

Meeting of the
BOARD OF TRUSTEES
OF NORTHERN ILLINOIS UNIVERSITY
September 14, 2017

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 9:02 a.m. by Board Chair Wheeler Coleman in the Board of Trustees Room, 315 Altgeld Hall. Recording Secretary Kathy Carey conducted a roll call. Members present were Trustees Dennis Barsema, Robert Boey, Giuseppe LaGioia, Veronica Herrero, Eric Wasowicz and Board Chair Wheeler Coleman. Members absent: Trustees John Butler and Tim Struthers.

Also present: Acting President Lisa Freeman, Board Liaison Matt Streb; Acting General Counsel Greg Brady; Acting Executive Vice President and Provost Chris McCord; Vice Presidents Jerry Blazey, Anne Kaplan, and Associate Vice Presidents John Heckmann, Larry Pinkelton; and University Advisory Council (UAC) Representatives Barb Andree, Catherine Doederlein, Linda Saborio, and Alex Gelman.

2. VERIFICATION OF QUORUM AND APPROPRIATE NOTIFICATION OF PUBLIC MEETING

Acting General Counsel Brady indicated the appropriate notification of the meeting has been provided pursuant to the Illinois Open Meetings Act. Mr. Brady also advised that a quorum was present.

3. MEETING AGENDA APPROVAL

Chair Coleman asked for a motion to approve the committee agenda as proposed. Trustee Boey so moved and Trustee Barsema seconded. Chair Coleman asked for a motion to amend the agenda for a consent agenda of agenda items 8.b.1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15; and 8.c.2. Trustee Wasowicz so moved and Trustee Barsema seconded. The motion passed.

4. REVIEW AND APPROVAL OF MINUTES OF MAY 18, 2017

Chair Coleman asked for a motion to approve the minutes from the meeting of May 18, 2017. Trustee Barsema so moved and Trustee Wasowicz seconded the motion. The motion passed.

5. CHAIR'S COMMENTS/ANNOUNCEMENTS

Chair Coleman welcomed the University Advisory Council and asked if representatives would like to make comments.

Cathy Doederlein began I did want to be here specifically to thank the Board for taking under consideration the resolution related to DACA and also to thank our students that are here to speak as well as the staff and faculty that are here to support them as well. I think it's a very important issue and I know my colleagues within SPS just want to thank you for taking that under consideration and the care that you've taken in looking out for our students and thank you again to the students for being here as well as the faculty and staff that are supporting them.

Linda Saborio Faculty Senate President, added the recent decision to rescind DACA on September 5th has left many students, families, and communities facing an unknown future. Our own Acting President Freeman responded immediately to the decision from the White House reassuring our NIU community that NIU is committed to all of our students and I think her exact words were "you belong at NIU." I would like

to thank President Freeman for her response and continued and unwavering support of our undocumented students. I would also like to express my gratitude to the Board members for their proposed resolution today in support of our undocumented students and their efforts to encourage legislative actions that would create not only a pathway for citizenship, but also a pathway for success for so many young people. To our Dreamer students here, hang in there. We support you and you are a part of our Huskie Community and you always will be.

Barb Andree, President of the Operating Staff Council, updated the group on the NIU Operating Staff Council events and noted that they certainly appreciate that opportunity to show off NIU.

Alex Gelman added, I'd like to thank Chair Coleman and Vice Chair Barsema for coming to the Faculty Senate meeting last week to solicit input into the presidential search process. I'm sure you could tell by the response of those present that the invitation was eagerly accepted and despite the diversity of opinions, it is the faculty, universities being the last vestige of true democracy. I think the sense of ownership that that participation will engender is likely to give the incoming president that dreaded sense of popularity that they may have on the way in however short lived it might be. On behalf of my colleagues I'd like to thank you for opening that door and express my deepest hope that the door continues to be open.

6. PUBLIC COMMENT*

Acting General Counsel Brady indicated that Derek Van Buer had been a written request to address the Board during public comment.

Derek Van Buer: Good morning. Before I start I'd first like to thank Trustee Coleman and Matt Streb for changing their policy of password protecting the report that was posted upon the Board of Trustees website. Prior this you could not access it before the meeting and most times you couldn't even access during the meeting. So again thank you very much for the change in policy. Recently members of the Board and the staff of NIU have made remarks about the cost of FOIA. An important element of that cost is the cost to the FOIA requestor and the office of the Public Access Counselor which is part of the Attorney General's Office for the non-compliance of NIU. I requested public documents when NIU's PeopleSoft installation. As a Board the FOIA Office and the General Counsel Office are where the contract allows the usage to only NIU's internal business operations. Let's take a look at the contract. The relevant sections are highlighted. As you will notice that it says it's solely for your internal business operations subject to the terms of this agreement. You may allow your agents and contractors to use the programs for this purpose and you're responsible for their compliance with this agreement and such use. On the next slide it goes on in Section D ownership and restriction. It's further restricts third party access to NIU installations of PeopleSoft. It states you may not make the programs and materials <resonance> from the services available in any manner to any third party for use in the third parties business operation unless such access expressly permitted for the specific program license and materials from the service you have acquired. On the next slide another section, section O, further restricts third party access to NIU's by the assignment clause it states you may not assign this agreement or transfer the programs and/or any services or an interest in them to any individual or entity. The next slide is a signature page. And you will notice that it was signed for on behalf of the BOT by Eddie Williams, President Peters, and the general counsel at the time Ken Davidson. The next slide is the renewal. In the second sentence from the first paragraph of the renewal order and documents, it states Northern Illinois agrees that the services order are for the sole benefit of the customer and shall only be used by the customer. The next slide again just to indicate again the customer is NIU because it's talking about NIU being a tax exempt organization. Okay? So it's pretty clear contracts for NIU and the last pages and on the signature page from June 2017 and again now the president, Doug Baker, Larry Pinkelton and Greg Brady. Okay. This shows the knowledge of the General Counsel's office about the contract and the date of the signature, June 2017. Yet this knowledge was never provided to the PAC Office or me and NIU responses to numerous requests for reviews. Here is a short clip

from the Beverly Hillbillies. The show includes Phil Silvers as Honest John. Honest John is selling Central Park among other landmarks to Jed. (Video plays.) This clip is relevant because you can't sell or assign rights to things you don't have rights to such as a PeopleSoft contract. And the reason this is relevant is because NIU keeps saying that the records that I've been requesting are owned NIU Foundation because they have a contract with NIU Foundation for the use of PeopleSoft. But they can't because the contract with Oracle doesn't allow it. The General Counsel's Office has failed. For three times to disclose the material facts of the contract to the PAC Attorney General's Office. The request for reviews are 2017 PAC 47811, 2017 PAC 48851, and 2017 PAC 49016. This behavior equates to bad faith. On September 5th I submitted another FOIA request for Foundation business unit's record contained in PeopleSoft. I included reference to the contract terms in my request. I even called up and asked the FOIA office if they needed a copy of the contract. Tuesday I received NIU's response I had to follow up with the Foundation. Shortly thereafter I submitted another request for review with the PAC. NIU ignored all reference to the contract with Oracle and the last request for review the PAC expressly asked NIU to explain why they did not have physical custody or possession of the NIU Foundation business unit records contained in PeopleSoft. NIU didn't answer other than to say they didn't have physical custody or possession. How? How is that possible? Can NIU start to act in good faith on FOIA requests? There is significant cost associated with NIU's actions by these poor choices made by the FOIA office.

Acting General Counsel Greg Brady responded, first and foremost starting with the accusation of bad faith and I want to be very crystal clear that is no bad faith by the university in processing the FOIA requests or process the public access counselor appeals. I would like the audience to understand that this all stems from several FOIA requests that Mr. Van Buer had made in which he would like the university to reach into the PeopleSoft system and turn over information and records of the Foundation which is a separate legal entity and a separate 501c3. I told Mr. Van Buer that I would have his concerns about Oracle contract looked into when he emailed several times about it and that's what we've done. So far to date, we have found that the Oracle contract is between NIU and Oracle. Those are the parties to the contract. The contract allows NIU to provide access to the PeopleSoft system to its agents and contractors. NIU has a contract with the Foundation to provide professional services for the university. But the Foundation is still a separate legal entity and registered as a separate 501c3 apart from the university. The Oracle contract does say that PeopleSoft is to be used for the internal business operations of the university. We believe the professional services provided by the Foundation under its contract with the university meets this standard. But we are also reaching out to Oracle, our business partner, to make sure they are comfortable with this. They are the party to the contract. In essence Mr. Van Buer is arguing that merely because the Foundation information is stored in the PeopleSoft system then that means that it is possessed by the university and the university is, therefore, required to produce it under FOIA. That argument ignores two important, very important, things. First, a basic principle of property law. Possession is 9/10ths of the law. But 1/10th of the law is ownership and that's a major component. Without ownership you don't have full rights to turn over information. And therefore it would be inappropriate for the university to simply take information from the Foundation and produce it under FOIA requests without involving the Foundation. It would also be bad public policy and would discourage business with the State of Illinois and NIU if outside entities felt that their information and records were suddenly subject to FOIA if they merely gave it to NIU. We have contracts with several entities. We do business with several outside entities in which we use their information to do analysis on their work product and their information. That does not make their information subject to FOIA. As Mr. Van Buer pointed out he has appealed this to the Attorney General's office three separate times. There may be multiple more times. So we are before the Attorney General's office right now on this issue. So there will not be any further comment on this but I wanted the audience to understand the position of the university in this instance. Thank you.

Chair Coleman added, the university is spending a lot of time answering FOIA requests. We've had to hire a new employee to help deliver on those FOIA requests so we can be in compliance with the law. NIU will follow the law. We're going to do what we have to do. But at the same time I have to tell you we're

concerned about costs. We're concerned about building the university, focusing on the university's growth, the real issues, the real mission of the university and we're spending a lot of time chasing ghosts. Unfortunately, this is not a cartoon and, I know there are some folks that think that they're doing the right thing by doing hundreds of FOIA requests, but it's hurting our institution and it's taking time away from the real business of the institution and we've got to find a way to move on.

7. REPORTS OF BOARD COMMITTEES AND BOARD LIASIONS

a. Executive Committee

Chair Coleman indicated the Executive Committee has not met so there will be no report.

b. Academic Affairs, Student Affairs and Personnel Committee (AASAP)

Trustee Wasowicz reported, at the August 17, 2017 meeting of the Academic Affairs, Student Affairs and Personnel Committee approved one item from the Division of Athletics which was the authorization to retain executive search firms to support selected searches for the Division of Athletics. There were three informational items included a presentation on recruitment and retention activities at NIU, the 2016/17 faculty emeritus recognition, and finally we had two very great student athletes that shared their stories of student academic success.

Chair Coleman added, we would like to hear from others, including students, faculty and staff and the impact that they're having on the university.

Trustee Wasowicz agreed, we have a lot going on and a lot to be proud of.

c. Compliance, Audit, Risk Management and Legal Affairs Committee (CARL)

Trustee Boey reported, the Compliance, Audit, Risk Management and Legal Affairs Committee otherwise known as CARL meet on August 17, 2017. The committee reviewed several proposed changes to the Board bylaws and recommended those changes for adoption at the Board meeting today. These are today's agenda under the Chair Report Item 9.a. The committee also received and discussed an update on the corrective actions being taken to address 2016 audit findings, including an audit finding concerning compliance with FOIA and the State Records Retention Act. Finally, Acting General Counsel Greg Brady provided the committee with information concerning the Board's provisions for addressing conflicts of interest and related disclosures.

d. Finance, Facilities and Operations Committee (FFO)

Trustee Barsema reported, at the August 17, 2017 meeting of the Finance, Facilities and Operations Committee we approved a total of 6 action items including the fiscal year '19 budget request guidelines as well as the fiscal year '18 internal budget amendment. We also approved the fiscal year '19 capital budget requests, a new investment in cash management policy, and the bowl game participations expenses. A student internship partnership/lease or license proposal with Discover Financial Services was also approved with amended wording. This item was also included on the special meeting agenda for immediate approval. The Finance, Facilities and Operations Committee also had six information items which included annual reports on tuition and fee waivers, cash and investments, and the summary report of obligation of financial resources. A quarterly report of transactions in excess of \$100,000 was also included. John Heckmann presented a facilities update which included timelines on the Holmes Student Center and Neptune Projects as well as the Stevens project. Brett Coryell gave a presentation on the NIU telephone systems background and current status.

Chair Coleman thanks Trustee Barsema and Trustee Boey for filling in for the Chairs of their respective

committees noting that Trustees Struthers and Butler will be arriving later today due to other circumstances.

e. Legislative Affairs, Research and Innovation Committee (LARI)

Trustee Barsema reported, the Legislative Affairs, Research and Innovation Committee met on August 17th, 2017. We received written reports on the state budget and federal relations. On the state level, as we all know by now, on July 6, 2017 NIU received its first fully funded budget since FY15. In addition, we received retroactive funding for fiscal year '17. We should keep in mind though that despite this we still had to absorb a funding shortfall of roughly \$65 million between fiscal year '15 and fiscal year '17. Assistant Vice President Dara Little provided a fiscal year '17 year-end summary for Sponsored Programs. The university received 307 awards that totaled \$25.9 million with research funding up 11% over fiscal year '16. Last, Vice President Jerry Blazey presented a SWOT analysis of NIU research and innovation. It highlighted our faculty and students as our greatest strength and involving opportunities and we asked Dr. Blazey to continue with the analysis and development of a strategic plan which we will be in discussion in the coming months.

f. Illinois Board of Higher Education

President Freeman indicated the IBHE will meet next week so there is no report today.

g. Universities Civil Service Merit Board

Trustee Herrero indicated the last meeting was rescheduled for next week so there will be no report today .

h. Northern Illinois University Foundation

President Freeman reported on behalf of Vice President Squires and the NIU Foundation. The Foundation held a board meeting recently on September 1st which I attended as an invited guest. The key Foundation activities that were discussed at that meeting and that are ongoing are a focused campaign for general scholarship support. This is a multi-year campaign with a goal likely in the \$50 million range. Fundraising is already underway and this will be the emphasis of most, if not all, fundraising for the next 18 months to 2 years. While the fundraising has started, the Foundation expects to launch a more public effort in the near future, hopefully before the holidays, and they're working with communications partners on campaign marketing materials. They have already raised \$421,000 including a single gift of \$300,000. University Advancement is continuing with targeted blitz events in areas of the country where there are strong and engaged pockets of donors and alumni. There was a successful event last year in Phoenix. There was a recent event in Chicago at the home of Chet and Teresa Young. I was invited to attend there and to meet some of our past Huskies who are very enthusiastic about the university; and there is an upcoming event in San Diego that will be hosted by Jeff Yordon at his home in Dana Point. The Foundation is also preparing for the Red and Black which will be held Saturday, November 18th at Drury Lane in Oak Park. Everyone is encouraged to come. The purpose of the evening will be to raise funds for scholarships in keeping with what I said the emphasis of the Foundation will be going forward for the foreseeable future. Trustees will receive information on how to purchase seats or tables for that event.

i. Northern Illinois University Alumni Association

President Freeman reported, football is in full swing. There is a pre-game event scheduled for our California based alumni in San Diego on 9/30. Homecoming will be held here October 7th, and there are game watch parties at 13 locations nationwide scheduled in conjunction with our November 2nd game against Toledo. Very excited that the Alumni Association has recently hired a Director of Volunteer Engagement, Liz McKee. She has hit the ground running and anticipates a full launch of comprehensive alumni volunteer program in January of 2018. Alumni Association is proud to report that there were more than 400 alumni at the

Black Alumni Council picnic at Dan Ryan Woods on Saturday, September 2nd for the Black Alumni Council's annual Labor Day picnic. University had a very strong presence. I was there along with our Chief Diversity Officer, our Executive Vice President and Provost, our spouses and then members of the Alumni Association. It was an inspiring event. The Greek letter organizations and the Black Alumni Council have been holding this event for more than 25 years. There are hundreds, sometimes thousands, of alumni present and the Huskie love, the desire to pay it forward for students at the university and the sense of warmth and fellowship was really inspiring. I was very pleased to be there and I look forward to attending it in the future. An important strategic initiative for the Alumni Association this year is the engagement of our local DeKalb County alumni. There are 69,000 of them. Building upon NIU schedules of performing arts, sports, exhibitions and lectures, the Alumni Association has created a Taste of NIU series, a menu, specifically to attract local alumni. Each event will be preceded by a reception encouraging alumni to engage with university leadership and with one another. The series will launch in February 2018 and I want to thank the Alumni Association for supporting the university's desire to improve town gown relationships and local regional partnerships.

Chair Coleman added. we appreciate the outreach effort that the Foundation as well as the Alumni Association are engage with the effort to get behind scholarships and scholarship fundraising. It's critical. The students that we're educating, many of them need assistance. We've got to find a way to lighten the load for some of them and getting behind the scholarship fundraising effort is something that we all need to try to find a way to help.

j. Northern Illinois Research Foundation

Vice President Blazey reported that at this time there is no report as the research foundation did not meet over the summer.

8. PRESIDENT'S REPORT NO. 117

Chair Coleman called for a motion to pass the consent agenda on the following agenda item: Agenda item 8.b.(1) fiscal year 2017 report of tuition and fee waivers; 8.b.(2) fiscal year 2017 annual report of cash and investment; 8.b.(3) quarterly summary report of transactions in excess of \$100,000; 8.b.(4) annual summary report obligations of financial resources; 8.b.(5) facility update; 8.b.(6) NIU telephone system update; 8.b.(7) recruitment and retention presentation; 8.b.(8) 2016/2017 faculty emeritus recognition; 8.b.(9) student athletic academic success; 8.b.(10) fiscal year 2016 external audit correction action plan update narrative; 8.b.(11) conflict of interest training; 8.b.(12) state budget update; 8.b.(13) federal regulation report; 8.b.(14) sponsored program administration; 8.b.(15) the SWOT analysis; 8.c.(2) grant and contract awards.

Acting General Counsel Brady clarified that all of the agenda items mentioned for the consent agenda are information items.

Trustee Boey so moved and Trustee Barsema seconded the motion. Motion carried.

UNIVERSITY RECOMMENDATIONS FORWARDED BY THE BOARD COMMITTEES

Agenda Item 8.a.(1) – Fiscal Year 2019 Budget Request Guidelines

Acting President Freeman made comments prior to presenting the agenda item. This is my first full board meeting as the Acting President and I want to say that it is, and it continues to be, an honor and a privilege to serve the university in this capacity. This has always been my favorite time of year. I love the weather. I love fall sports and I love the positive energy that accompanies the beginning of the academic year when our students and our faculty return to the campus. I've had a new perspective this year as the Acting

President as I've been able to attend so many alumni gatherings, arts, and athletic events; community events, move-in, welcome and family weekend and I just want to make the comment that that sense of family, the extended Huskie family that is caring and committed to one another is pervasive. It's one of the best aspects of NIU. It's always worthy of celebration and I think we heard it here this morning in Trustee Wasowicz's comments about the students at the committee and at the university advisory committee's comments about supporting undocumented students as members of our community. I also want to say something about our fall enrollment because we are in the week when all the universities in Illinois release their fall enrollment numbers and there is good news. There is a 3% increase in new freshmen after a number of years of decline. Our GPA, high school GPA, incoming 3.28 is at a decade high as is our overall retention rate and these were achieved as our undergraduate diversity continued to increase. In our official statement from the university I shared that we are excited to see the improvement in these areas despite the challenging times and that the positive results can and should be attributed to contributions from every corner of the university. I meant that. I want to echo it and I just want to expand upon it a little bit here. We're very proud of the changes that have been instituted in Enrollment Management, Marketing and Communications. Marketing and Communications are very important, but they are not effective if they can't be authentic. They can't be authentic if the narratives aren't real, if the programs don't have quality so I want to thank our faculty and staff for continuing to ensure the quality and excellence of our academic programs. I want to thank public safety and everyone on this campus for making sure that we have a safe campus for our students and for those of you who aren't aware of this, we were just recognized among the top 100 safest colleges in America in a ranking that's based on FBI and National Center for Education's statistics crime data. I want to thank our facilities and grounds staff for making the campus look attractive during a time of severe resource constraints. Their resourcefulness and their ability to make our walkways and our landscapes and our buildings look as good as possible within the limitations that we have is amazing, and it's greatly appreciated. We have a lot of challenges to face this year, but we have a tremendous amount of Huskie pride, energy and positivity and that's what I want to focus on this morning as we move into the action items. So thank everybody for what they do for the university, our alumni, our faculty, our staff, our students who tell the wonderful stories on social media and elsewhere to continue to recruit the next generation of Huskies and our trustees who give up their time and show their commitment to this university in so many different ways.

Trustee Barsema commented on the freshmen enrollment numbers at our competition here in the state. It is important for us to look at because we're up 3% or almost 35 on the freshmen numbers, while Western was down 21%, Southern was down 18% at the Carbondale campus, 9% at the Edwardsville campus Eastern was down 14%. And Illinois State was down 9%. So in comparison to others in the state, that's a very significant indicator for us that we're turning things around. We've stabilized the enrollment and we can now start to work on climbing even further as we go into the future. When we look at the benchmarks that we compare ourselves to in the state, we as an NIU community and NIU family really came through tremendously well this fall. Everybody in the room from faculty to staff to communications to enrollment management to facilities to police and all that are involved in making this campus it is what it is, thank you, thank you thank you, because you did an outstanding job. We got to keep it up. We got a lot of work to do. We got to keep up this momentum that we have now, but we've got the pendulum swinging our way. Awesome job. Thank you.

Acting President Freeman moved to the Agenda Item 8.a.(1) which is our fiscal year 2018 budget guidelines. Each year at this time the staff seeks the Board's approval of the budget request guidelines that will be used to develop the university budget request for the upcoming year. The university recommendation is to develop the FY19 budget request and request approval of the Board of Trustees for \$93,628,600 in order to ensure the timely preparation and submission of the university's FY19 detailed budget request to the IBHE.

Chair Coleman asked for a motion to approve. Trustee Boey so moved and Trustee Wasowicz seconded.

Motion approved.

Agenda Item 8.a.(2) - Fiscal Year 2019 IBHE Capital Budget Request

Acting President Freeman presented Agenda item 8.a.(2) fiscal year 2019 IBHE capital budget request. The Illinois Board of Higher Education, the IBHE capital budget request is submitted in the fall prior to the budget year in order to meet the IBHE and state capital project review and approval submission schedules. The university requests the Board of Trustee approval for the proposed fiscal year 2019 capital budget request submission. The request will then be submitted to the Illinois Board of Higher Education for consideration and inclusion in the state wide fiscal 2019 IBHE capital budget recommendation. Chair Coleman asked for a motion to approve. Trustee Wasowicz so moved and Trustee LaGioia seconded. Motion approved.

Agenda Item 8.a.(3) - Fiscal Year 2018 Internal Budget Amendment

Acting President Freeman continued with Agenda Item 8.a.(3) fiscal year 2018 internal budget amendment. Each year the university seeks the Board's approval of the internal budget for the current fiscal year. This year, during the FY18 budget development process, our approach in developing our recommendation has been to expand our engagement with the campus community and solicit input more broadly. This has enabled us to make more well informed critical and difficult decisions regarding our internal budget as we face some uncertainty. The university continues to work together and pursuant to the Board of Trustees bylaws, the university requests Board of Trustees approval of the FY18 internal budget as outlined in tables 1 and 2.

Chair Coleman asked for a motion to approve the internal budget? Trustee Boey so moved and Trustee Herrero seconded the motion.

Trustee Barsema commented, being a part of this committee I've been able to witness first-hand how much work has gone into the creation of the budget this year and the reporting that we're doing is getting much, much better than where we've been before in the past. I want to remind everybody that while the bottom line numbers likely are going to be relatively the same, however there is going to be internal movement in the columns and there's always going to be movement in any budget. Those are being managed and watched very closely and while we have a tremendous amount of confidence in the bottom line numbers, there will be movement within the budget. So you just need to expect and anticipate that and even like within our own households at home, there's always movement within expected budgets on what we thought we were going to spend this year and where we actually spend the money. I wanted to make sure that everybody was aware of that.

Chair Coleman called for a vote on the motion and the motion was approved.

Agenda Item 8.a.(4) – Investment and Cash Management Policy

President Freeman presented Agenda Item 8.a.(4), investment and cash management policy. The current investment and cash management policy was approved by the Board of Trustees on September 17, 2015. The university investment committee has since pursued investment strategies in accordance with this policy. Herein the university requests Board of Trustees approval for a revised investment and cash management policy as indicated in the item.

Chair Coleman asked for a motion for approving the investment and cash management policy? Trustee Herrero so moved and Trustee Boey seconded. The motion was approved.

Agenda Item 8.a.(5) – Bowl Game Participation Expenses

President Freeman continued, Agenda item 8.a.(5) bowl game participation expenses. The university here requests that the Board of Trustees delegate to the president or her designee approval for all necessary and proper expenses related to NIUs participation in a post-season bowl game competition. Specifically, Board of Trustees approval is requested for expenditure authority for a post-season bowl game competition delegation of approval authority to the president or designee to undertake all transactions necessary in relation to the bowl reporting all bowl related expenses at a subsequent meeting of the Board.

Chair Coleman called for motion. Trustee Barsema so moved and Trustee Wasowicz seconded. The motion was approved.

Agenda Item 8.a.(6) – Authorization to Retain Executive Search Firms to Support Selected Searches for the Division of Athletics

President Freeman continued, Agenda Item 8.a.(6) is authorization to retain executive search firms to support selected searches for the division of athletics. It is recommended that the president be authorized to select executive search firms to support selected searches for head coaches in the Division of Athletics as needed. It is further recommended that the president report plans to retain such search firms to the Board as soon as practicable and periodically report back to the Board regarding the selection and status of such searches. The Academic Affairs, Student Affairs and Personnel Committee endorse this request and asked the president to forward it to the Board of Trustees as we are doing right now.

Chair Coleman asked for a motion for authorization to retain an executive search firm. Trustee Wasowicz so moved and Trustee Herrero seconded the motion.

Trustee Barsema asked if we lose a head coach and there's an internal person that the Athletic Director wants to promote to head coach, are we required to still do a search, or do they have the ability to promote an internal person without a search?

President Freeman responded, Human Resources Division has standard practices for a waiver of search and if Athletics, same as any division, wanted to request a waiver of search using appropriate justification, they would go through Human Resources.

Acting General Counsel Brady added, coming out of committee this item was amended in committee to be applicable to a one-year time frame. Now I wanted that to be reflected here and get clarification from the Board. For today's approval is it limited to one year as coming out of committee or is this a standing approval from the Board

Chair Coleman noted, based on my opinion, I think the initial intent was to have it multiple years. However, the committee approved it as a one-year committee approval. Today I'd like us to move forward with the one-year approval. Although, if any of the trustees would like to engage in an amendment to the motion that's on the table and make it a multiple year you have the right to do that. But unless I get a motion, we'll go forward with the one-year approval.

Trustee Wasowicz felt it should be for multiple years. Chair Coleman asked for clarification from Athletics as to the original intent and time frame they would like to see approved.

Senior Associate Athletic Director Deb Bought on responded, the time frame of hiring in all units is intense. I think our unit is a little bit different especially for these high level coaching positions, the speed of which has to happen is very, very quick. We're not different, we're not better, we're just different, so to come

back every year and ask for another permission to do this will probably be what we do. My initial response to the one year or up to the fiscal year to Dr. Streb was to say well we'll just put another request on. So we'll be requesting every year if that's the choice of the Board.

Chair Coleman asked have you ever had a multi-year request approved by the Board?

Sr. Assoc. Director Boughton responded, we have not. This is to expedite speed of the game to be able to be as nimble as possible especially within these high level searches.

Chair Coleman asked if it would be appropriate to put a three-year cap on this request.

Deb Boughton felt that would be appropriate and would not use unless the situation presented itself.

Chair Coleman ask if there were concerns regarding amending the motion to include a three-year cap.

Trustee Wasowicz moved to amend the motion to be in effect for a three-year period from through 2020. Trustee Boey seconded the motion. The amendment to the motion passed.

Chair Coleman continued with the original motion and called for a vote. The motion to approve passed with the amendment to authorization to Retain Executive Search Firms to Support Selected Searches for the Division of Athletics for a period of three years through 2020.

UNIVERSITY REPORTS FORWARDED BY THE BOARD COMMITTEES

Agenda Item 8.b.(1) - Fiscal Year 2017 Report of Tuition and Fee Waivers - Consent

Agenda Item 8.b.(2) - Fiscal Year 2017 Annual Report of Cash and Investments – Consent

Agenda Item 8.b.(3) - Quarterly Summary Report of Transactions in Excess of \$100,000 – Consent

Agenda Item 8.b.(4) –Annual Summary Report Obligation of Financial Resources- Consent

Agenda Item 8.b.(5) - Facilities Update– Consent

Agenda Item 8.b.(6) – NIU Telephone System Update - Consent

Agenda Item 8.b.(7) – Recruitment and Retention Presentation – Consent

Agenda Item 8.b.(8) – 2016- 2017 Faculty Emeritus Recognition - Consent

Agenda Item 8.b.(9) - Student Athletic Academic Success - Consent

Agenda Item 8.b.(10) – FY2016 External Audit Corrective Action Plans Update Narrative

Agenda Item 8.b.(11) – Conflict of Interest Training

Agenda Item 8.b.(12) – State Budget Update

Agenda Item 8.b.(13) - Federal Relations Report - Consent

Agenda Item 8.b.(14) – Sponsored Programs Administration - Consent

Agenda Item 8.b.(15) – SWOT Analysis – Consent

Items Directly from the President

Agenda Item 8.c.(1) – Chicago-Based Office Leases for the Education System Center and College of Business MBA Program

President Freeman continued, the final action item in the president's report is agenda item 8.c.(1) Chicago-based office leases for Education and System Center and College of Business master's programs, MBA programs. To summarize this request, two leases commenced on August 16, 2015 consolidating NIU's presence in Chicago for the Education System Center which is part of the Division of Outreach Engagement and Regional Development; and the College of Business Master's programs. Originally this item was anticipated to be below \$250,000 each for the two 4.5 year leases, however, it was recently discovered that utility payment provisions in the leases could cause the total payments to the leaser to accumulate to over \$250,000 for each lease. As indicated in the item, the education systems lease could amount to a total of about \$260,000 for FY17 to 21, approximately \$58,000 annually and the College of Business lease could amount to a total cost of about \$265,000 for FY17 to 21 \$59,000 annually. In this context, the university requests Board of Trustees approval to continue the leases supporting educational systems in the College of Business programs in downtown Chicago at the respective authorization levels of \$260,000 and \$265,000.

Chair Coleman asked for a motion. Trustee Boey so moved and Trustee Herrero seconded the motion.

Trustee Wasowicz asked what the return is on having a Chicago office?

President Freeman responded, we generate good will across the state and they underpin some of the P20 partnerships that we've seen give the university a leg up in certain types of grant competitions. With respect to the College of Business programs, we hear from alumni that having centrally based, alumni and perspective students many of whom actually are alumni, that having central Chicago space that's accessible to public transportation is a positive. In addition, the Chicago location for the new master's, the Financial Risk Management Master's for example, has an opportunity to really draw international students in a way that a non-Chicago based master's program would not. So I believe that we've had good early response to the Chicago based programs. I know there are plans within the College of Business to grow enrollment in those programs aggressively and I'm very supportive of continuing the lease and continuing those programs.

Trustee Barsema added, one of the schools that was also up in terms of enrollment, freshman enrollment, was the University of Illinois-Chicago, and they were up pretty substantially and they were citing one of those reasons is the desire for students to have an urban setting and to be in school in Chicago. So I think it's very important for us to have a presence there. We graduated 17 MBA candidates so it seems like a good number for the first year. I think it's important for us to have a presence there for all the reasons stated.

Chair Coleman called for a vote on the motion and the motion was approved.

Agenda Item 8.c.(2) - Grants and Contract Awards - Consent

9. CHAIR'S REPORT NO. 82

Agenda Item 9.a. –Proposed Bylaw Changes for Standing Committees

Chair Coleman began with the Chair's Report. The first is the second reading put forth and approved the

Compliance, Audit, Risk Management and Legal Affairs Committee reviewing the bylaw changes from August 17th. The proposal is to amend the bylaws into the committee structure. Today is the second and final reading of those changes. May I have a motion to approve the proposed bylaw amendments? Trustee Barsema so moved and Trustee Herrero seconded the motion.

Chair Coleman continued, for the record, I just want to point out, before this fiscal year we had seven committees, two ad hoc committees and five standing committees. We decided to consolidate the committee structure to move some things around. We've also revamped the Executive Committee. The Executive Committee will meet four times a year and will oversee initiatives such as the strategy, vision, goals, priorities of the university including the presidential review. We've expanded the functions of the Academic Affairs, Student Affairs and Personnel Committee. We're rolling enrollment back into that committee and manage that under one committee structure versus having an ad hoc committee on it. We created a new committee called Research and Innovation Legal and Legislative Affairs. We've taken those components and brought them together and we're going to manage research, innovation and legal and legislative affairs under the new committee. And then we've added the audit function, audit and compliance function, to Finance, Facilities and Operations. We believe that this new structure will allow each committee to continue to focus and zero in and connect the dots as it relates to integrated items. It will also take some of the administrative overhead that we have in running our additional committees with this new structure. Now furthermore it puts us in a position, if necessary, for us to create an ad hoc committee or committees if necessary to help carry out the business of the university. We're excited about the changes. We think it's going to help streamline our capabilities but it'll also helps us if necessary to activate another ad hoc committee as we continue to move forward.

Acting General Counsel Brady added, for clarification, the bylaws for the Board require amendments to be approved by six affirmative votes. As such I would recommend a roll call vote for this item.

A roll call vote was taken:

Trustee Robert Boey: Yes	Trustee John Butler: Absent
Trustee Veronica Herrero: Yes	Trustee Giuseppe LaGioia: Yes
Trustee Tim Struthers: Absent	Trustee Eric Wasowicz: Yes
Vice Chair Dennis Barsema: Yes	Board Chair Wheeler Coleman: Yes

Motion Approved.

Agenda Item 9.b. – Resolution – Solidary Support from the BOT of NIU Regarding the Deferred Action for Childhood Arrivals (DACA) Program

Chair Coleman continued, at this point I'd like to address agenda item 9.b. and it is the resolution for solidary support. Today I'm really excited about the resolution that the Board is about to propose. I'd like to read the resolution so please bear with as I read the resolution.

RESOLUTION

**SOLIDARY SUPPORT FROM THE BOARD OF TRUSTEES
OF NORTHERN ILLINOIS UNIVERSITY REGARDING THE
DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) PROGRAM**

WHEREAS, the Deferred Action for Childhood Arrivals (DACA) program was established in 2012 and allowed those who immigrated to the United States as children younger than the age of 16 prior to 2007, to remain in the country and obtain work permits on a renewable basis if they met a series of criteria;

WHEREAS, on Tuesday, September 5, 2017, President Trump initiated an executive order to end DACA, affecting the lives of more than 800,000 immigrants; and

WHEREAS, the State of Illinois has joined at least 15 other states in challenging the recent federal legislation that serves to overturn the protection measures of the DACA program; and

WHEREAS, Northern Illinois University (NIU) Acting President Lisa Freeman has issued a clear and swift response of commitment of continued support to all NIU students and their educational pursuits, as well as employees, regardless of their immigration status; and

WHEREAS, NIU proactively fosters an inclusive culture for all – including more than 200 undocumented students, who are seeking a path to citizenship as well as economic and societal stability; and

WHEREAS, NIU is taking a transparent position of solidarity in standing with our undocumented students and employees, in vowing to continue to offer resources and forums to address the inevitable repercussions of the White House actions to rescind DACA,

THEREFORE, BE IT RESOLVED that the Board of Trustees of Northern Illinois University supports legislative actions to create a pathway for citizenship for DACA participants; and we strongly encourage all local, state and national citizens to support our position of solidarity;

BE IT FURTHER RESOLVED that this RESOLUTION be sent to Illinois lawmakers and a copy of this document be placed in the official files of the Board of Trustees as part of the permanent record of the University and the great State of Illinois and as a lasting testament of the voice of this body, which believes in due process rights for all and the tenets of the United States Constitution.

Adopted in a regular meeting assembled this *14th* day of *September, 2017*.

**BOARD OF TRUSTEES OF
NORTHERN ILLINOIS UNIVERSITY**

Wheeler G. Coleman
Chair

John R. Butler
Secretary



Chair Coleman asked for a motion to approve the resolution. Trustee Boey so moved and Trustee Wasowicz seconded. The motion was approved.

Agenda Item 9.c. – DREAM Action NIU

Chair Coleman began, I'd like to extend a warm welcome to the DREAM Action NIU students Yeon Woo Kim and Laura Vivaldo Cholula and invite you to the microphone please to provide your comments.

Yeon Woo Kim began; my name is Yeon Woo Kim. I'm a student here. I study Accounting with a minor in Business Analytics. We want to thank Chairman Coleman for extending his invitation over to this Board of Trustees meeting and we also want to express our deep gratitude to Acting President Freeman for penning out that letter after the rescindment that happened for DACA on September 5th. A little bit about our organization. DREAM Action NIU is a student led organization that was created by three allies whose aim is to increase awareness about the situations undocumented students face in the US and particularly on our campus. Our members share the belief that higher education is a fundamental human right for all regardless of immigration status. As an organization we understand the multiple obstacles undocumented students face and therefore we strive to develop strategies to ensure that these students are and can be able to obtain like higher achievement for education and academic success. We also aim to provide accurate information to the institution university so that it is better equipped to serve this population. We would just like to emphasize that DACA that program has been rescinded on September 5th. So even though we may not have DACA anymore, we do have our stories. Our stories have the potential to humanize immigration and begin conversation about the factors that push people to immigrate to the United States. We continue to organize and share our stories one at a time where undocumented immigrants have been increasingly criminalized and dehumanized by the current executive administration. So I would like to share my personal story at this time about how I came here and how I got to this DACA status and not anymore actually. I came here in 2002, January 7th and I was six years old at the time. We came on a traveler's visa so the first thing we did was go to Disney World right away like most people do. My story is similar to some of the Korean-American community members that have also lost their visa. Because in 2005 something bad happened, my mom doesn't share the nitty-gritty details of it, but what essentially happened was that application was filed wrong and then just the work sponsorship for my dad was lost because the lawyer had like a faulty application. That's why our visa fell through and I just fell out of status. And what happened is that I did not know about my status. I didn't know that I was undocumented and it didn't really affect me much just because I went to a public school and it was funded well so I did not have any troubles like that. But the troubles came when I reached senior year of high school and that's the point where you know you have to fill out your FAFSA forms by January, now it's October, but by January and then I was trying to look for schools. And then I was applying and then for the FAFSA.gov application you first have to enter your social security information. If you have done so, you probably know, but I looked at that space and I asked my mom "oh what is our social security number?" and she said "oh you don't have it". And I looked around because I thought she wrong because you know she wasn't good at English and I thought she might be wrong. So I saw a TIN number and I'm like is this is this is also like the same amount of digits and she's like actually no, we don't have status. So you have to go to college on your own if you want to go. She did not push me to go. She said it's a privilege; it's not a right, so you have to pay out of your own pocket. It really hit me because I applied to Hofstra University a private liberal arts college over in the east coast. I got the President's Scholars award which was \$20,000, it was half of it, but it wasn't enough to sustain my education because I had to pay for like \$24,000 more. I just wanted to emphasize that I did not accrue unlawful status because you only accrue it when you turn 18 and I received DACA when I was 17 years old. So that's a little bit about me. Thank you for your time.

Laura Vivaldo Cholula began; I am a senior here at NIU majoring in Political Science with a minor in Latin American Studies. I'll take a few minutes to share my story. I actually came to the United States when I was three months old. My mom and I came over here because my father could not find work in Mexico. I'm from Mexico. My father came here and both my parents do not have further education attainment other than elementary school and the troubles began I think with my situation when I didn't even know and I was in second grade and my parents tried to enroll me in a public school out in Wheaton and they asked

for my US birth certificate. But thankfully due to Plyler v. Doe the Supreme Court case that started before I was even born, that protected me and allowed me to enroll in the public school. Also when you're an immigrant you obviously don't speak the language so at that same school they thought that my inability to learn was tied to some kind of mental illness or some kind of learning disability, so I was psychologically evaluated and they just determined that I had the ability to think, I had the ability to learn, I just didn't know the language. So I went to schools that in some ways my status and my immigration status impacted the way that schools treated me. I graduated from high school in 2009. I graduated from Elgin High School and that's really when the troubles began with my status. I graduated before DACA existed so I went to school for a good period of time without DACA. So that meant no protection. I didn't drive for a very long time and there was no financial assistance available for me except for a few private scholarships that I was able to get. Now I have DACA, I'm protected, I've taken full advantage of the program. I have been able to drive. I have actually gotten the opportunity to go back to Mexico with Advanced Pearl which is something you can do when you have DACA and I'm soon to graduate, but losing DACA at this time just seems like very difficult because it's coming at a time when I'm supposed to graduate and I'm supposed to be thinking about what I'm supposed to do next. It's been very difficult on me personally. It's been affecting my emotional and mental well-being. I've gotten headaches which I think are due to stress and they've started to become chronic, so this is impacting me and it's impacting the students around me. I hear their stories. They tell me they're worried about you know what they're going to do after school. They're worried about their families, so we're in a very catastrophic position right now. It's wonderful that we have this support. So I think at the institution they are a couple of things that we can do. We need a director of undocumented students. We've been asking for that since last spring. We need a person at NIU that's designated and is in charge of addressing the needs of undocumented students. The position should be filled as soon as possible just because of the increasing hostile political environment. This would be a great benefit for the institution. We currently have about 200 undocumented students, maybe a little bit more, and we need someone who is designated to address the needs of undocumented students. This would also benefit the institution because it would help with enrollment. It would help with the retention of these students and we need more financial aid, more financial assistance for these students. Currently only about 19 students are actually funded by private funding, but we need to continue to support all our students through either full scholarships or partial. Our private fundraising entity that NIU Foundation seems to support the fundraising efforts for undocumented students who do not receive state or federal financial aid, it is crucial to recognize the undocumented students, fund their education primarily through private scholarship, or through the support of their parents. The NIU Foundation needs to fundraise for all students regardless of immigration status and if they're actively fundraising for undocumented students we want to ensure that they know the stories of the undocumented students that they are fundraising for and who currently attend this institution. We must support our fellow Huskies whether they're documented or not and encourage the creation of a more inclusive campus regardless of immigration status. The statement of support, the resolutions, are important right now to publically declare the institutions stance or position on this issue, but however in the coming months and the coming years, we're going to need more than just statements of support. We're going to need tangible resources that undocumented students can access in order to succeed at NIU. Thank you.

Trustee Herrero commented, first thank you so much to the both of you and for all the students who did come because it's not easy. It's not easy to go up to the mike and share your story in this environment and the reason you're doing it is not for yourself it's for the entire community and that's just something to really be applauded and I thank you. For me this is a very personal issue too. My story is not very different from yours. You know I'm also the daughter of immigrants and also very little education coming in. Spanish is my first language and so I had similar challenges except that I had the privilege of being documented. I did and I do and I'm very well aware of that privilege and I guess I would just say to everyone in this room and all of our allies just to be very cognizant of our privilege and to be sensitive to the needs of our students, all students, right, all students, but today it's a very difficult time for a lot of students, undocumented students especially. I am so proud of being part of a community that is so supportive of all

students starting with Acting President Freeman and this Board and the faculty and the staff. I just had a meeting this morning to talk about what we could do together and what the administration and the university can do to further support our students and you know everyone is rallying together for this and you know it's very hard for everybody and I'm sure it's just been very hard, hard, hard the last couple of weeks and it's hard to stay focused when all this is happening and when you know our students are feeling so much anxiety and it's not fair. It's not fair and it's not much – you feel helpless, you feel powerless, but remember we're still not defeated and I would just encourage all of our students here to be hopeful, which is so easy to say, I know that and I feel almost very naïve in saying that, but you have to have hope and everyone in this room allies or fellow undocumented are here to support you all and we will do everything that we can to make sure you all are feeling supported and we'll just do what we can. But thank you so much for sharing your stories. Thank you to everyone here for being so supportive and know that you're always in my thoughts and I'm sure everyone else's and we're all just rooting for you all.

Trustee Barsema commented, thank you for speaking today. Take a look around this room. This room is full today. Trust me they aren't here to hear us. They were here to hear you and they're here to support you as we are. I echo the words of my colleague and the one thing that I can promise you is because of my history with them but you know I will continue to push the Foundation to pay attention to fundraising for undocumented students and to always keep that a priority for us at the forefront of our thinking. And my wife and I will lead the way on that I promise you. Thank you being here. Thank you for making it easier for the undocumented students who come behind you because you are changing things. Just by your presence here you are changing things by your activism here on our campus and so for those that come behind you, you know you are helping to make their path a little bit easier we hope and we pray for it and we will work very hard for.

Trustee Wasowicz commented, you're an integral part of what we're doing here and you know just personally for me and my community, I come from a community where there's a lot of undocumented people, and it's hard to image even being that. You know I'm second generation here, but none of us would be here if we weren't immigrants at one point in time. So I think everybody sees that and I live every day and my wife is very involved with this and I know she comes home with the stories to how it is to be a woman that's in a battered situation with domestic violence and you're undocumented. I mean you really have – you're really in a bad way if that happens. We're here. We're doing as much as we can for you and we'll continue to do that. Keep up the fight. We will too.

Trustee LaGioia added, thank you again so much for coming and speaking for us. I think having you guys out there advocating for everything makes it very real. This is something that I am not too familiar with. I'm documented myself. I come from a family of immigrants as well, but it just makes it all more real. Being a part of this university clearly we're all in support for our undocumented students and any students that we have. Thank you again.

Trustee Boey commented, I'm Chinese. I'm no stranger to most people here in this office. I share your pain. I know what you're going through. I'm fortunate. I don't have those issues to deal with and of course my own children don't have those issues to deal with, but I know what you're going through. All I can tell you is that we will certainly try hard to see how we can be helpful and best wishes.

Trustee Coleman added, in closing, Yeon and Laura I want to thank you for coming here today and sharing your story with us, your very, very personal story. We want you to know that you're part of a much larger community that supports you and want you to succeed which is part of our mission is to help, whether you're documented or undocumented, succeed. We personally believe that if we can unite together and we can support one another we can make this world a better place. We want you to focus on your school. We still want you to be an active student, participate in the political process. The students that are active and political are students that will change the world. We want you to go out there and change the world.

Thank you again for coming today and being with us. We appreciate you.

10. OTHER MATTERS

No other matters were discussed.

11. NEXT MEETING DATE

Board of Trustees Committee meetings will be held November 16, 2017, beginning at 9 a.m. The next full Board of Trustee Meeting is scheduled for December 7, 2017.

12. CLOSED SESSION

Chair Coleman asked for a motion to close the public meeting to conduct an executive session to discuss the following subjects authorized by the Illinois Open Meetings Act, as amended: personnel matters as generally described under section 2.c.1, 2, 3 and 21 of the Open Meetings Act; and closed session minute matters as generally described under the section 2.c.21 of the Open Meetings Act. Trustee Barsema so moved, seconded by Trustee Boey. A roll call vote of the Trustees to recess to Closed Session was as follows:

Trustee Robert Boey: Yes	Trustee John Butler: Absent
Trustee Veronica Herrero: Yes	Trustee Giuseppe LaGioia: Yes
Trustee Tim Struthers: Absent	Trustee Eric Wasowicz: Yes
Vice Chair Dennis Barsema: Yes	Board Chair Wheeler Coleman: Yes

The meeting is now closed and will re-open at the conclusion of the closed session. The Board adjourned for closed session at 10:40 a.m.

Reconvene Meeting:

The Board of Trustees of Northern Illinois University reconvened on September 14, 2017, at 3:16 p.m. Chair Coleman announced they were reconvening after the closed session and asked for a roll call.

Members present were Trustees Dennis Barsema, John Butler, Giuseppe LaGioia, Tim Struthers, Eric Wasowicz, and Board Chair Wheeler Coleman. Members Trustees Robert Boey and Veronica Herrero were absent.

13. ADJOURNMENT

Chair Coleman asked for a motion to adjourn. Trustee Barsema so moved and Trustee Struthers seconded. The motion was approved. Meeting adjourned at 3:18 p.m.

Respectfully submitted,

Kathleen Carey
Recording Secretary

In compliance with Illinois Open Meetings Act 5 ILCS 120/1, et seq, a verbatim record of all Northern Illinois University Board of Trustees meetings is maintained by the Board Recording Secretary and is available for review upon request. The minutes contained herein represent a true and accurate summary of the Board proceedings.