met prior to the regular Board meeting: Finance and Audit; Academic Policy and Student Affairs; and Athletics. The Committee Chairs will present status reports.

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**Supporting Documentation:** N/A

**Facilitator/Presenter:** Sukrit Agrawal, *Finance and Audit Committee Chair*  
Cesar L. Alvarez, *Academic Policy and Student Affairs Committee Chair*  
Jorge L. Arrizurieta, *Athletics Committee Chair*

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: New Business**

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**Proposed Board Action:**

Information. Action, as necessary.

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**Background Information:**

Board members will raise new business, if any.

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**Supporting Documentation:** N/A

**Facilitators/Presenters:** Albert Maury

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**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

November 29, 2012

**Subject: Concluding Remarks and Adjournment**

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**Proposed Board Action:**

None. Information only.

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**Background Information:**

Albert Maury, Chair, FIU Board of Trustees will adjourn the meeting with closing remarks.

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**Supporting Documentation:** N/A

**Facilitators/Presenters:** Albert Maury, *Chair, FIU Board of Trustees*

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