

Ad Hoc Committee on Governance



Board of Trustees of Northern Illinois University
April 14, 2016

Constitutional Review & Reform

- The purpose and goals of Constitutional Reform, is to identify areas of various governance documents which require clarification, updates, and where possible the replacement of selected governance documents and policies, and to streamline selected provisions and procedures of relevant governance documents.
- The ultimate goal of reform is to establish and clarify roles and responsibilities of University stake holders, to increase efficiency, eliminate duplication, and establish mechanisms for creating, maintaining, updating and distributing Board and University Bylaws and policies.
- Consensus from University leadership to move forward.
 - President, Executive Vice President and Provost, Executive Secretary of the University Council and President's Cabinet.

Purpose

- The NIU Constitution was originally developed before the creation of the Board of Trustees.
- In 1996, the Regency system was disbanded and the Board of Trustees of Northern Illinois University was established via the Northern Illinois University Law.
- Upon its establishment, the NIU Board of Trustees adopted the already-existing NIU Constitution, BUT expressly provided that the NIU Constitution is “subject to the limitations imposed by the Board of Trustees Governance Documents.”
- The Board of Trustees also independently adopted Bylaws and Regulations, which take precedent over the Constitution and other University policies.

Background

The hierarchy of State law, Board level governance documents and University level policies has resulted in multiple governance documents for the University:

- Northern Illinois University Law
- Bylaws of the Board of Trustees
- Regulations of the Board of Trustees
- Policies of the Board of Trustees
- **Constitution of Northern Illinois University**
- Bylaws of Northern Illinois University
- NIU Academic Policies and Procedures Manual
- NIU Business Procedures Manual



NIU Governance Documents

The Office of General Counsel and the Executive Secretary of the University Council undertook a review of the NIU Constitution, and its associated Bylaws, and found:

- NIU's use of a Constitution is unique compared with peer institutions, primarily because it is not the ultimate governing document for the University, unlike at other institutions.
- The NIU Constitution has 11 separate Articles and its associated Bylaws contain 22 separate Articles. In combination, the Constitution and Bylaws house both governance policy statements, but also University operating procedures.
- OGC: “multiple governance documents at NIU are confusing, sometimes contradictory with one another, and do not provide for ease or clarity of use.”

Review



Areas suggested for updating and consolidation:

- The rules and regulations relating to the Appointment of Deans and Vice Presidents should be consolidated into one governance document of the Board.
- The rules and regulations relating to the selection and evaluation of the President should be consolidated and placed into one governance document of the Board.
- Policy statements regarding Human Rights and Academic Freedom should be consolidated and placed into one governance document of the Board.
- Procedures should be taken out of Board governance documents and placed with the appropriate University document and/or entity within the University.

Areas within the Purview of the Board

OGC will work in collaboration with the President, the Cabinet and the University Council Executive Secretary to develop specific substantive proposals for review and consideration at the next committee meeting:

- Revised Board Regulations for the appointment of Deans and Vice Presidents.
- Revised Board Bylaws relating to the selection and evaluation of the President.
- Draft policy statements regarding Human Rights and Academic Freedom for inclusion in the Board Regulations
- In collaboration with the President and Provost, and in consultation appropriate shared governance constituencies, provide substantive proposals and recommendations regarding grievance procedures.

Additional areas for constitutional reform will be developed as requested by the Ad Hoc Governance Committee.

Next Steps



Discussion