

Minutes of the  
**Board of Trustees**  
**of Northern Illinois University**  
**Regular Meeting**  
September 13, 2018

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 9:03 a.m. by Board Chair Wheeler Coleman in the Board of Trustees Room, 315 Altgeld Hall. Recording Secretary Chelsea Duis conducted a roll call. Members present were Trustees Dennis Barsema, John Butler, Nathan Hays, Veronica Herrero, Bob Pritchard, Tim Struthers, Eric Wasowicz and Board Chair Wheeler Coleman.

Also present: Acting President Lisa Freeman; Board Liaison Matt Streb; Acting General Counsel Greg Brady; Acting Executive Vice President and Provost Chris McCord; Vice President for Administration and Finance Sarah McGill; Vice President for Research and Innovation Partnerships Jerry Blazey; Vice President for Outreach, Engagement, and Regional Development Anne Kaplan; Senior Associate Vice President for Academic Diversity and Chief Diversity Officer Vernese Edghill-Walden; Vice Provost Carolinda Douglass; and University Advisory Council (UAC) Representatives Therese Arado, Cathy Doederlein, Alex Gelman, Holly Nicholson, and Kendall Thu.

**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. Acting General Counsel Brady also advised that a quorum was present.

**3. MEETING AGENDA APPROVAL**

Chair Coleman asked for a motion to approve the meeting agenda. Trustee Barsema so moved and Trustee Herrero seconded. The motion was approved.

Chair Coleman asked for a motion to amend the previous motion for a consent agenda of agenda items 8.b.1 through 8.b.9. Trustee Butler so moved and Trustee Struthers seconded. The motion was approved.

**4. REVIEW AND APPROVAL OF MINUTES OF AUGUST 16, 2018**

Chair Coleman asked for a motion to approve the minutes from the meeting of August 16, 2018. Trustee Wasowicz so moved and Trustee Herrero seconded the motion. The motion was approved.

**5. CHAIR'S COMMENTS/ANNOUNCEMENTS**

Chair Coleman welcomed the University Advisory Committee representatives present today and invited them to share their comments.

Holly Nicholson noted the support shown for Dr. Freeman at the previous month's Operating Staff Council meeting. She noted the presidential search open forum was a great opportunity to hear from Dr. Freeman directly, and the Q&A session after Dr. Freeman's talk was appreciated. Ms. Nicholson continued with a personal experience she had with an employee of hers when they attended the "Check Your Blindspots" event. "...we were scrolling through the list of leaders who had signed the pledge for inclusivity and when we found President Freeman's name, my employee turned to the volunteer and said 'That's my president. That's my president.' And she said it with pride, and I have to say it's clear that President Freeman is just the leader NIU needs to achieve our goals and take us to the next level." Ms. Nicholson addressed the AFSCME Local 963 collective bargaining agreement, acknowledging respect for the bargaining process. She raised a concern brought to her by her constituents. In the new contract, the beginning pay for a new building service worker was increased. However, it is capped at the same pay; thus, new workers will not be able to make the same amount current employees receive, possibly creating implications for team cleaning. She did express thankfulness in the elimination of the attendance policy, an addendum to the previous contract. She encouraged continued respectful bargaining in contract matters. Chair Coleman

thanked her for her comments.

Cathy Doederlein greeted the room with a "Happy New Year", signaling the return of students returning to campus and the start of a new school year. She noted SPS Council will be looking at future meeting dates to adjust their meeting dates to avoid Board of Trustees meeting time conflicts as they currently frequently meet at the same time. She noted the presidential search meetings she has participated in have resulted in mostly positive sentiments of hiring Dr. Freeman as the permanent president of NIU. There were some concerns with not having a national search, but not a concern with the job Dr. Freeman could do in the position. She continued that many feel it is time to push ahead and not "push the pause button". Ms. Doederlein continued that if Dr. Freeman is named the president, she looks forward to continued discussion on the potential shift of SPS personnel to Civil Service classifications. Previous concerns discussed with Dr. Freeman on the issue include poor communication and/or misinformation of the process to SPS employees and timeliness of resolving issues. She hopes for continued review of the HR communications process. She concluded by addressing the FY2020 Budget Requests with regards to ADA compliance and campus accessibility. She hopes compliance and accessibility is a top priority for the institution to ensure all students, faculty, staff, and community members have full access to all areas of the campus. Chair Coleman thanked her for her comments.

Therese Arado thanked Chair Coleman and Trustee Barsema for attending the first Faculty Senate meeting to receive feedback regarding the presidential search process. All committees for Faculty Senate have been formed, and they are looking forward to a great year. Chair Coleman thanked her.

Alex Gelman echoed his colleague's wishes of "Happy New Year". He thanked the board for following the conviction of the passions while remaining open to input during the adjusted presidential search process. He noted the importance of both. He noted in the two meetings he attended during the search process, openness, enthusiasm, and commitment were noted from participants and leaders of the meetings. He noted the great support for Dr. Freeman and her vision and actions in support of NIU's mission. On a personal note, he doesn't "anticipate much of a change in dropping the word acting from the title as I work in the home of where acting is taught. We know that the best acting comes from a place of authenticity, honesty, passion, and commitment, and suspect those are all the reasons why Lisa Freeman is going to be our next president."

Chair Coleman thanked the UAC representatives and noted the new website for the Board of Trustees.

## **6. PUBLIC COMMENT\***

Acting General Counsel Brady indicated there were seven timely requests for public comment. He called forward Rod Moyer. Rod Moyer was not present. He called forward Michael Haji-Shikh. Chair Coleman indicated each speaker would receive up to 5 minutes to address the Board.

Michael Haji-Shikh: "Thank you board. I'd like to point out something. I do appreciate you coming to see us at the Faculty Senate, though I do have to point out there was something that was probably incorrectly said about President La Tourette. When Clyde Wingfield resigned, La Tourette took over and you pointed rightfully so he was president for 12 years. But prior to that he was part of a national search and he was a finalist for the national search that selected Wingfield. So when Wingfield resigned in ten months, and of course it was a chancellery system at the time too. It was a completely different system so he was more like somewhere between a provost and a president. He basically was appointed as president because he said he wouldn't do it as Acting President anymore because he'd already gone that route once. That is a justification, it's kind of, I understand the wish to go through without a search and it's gonna cost money and I can understand that. But you also spent about \$400,000 trying to keep the last president. So \$150,000 for a search or \$200,000 for a search probably is quite a bargain. And I think reality; probably Dr. Freeman might win it. I have no doubt that she's competitive, but without having competition as we as faculty have to do, it's hard to tell what the actual result will be. And forever you're going to get this question if there's some crisis or something bad happens or she gets questioned by something, there will always be this background nagging thing going on and I can't – I personally am leaving the university at the end of spring so you guys will probably cheer, except you'll be short some Electrical Engineering professors. But in the end it's gonna be your problem not mine because I'll be sitting on the mountaintop somewhere. Thanks."

Chair Coleman noted he received quite a few emails from Dr. Haji-Shikh and others regarding the topic addressed above. Chair Coleman said the trustees would do what they think is in the best interest of the university based on feedback from key stakeholder groups. The decision is not a popularity contest. They appreciate opinions that don't agree with the process. He asked for the next speaker. Acting General Counsel Brady called forward Manny Diaz.

Manny Diaz: "Good morning and thank you for this opportunity to speak on behalf of Local 963 building service workers here on the campus of the university. You may have heard me speak at Dr. Freeman's open forum in bringing up the issues of respect as to what we do. As I stated, I have two letters: one from a department chair and associate chair. The back of this team cleaning process or lack of, however you want to look at it. We're not just people hired in to clean buildings. We are here. We develop relationships. Huskie pride runs true through all the building service workers here on campus. But yet we're made to feel that you know what, I understand what you're saying, but this is the way we're gonna do things, without actually asking the people to do the work. We took a vote as to who believes team cleaning is actually working on campus. Every vote we got back was negative. We asked the trades how they view things. We asked office workers, building manager, what is it you want to see. We want to see the same people in our buildings. Why? Because we develop relationships. We know who to go to. The building that I'm in, I know it top to bottom. If I go somewhere else, eventually I would know the building, but a lot of the intricacies that you see on a daily basis, we wouldn't notice. A street sign that used to be this bland yellow, when they changed it to vibrant green, it grabbed your attention. It's the same way in the buildings that I'm in right now. If I see a spot that wasn't there yesterday, I know it's there. I can address that. That's what's stated in these letters. Again we're told by management that team cleaning has to work. Well team cleaning was never designed for this type of environment. Could it work in the dorms as opposed to general building? I don't know. I was hired in as a building service worker that had the opportunity to bid in to a certain building, a certain floor, that became my responsibility. That option has been taken away. People who have been here a lot of years tend to gravitate towards an easier building, easier position. Because as I asked somebody when I was first hired in, why is it I see a lot of these people walking you know like this. They said you'll find out. I found out. I'm 58-years-old. My body is achy. This job that we do is a strenuous job. It breaks us down. It's breaking me down. But by not being given the option of taking care of the building that we know and being forced to go somewhere else and do a completely different way of cleaning is not fair, it's not right, and we are not listened to. Again it's just 'well, if you don't like it there it is.' We're told that team cleaning has improved by 20% the overall cleanliness. It hasn't. It saved the university money. The university saved money by attrition. By good, hard-working people to feel that they have been taken advantage of and they've left the university. I know a lot of these people personally. It's 'we're tired of being treated as if we don't matter.' But that also comes into the attendance policy. Right now we're given one day a month that we can miss without really any effect. If we miss more than that, we'd better come in with a doctor's office note. Well there are a lot of single parents that do what we do that have sick kids. Myself, I work around germs all day long. Two years ago I wound up getting sick and missed a couple of days. I knew I couldn't miss any more but I wound up coming in. What happened? I developed pneumonia. Well you know I didn't want to get written up. I didn't want to have that in my file as somebody that misses work. But I'm also told I'm a model employee. Well I'm not here to be a model employee. I'm here to do the job that you hired me to do. Again I was told that I could bid into certain positions and that's it. As I said, I'm in Barsema Hall. That's where I plan on retiring. I've been here six years, I have another nine years, I'll have fifteen by then I'll be sixty-seven. That's where I plan on staying. Is it the easiest building to clean? No. But again the relationships that we build as building service workers go a long way. Again, office managers, they love who they can trust that they know each and every day. They've called me, 'Hey we have something over here. Can you take care of it?' I will. Give me a few minutes and I'll be there and I'll take care of that job for you. And they appreciate it. Again, Martin Ndicu, who spoke with Dr. Freeman shortly after he was hired, and he said, 'I saw this gentleman working in my building and cleaning and working hard.' He said, 'I felt it was my duty to go up to this gentleman and introduce myself because he takes care of this place that we work in. He takes care of this place that we teach in.' Again, students that come up to me, 'Thank you very much for what you do. I've seen what my peers can leave for you.' During the whole negotiation process for the contract, it's amazing how someone in labor management looks at us, looks down on us. Showing up to these negotiations late, oh we can get this done, not prepared. Okay what about this? Oh I don't have that. We'll get back to you later. Well this is the contract we're talking

about here. For the next five years people are going to have to live and work under this contract. But if you have people that are in a position of power that aren't taking us seriously, how is that supposed to reflect back on the union body as its building service workers as a whole? It's tough. This is a tough job. It's a strenuous job and it's breaking a lot of people down. But again, people have left because of how they feel they're being treated. And it's a shame that the university would allow things like this to happen. I'm sure you're not aware of it, but hopefully you are now. That everyone from office workers, to faculty, to everyone that walks on this campus, should be treated with respect. And as building service workers that's what we do. We open the doors for people when they come walking through; visitors, students, faculty. Again and I keep saying this but this is what we do. We're part of the NIU community. This is our job. We have families we have to support and I'm grateful for this job. Because of this job it's allowed for me to pay off my house. Thank you very much for the past six years. That's a huge accomplishment in my eyes. I could keep going but I know my time is limited. I want to thank you for your time and hopefully your ears and eyes have been opened up to exactly what happens here on campus. Thank you."

Chair Coleman thanked Mr. Diaz for his comments. He noted there may be more the trustees need to learn about the area addressed. He recognized the vital role the building workers play at the university. He encouraged Mr. Diaz to continue to express his passion for the university to help keep moving the university forward. Acting General Counsel Brady called forward Dean Paul Kassel.

Dean Paul Kassel: "Thank you for this opportunity to speak. Members of the Board of Trustees: The deans of the colleges, graduate school and libraries, offer our complete and unqualified support for Dr. Lisa Freeman to become the next president of the university. Her qualifications, experience, and abilities are uniquely suited to serve the institution and to fulfill the promise of its mission. We believe Dr. Freeman can lead NIU to achieve its ambition as a preeminent research, scholarly and creative center in the region and in the nation. We believe that Dr. Freeman will guide NIU students, faculty, and staff to a future of growth, stability, and innovation. We fully endorse Dr. Freeman's candidacy. Thank you."

Chair Coleman thanked Dean Kassel for his comments. Acting General Counsel Brady called forward Sarah Dorner.

Sarah Dorner: "Good morning, I'm Sarah Dorner and I'm a union representative with the American Federation of State, County, and Municipal Employees, AFSCME Council 31, Local 963. We're very excited today to announce, as you heard previously, we have reached a tentative agreement for successor collective bargaining agreement with NIU. We have three of our bargaining team members with us today: Patrick Sheridan, Manny Diaz, who you just heard, and Andy Peccorelli, and I thank them for their work on getting this contract. I do want you to know that our contract was overwhelmingly ratified by 94% and the highest attended ratification vote that we have had in decades. I also want you to know that we are very excited to say that since the union busting Supreme Court decision in June, we have only added members to our unit and strengthened our local here at NIU. It is very clear to us that people in AFSCME Local 963 value and love their union. But I'm actually here today to talk to you about something that cannot be enforced through a collective bargaining agreement. I want to talk to you about employee morale and in particular, August 30, 2017. That is the day when food sanitation laborer Joe - I won't use his last name but I do have permission to tell his story - was cleaning up for the day and his supervisor approached him and told him that he needed to move a pan of hot gravy from the hot box to somewhere else in dining services. Joe, who is known by all of his co-workers and managers to be autistic, told his supervisor that he has been expressly told that he is not to move any hot foods over to the hot box. He's been advised repeatedly, you don't handle this. And so his supervisor started to berate and belittle him in front of other employees. His supervisor brought an employee over and said, 'Do you know what insubordination is? Insubordination is stealing from the company. Insubordination is when you don't listen to your manager and it's actually an ethics violation and you could be terminated.' He's saying this to another employee in front of Joe humiliating him. So Joe, nervous and scared to lose his job, humiliated in front of his co-workers, picks up the pan of gravy and he's shaking because he's being yelled at and he drops the pan of gravy and most of the gravy goes all over Joe but some of it goes on the supervisor who then says that's assault and runs to his office and calls the police. Later, after Joe has cleaned up the mess and cleaned himself up, he is taken out by the police. This small man who means no harm to anybody with no history of violence, is taken out by the police crying in handcuffs. His dad, who lost his wife a year prior and is struggling to work with his son, who has also lost his sole support system, has to work to get him out of

jail because his boss called the police on him for a workplace accident. NIU did an investigation and determined there was no discipline necessary because there was not harm, not fault to the employee. There was a criminal case that the supervisor brought against the employee. Again, all charges dismissed. The union investigated this supervisor and the situation, and we found out that there's a long history of statements like 'You're on probation.' 'I own you.' 'It's your job to impress me.', or 'You're not done, go clean my office.' We brought this to management in a grievance meeting and management found for us, they wrote a three page response lambasting the supervisor, but the supervisor is still here. So we posted the response on the union bulletin boards. We wanted people to know what we are doing to try to protect them from their managers. And now NIU has launched a retaliatory investigation against a union steward for posting those. We've taken that to the labor board. So what I want to say with my last 45 seconds here is we hope you vote yes. We hope this contract is the start and beginning of a relationship, but nothing can make up for acknowledging the humanity of the employees that keep NIU going every single day. We ask you to come from a place of acknowledging, recognizing, and embracing, celebrating their dignity. Thank you."

Chair Coleman thanked Ms. Dorner for her comments. His understanding is the matter is under investigation and so made no further comment. Acting General Counsel Brady called forward Joseph Sener.

Joseph Sener: "Chairman Coleman and guests. My name is Joe Sener and I'm the vice president of the NIU Alumni Association. It's my honor today to enter this into the record. The Northern Illinois University Alumni Association (NIUAA) Board of Directors strongly supports the appointment of Dr. Lisa C. Freeman as the permanent president of NIU. In her time as Acting President, Dr. Freeman has established the leadership and passion we believe are necessary to lead our alma mater. Her dedication to transparency is refreshing and vital to rebuilding trust and confidence in the university. Dr. Freeman has also been tireless in her support of alumni engagement as evidenced by her attendance at many Alumni Association events and willingness to meet with the NIUAA Board. It is the conviction of the NIU Board of Directors that Dr. Freeman has all the qualities necessary to be President and everything that this university needs. Her leadership abilities, dedication to the institution, commitment to transparency, and devotion to engaging the alumni, make her the ideal choice to be the next President of Northern Illinois University. Respectfully submitted on behalf of the Northern Illinois University Alumni Association Board and unanimously endorsed. Thank you."

Chair Coleman thanked Mr. Sener for coming to the meeting and representing NIUAA. Acting General Counsel Brady called forward Mike Cullen.

Mike Cullen: "Good morning. My name is Mike Cullen. I'm the Vice Chair of the Northern Illinois University Foundation. The NIU Foundation is a private 501(c)3 non-profit organization whose mission is to energize and connect the private sector with the NIU community, to secure and steward resources that supports the future and growth on NIU. To meet our mission, we work closely with the university to identify areas of philanthropic need and endeavor to provide resources that promote success for the university's faculty and students. The NIU Foundation Board of Directors endorses the candidacy of Dr. Lisa Freeman for the next president of Northern Illinois University. In the past year, the NIU Foundation's Board of Directors have had deep and meaningful interactions with Dr. Lisa Freeman in her capacity as Acting President at NIU Foundation Board Meetings, at Foundation events and various NIU events. We have participated in NIU Board of Trustees listening tours as well as the presidential open forum on August 30<sup>th</sup>. From our unique perspective, as an outside partner to the university, we can lend the following insights and direct experiences in the hope it helps university Board of Trustees make a well-informed decision for the next president of the university. Dr. Freeman is a visionary in her approach to higher education. She has demonstrated her talent and dedication to NIU in a number of demanding positions including proving herself quite capable as Acting President. Dr. Freeman has demonstrated an impeccable work ethic, an elevated level of professionalism that has escalated the university locally and throughout the state. She brings keen insight and extensive forethought, which are necessary in preparing the university to meet its daily challenges and reach its future goals. Her involvement and dedication to students is noteworthy as is her love for all things athletic. We, the NIU Foundation Board of Directors, believe that Dr. Freeman is the candidate that will responsibly lead the university into its future, shepherding it along its path, and insuring stability and positive influence to the faculty, staff, and students. In particular, we believe Dr. Freeman has the compassion, the professionalism, and the tenacity to move the university forward. Dr. Freeman is a

true Huskie spirit, the epitome of relentlessness, thoughtfulness, and dedication that the university needs to achieve greatness. We are fortunate to have a superbly qualified, credentialed and proven internal candidate. In closing, Dr. Freeman is a deeply passionate, ethical, professional, and thoughtful advocate for everything that NIU positively represents. We would be truly proud to work with her as she guides the university into the future. Thank you.”

Chair Coleman thanked Mr. Cullen. Acting General Counsel Brady indicated there were no further registered speakers. Chair Coleman thanked all speakers again.

## **7. REPORTS OF BOARD COMMITTEES AND BOARD LIAISONS**

Chair Coleman reported that the committee reports could be found in the Board Report as an information item under Agenda Item 7.

## **8. PRESIDENT’S REPORT NO. 126**

Chair Coleman moved to the President’s Report No. 126 and asked for a motion to pass a consent agenda on the following agenda items as discussed at the beginning of the meeting:

### **UNIVERSITY REPORTS FORWARDED BY THE BOARD COMMITTEES**

**Agenda Item 8.b.1. 2017-2018 Faculty Emeritus Recognition (Consent)**

**Agenda Item 8.b.2. Fiscal Year 2018 Report Tuition and Fee Waivers (Consent)**

**Agenda Item 8.b.3. Fiscal Year 2018 Annual Report of Cash and Investments for Period Ending June 30, 2018 (Consent)**

**Agenda Item 8.b.4. Fiscal Year 2018 Annual Summary Report Obligation of Financial Resources Year Ended June 30, 2018 (Consent)**

**Agenda Item 8.b.5. Fiscal Year 2018 Quarterly Summary Report of Transactions in Excess of \$100,000 for the Period April 1, 2018 to June 30, 2018 (Consent)**

**Agenda Item 8.b.6. State Legislative Update (Consent)**

**Agenda Item 8.B.7. Federal Relations Report (Consent)**

**Agenda Item 8.b.8. Sponsored Programs Administration Report (Consent)**

**Agenda Item 8.b.9. New Research and Innovation, Legal and Legislative Affairs Initiatives (Consent)**

Trustee Wasowicz so moved and Trustee Butler seconded. The motion was approved.

### **UNIVERSITY RECOMMENDATIONS FORWARDED BY THE BOARD COMMITTEES**

**Agenda Item 8.a.1. – Authorization to Retain Executive Search Firms to Support Selected Searches for the Division of Athletics**

President Freeman presented agenda item 8.a.1. The Academic Affairs, Student Affairs, and Personnel Committee recommends Board of Trustees approval of the Authorization to Retain Executive Search Firms to Support Selected Searches for the Division of Athletics. Presented annually to the board, this gives authorization to the president to select executive search firms to support selected searches for head coaches in the Division of Athletics. The president will notify the board of plans to use such firms as soon as practical and will report to the Board regarding any searches.

Chair Coleman asked for a motion to approve the agenda item. Trustee Wasowicz so moved and Trustee Herrero seconded.

Trustee Barsema inquired the length of the authorization and President Freeman confirmed it is a one year approval.

The motion was approved.

### **Agenda Item 8.a.2. – Fiscal Year 2020 Budget Request for State Funds**

President Freeman presented agenda item 8.a.2. The Finance, Audit, Compliance, Facilities and Operations Committee recommends Board of Trustees approval of the Fiscal Year 2020 Budget Request for State Funds. She noted the title was changed to add the language “for State Funds” when compared to the committee item.

Chair Coleman asked for a motion to approve the agenda item. Trustee Herrero so moved and Trustee Struthers seconded. The motion was approved.

### **Agenda Item 8.a.3. - Fiscal Year 2020 IBHE Capital Budget Request**

President Freeman presented agenda item 8.a.3. The Finance, Audit, Compliance, Facilities and Operations Committee recommends Board of Trustees approval of the Fiscal Year 2020 IBHE Capital Budget Request. Ten capital projects totaling approximately \$484 million and 44 capital renewal projects totaling approximately \$95 million are proposed in the request.

Chair Coleman asked for a motion to approve the agenda item. Trustee Butler so moved and Trustee Struthers seconded.

Trustee Wasowicz noted that at the IBHE meeting the preceding Tuesday, IBHE Executive Director, Al Bowman, mentioned the state is \$5 billion behind in deferred maintenance for all state universities combined.

The motion was approved.

### **Agenda Item 8.a.4. Out-Lease with City of Sycamore (NIU as Lessor)**

President Freeman presented agenda item 8.a.4. The Finance, Audit, Compliance, Facilities and Operations Committee recommends Board of Trustees approval of the Out-Lease with City of Sycamore (NIU as Lessor). The 20 year lease covers approximately 11 acres of land the City of Sycamore uses for public works functions. This is a revenue only lease agreement.

Chair Coleman asked for a motion to approve the agenda item. Trustee Wasowicz so moved and Trustee Butler seconded.

Trustee Wasowicz thanked Vice President for Administration and Finance Sarah McGill for providing additional information to the Trustees regarding this item.

The motion was approved.

### **Agenda Item 8.a.5. Bowl Game Participation Expenses**

President Freeman presented agenda item 8.a.5. The Finance, Audit, Compliance, Facilities and Operations Committee recommends Board of Trustees approval of the Bowl Game Participation Expenses. Presented annually as a proactive item, this gives authority to the president, or designee, approval for all necessary and proper expenses related to NIU’s participation in a post-season bowl game.

Chair Coleman asked for a motion to approve the agenda item. Trustee Struthers so moved and Trustee Herrero seconded. The motion was approved.

### **Agenda Item 8.a.6. Delegation of Authority for Intellectual Property Litigation**

President Freeman presented agenda item 8.a.6. The Research and Innovation, Legal and Legislative Affairs Committee recommends Board of Trustees approval of the Delegation of Authority for Intellectual Property Litigation. This item delegates authority to the president to litigate intellectual property matters and will be documented in amendment to Section 7, Subsection E of the Board of Trustees Regulations.

Chair Coleman asked for a motion to approve the agenda item. Trustee Butler so moved and Trustee Pritchard seconded.

Trustee Barsema asked for a discussion of what intellectual property NIU owns at a future Board of Trustees meeting. Vice President for Research and Innovation Partnerships Jerry Blazey said he would be happy to share the information.

Chair Coleman noted according to Article 4, Section 7 of the Regulations of the NIU Board of Trustees, regulations may be amended at any regular meeting of the board by a majority vote for the total current voting membership of the board, provided that notice of intention to amend the regulations has been presented in writing at least three days preceding the meeting. The item was posted on September 6. He called for a roll call vote.

Trustee John Butler: Yes	Trustee Nathan Hays: Yes
Trustee Veronica Herrero: Yes	Trustee Bob Pritchard: Yes
Trustee Tim Struthers: Yes	Trustee Eric Wasowicz: Yes
Vice Chair Dennis Barsema: Yes	Board Chair Wheeler Coleman: Yes

The motion was approved.

## **Items Directly from the President**

### **Agenda Item 8.c.1. AFSCME Council 31, Local 963 Collective Bargaining Agreement**

President Freeman presented agenda item 8.c.1. The University recommends Board of Trustees approval of the AFSCME Council 31, Local 963 Collective Bargaining Agreement. The terms and conditions of the agreement are consistent with university policies and guidelines.

Chair Coleman asked for a motion to approve the agenda item. Trustee Butler so moved and Trustee Herrero seconded. The motion was approved.

### **Agenda Item 8.c.2. Higher Learning Commission Assurance Update**

President Freeman introduced Vice Provost Carolinda Douglass to present the item.

Carolinda Douglass began with the news that all five criteria and 21 core components of the assurance argument was met. In the six years, she has served as a peer reviewer for HLC, she has only seen that happen one other time. Even though all areas were met, there are still areas to work on with guidelines given in the review for these areas. The narrative attested to NIU's focused alignment of our institutional priorities and our commitment to quality assurance and continuous improvement in our academic and co-curricular programs. Meeting the criteria also keeps NIU in excellent standing with the HLC, directly influencing Title IV funding, transfer agreements, certifications and licensures, and enrollment. The strategy used during the process was multi-focused and included:

- External stresses and internal challenges including the state budget impasse and university leadership changes
- Demonstrated transparency in types of evidence presented and allowing the reviewers access to internal process and databases along with leverage of the Program Prioritization, Presidential Search, and Presidential Goals website to communicate the operations and culture NIU has
- Applied a project management approach
- Utilized a broad constituency across the university and continually informed the NIU community of the process
- Highlighted five themes through all five areas: Program Prioritization process and outcomes, transparency, diversity, NIU PLUS, and engagement, all within the context of a state budget impasse

Vice Provost Douglass continued with the findings by the reviewers. Overall findings included the following direct quotes from the reviewers:

- "NIU is a public regional institution that has suffered recent financial stress due to the State of Illinois' budgetary hiatus, which lasted just over two years, and internal disruption due to leadership transitions"
- "Nevertheless, during the four years since the last HLC visit, NIU developed and implemented a comprehensive Program Prioritization process which has shaped and guided the institution, and tied strategic planning and budgeting together"

- “NIU has improved on its transparency and strengthened its shared governance mechanisms, and is now preparing to launch a search for its next president”
- “NIU provided sufficient evidence that it continues to meet all criteria for HLC accreditation”
- “Issues raised during the last comprehensive evaluation, namely budgeting and planning processes related to Core Components 5.A and 5.C, have been resolved by the establishment and implementation of Program Prioritization and the new transparent and effective budgeting model”
- “Improvement being made are shaping institutional focus in strategic ways, and have enhanced effectiveness and efficiency of NIU in delivering on its mission”

Vice Provost Douglass continued with the five criterion findings. In our first criteria of Mission, the reviewers noticed the changes in organizational structures and noted our diversity and engagement efforts. In our second criteria of Ethical and Responsible Conduct, the reviewers noticed evidence of ethical and responsible conduct in all areas, consultation by the Trustees with stakeholders when making decisions involving substantial changes at the university, and directly addressing arisen issues with transparency and positive results, which speaks to NIU acting with integrity. In our third criteria of Teaching and Learning – Quality, Resources, and Support, the reviewers noted program quality and learning goals are consistent, our support of faculty through development instructional design, and NIU PLUS engaging students in key learning outcomes. In our fourth criteria of Teaching and Learning – Evaluation and Improvement, the reviewers noted Program Prioritization, shared governance in assessment processes and structures, intentional transparency, and the collection, analyzation, and usage of data on retention. In our fifth criteria of Resources, Planning, and Institutional Effectiveness, the reviewers noted Program Prioritization and the holistic review of each unit it provided as well as the significant administrative restructuring that took place.

Vice Provost Douglass continued with a review of the next steps in our current 10 year cycle. The most recent review took place in year four. In year five, senior leadership will work on a Quality Initiative proposal that requires HLC approval. The Quality Initiative must then be implemented and evaluated in years five through nine before the next assurance review and site visit in year ten. After discussions with senior leadership, the Quality Initiative chosen may address diversity initiatives, specifically the equity gap. Shared governance processes will be used to develop the proposal. She concluded by thanking the Board and Dr. Freeman for their support and leadership, the committee, and all who helped in the process.

Chair Coleman thanked Vice Provost Douglass for the work by her and the committee on this report. He expressed his excitement to have a neutral third party evaluate us and meet all criteria.

Trustee Barsema said he had several people reach out to him to note how organized the process was in preparing and presenting the report. He thanked Vice Provost Douglass for her work to achieve this.

President Freeman added her thanks to Vice Provost Douglass and everyone who contributed to the process as many positions at NIU contributed to it. She added a comment on the quality initiative as it focuses on making sure that the talents of all students are recognized and all students have an opportunity to succeed. “NIU has always been at the forefront of recognizing that talent is universal while opportunity isn’t, and the opportunity to highlight that in a quality initiative is something that I think we all can be proud of and look forward to.”

Trustee Wasowicz inquired if the HLC is a state or federal body. President Freeman deferred to Vice Provost Douglass to clarify. Vice Provost Douglass noted HLC covers the Midwest region and is certified by the Department of Education to conduct reviews. It is a peer institution review system, with reviews made on- or off-site. Trustee Wasowicz thanked Vice Provost Douglass for the clarification.

## **9. CHAIR’S REPORT NO. 86**

### **Agenda Item 9.a. – Board of Trustees 2019 Meeting Dates**

Chair Coleman presented agenda item 9.a. NIU law and Article 3 of the NIU Board of Trustees Bylaws state the Board shall convene at least once each quarter. The dates set forth meet these requirements.

Chair Coleman asked for a motion to approve the agenda item. Trustee Barsema so moved and Trustee Butler seconded. The motion was approved.

### **Agenda Item 9.b. – 2018 Annual Performance Review of Acting President Freeman**

Chair Coleman presented agenda item 9.b. Dr. Freeman’s performance review for 2018 was posted to the Board of Trustees website as well as the presidential search website in accordance with Illinois law requiring public institutions to post performance reviews of their president. He encouraged anyone who has not reviewed the presidential goals and review to do so. He thanked Dr. Freeman for participating in the evaluation process.

Chair Coleman asked for a motion to approve the agenda item. Trustee Herrero so moved and Trustee Butler seconded.

Trustee Butler thanked Chair Coleman and Trustee Barsema for leading the effort to work with Dr. Freeman to put the review together. He sees it as an outstanding example of how to facilitate an annual evaluation as it conveys the board’s perspective and the president’s perspective on a year’s worth of performance. He also thanked Dr. Freeman for her participation in the process. Chair Coleman thanked Trustee Butler and all of the trustees for their contribution to the assessment and evaluation process.

Trustee Wasowicz noted after discussion with other trustees at a meeting the preceding Tuesday, things NIU is currently doing are moving us ahead of other institutions, but we must continue to work to stay ahead. Chair Coleman thanked everyone again for the work on the review.

The motion was approved.

President Freeman thanked the Board for outlining a transparent and reasonable process. She also noted that while the president is evaluated and takes credit or blame for the work, the good work done by Academic Affairs and Enrollment, Management, Marketing, and Communications enables the success of the university. She encouraged everyone to look at the great things that are being performed by Huskies in all employment classifications.

### **10. OTHER MATTERS**

No other matters were discussed.

### **11. CLOSED SESSION**

Chair Coleman thanked the NIU community for the thoughtful participation shown during the presidential search process. He indicated that following closed session, new business would be taken up by the board as noted on the agenda. He indicated a text notification would be sent out 30 minutes prior to the board returning to open 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 Sections 2(c)(1)(2)(3) and (21); Collective Bargaining Matters as generally described under Section 2(c)2 of the Open Meetings Act; Closed Session Minutes matters as generally described under Section 2(c)(21) of the Open Meetings Act.

Trustee Struthers so moved and Trustee Barsema seconded. A roll call vote of the Trustees to recess to Closed Session was as follows:

Trustee John Butler: Yes	Trustee Nathan Hays: Yes
Trustee Veronica Herrero: Yes	Trustee Bob Pritchard: Yes
Trustee Tim Struthers: Yes	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 10:57 AM.

### **Reconvene Meeting:**

The Board of Trustees of Northern Illinois University reconvened on September 13, 2018 at 2:24 p.m. Chair Coleman announced they were reconvening after the closed session.

## 12. CONSIDERATION REGARDING NEXT STEPS FOR SELECTING NIU'S NEXT PRESIDENT

Chair Coleman thanked everyone for returning to the meeting. The Board was in closed session discussing Dr. Freeman's candidacy for the position of president, allowable under the Illinois Open Meetings Act Sections 2(c)(1)(2)(3) and (21). Agenda item 12 was the proposal for the next steps in the presidential search process with two options.

- Option 1: The Board determined the adjusted presidential search process solidified the belief Dr. Freeman is the individual whom the Board should pursue as the next permanent president, and the Board authorizes commencement of a contract negotiation over the terms and conditions of a potential appointment of Dr. Freeman. Any final action on this option will be publicly posted and approved in an open session of a future meeting of the Board, in compliance with applicable law.
- Option 2: The Board determined the results of the presidential search process indicated the Board should authorize a national presidential search process.

Chair Coleman asked for a motion regarding either option. Trustee Wasowicz moved to vote on Option 1 and Trustee Barsema seconded. Chair Coleman opened the floor for discussion and comments.

Trustee Barsema has worked with her and watched Dr. Freeman grow in the time she has been at NIU, not only in her skill set, but also her love and knowledge of NIU. He feels she is ready for this and NIU is ready for a qualified woman to lead us. He couldn't think of a better person to lead us into the future.

Trustee Pritchard has worked the past 15 years, while in the state legislature, to help NIU survive policies and actions of the legislature. He has had dialogue with Dr. Freeman in the past year and watched her testify before the higher education working group and other committees in the legislature, leading him to have great respect and confidence in her ability to engage in the political process, advocating for funding and the people of NIU. He believes Dr. Freeman will move us forward to be competitive and survive in uncertain times. He looks forward to working with her, with the help of the entire university community, to move the university forward.

Trustee Wasowicz noted a year ago, he was adamant a national search be conducted for the next president. Over the past year, he has worked with Dr. Freeman and has been impressed with her clear vision of issues and her leadership not previously known to him. He is happy the national search was called off and to be moving forward in the process with Dr. Freeman.

Trustee Struthers was in agreement with Trustee Wasowicz on conducting a national search. He noted due to the enrollment trends and the financial status of NIU, we need stability in a trusted and respected person to strengthen NIU's position to succeed in the future. Dr. Freeman has earned this strong relationship with the Board. He is optimistic, given the incredible challenges ahead.

Trustee Herrero noted she bring a unique perspective to the board through her work in non-profit higher education, working with underrepresented populations in higher education, working in equity, diversity, and inclusion. External organizations have voiced to her their support of Dr. Freeman becoming the permanent president. Trustee Herrero believes Dr. Freeman is a true champion of equity in higher education. She concluded that her intelligence and qualifications will make her a strong leader of NIU.

Trustee Butler noted he met Dr. Freeman when she interviewed for the Vice President of Research position. He has been confident of her ability since then and has enjoyed working with her. He was very pleased when she became the candidate for the president position and couldn't be happier to work with her as president.

Trustee Hays noted while he has only been on the board for a couple of month, he has worked closely with Dr. Freeman in that time. It is apparent to him with her love for the entire NIU community, she will be the perfect leader for NIU.

Wheeler Coleman called for a roll call vote.

Trustee John Butler: Yes	Trustee Nathan Hays: Yes
Trustee Veronica Herrero: Yes	Trustee Bob Pritchard: Yes
Trustee Tim Struthers: Yes	Trustee Eric Wasowicz: Yes
Vice Chair Dennis Barsema: Yes	Board Chair Wheeler Coleman: Yes

The motion was approved. Chair Coleman congratulated President Freeman.

President Freeman thanked the Board for their confidence in her. She has enjoyed working with them in the past and looks forward to working with them in the future. She thanked everyone in attendance and those who supported her candidacy. She looks forward to working with the NIU community to move the university forward. "Go Huskies!"

Chair Coleman noted over the past two months, the board has received input from various shared governance groups and university stakeholders. This input helped to make the decision to pursue Dr. Freeman as the permanent president and enter into contract negotiations. Through the feedback, traits of the next president became clear. Visionary yet practical, they should uphold our values in the open and behind closed doors. They should inspire and empower others through working side-by-side to push NIU forward. Chair Coleman continued that we require a dynamic leader who brings experience of academia and experience in strategy to drive sustainability, who engages and advocates for students, faculty, and staff with care and strong conviction. We require a consummate professional who encourages collaboration and innovation while working to strengthen morale and pride in the university. We require a person who genuinely cares for NIU, understands the challenges we face and will work to position us to stand out among the crowd. The Board of Trustees believes Dr. Lisa Freeman is that person.

Trustee Barsema thanked Trustee Butler for his work when Dr. Freeman became Acting President. He thanked the other Trustees for their work during the adjusted process. He concluded by thanking Chair Coleman for bringing a great process to the board and working with Dr. Freeman through the process.

Chair Coleman thanked Trustee Barsema and the board, as well as the administration and support staff, for helping throughout the process. He asked the Office of the General Counsel to engage in discussions with Dr. Freeman's counsel and the board to reach a proposed presidential employment agreement for review and consideration at a future meeting. He noted the board would be returning to closed session today. He concluded by noting the decision by the board today was done in the best long-term interest of the university.

Chair Coleman indicated the board would be returning to closed session and 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 Sections 2(c)(1)(2)(3) and (21). Trustee Barsema so moved and Trustee Butler seconded. Chair Coleman called for a roll call vote to close the meeting.

Trustee John Butler: Yes	Trustee Nathan Hays: Yes
Trustee Veronica Herrero: Yes	Trustee Bob Pritchard: Yes
Trustee Tim Struthers: Yes	Trustee Eric Wasowicz: Yes
Vice Chair Dennis Barsema: Yes	Board Chair Wheeler Coleman: Yes

### **13. NEXT MEETING DATE**

Chair Coleman noted the next regularly scheduled Board of Trustees meeting will be held on December 6, 2018. A special meeting of the Board of Trustees may be called prior to that date depending on president contract negotiations.

The open meeting was adjourned to closed session at 2:48 p.m.

#### **Reconvene Meeting:**

The Board of Trustees of Northern Illinois University reconvened on September 13, 2018, at 5:54 p.m. Chair Coleman announced they were reconvening after the closed session. Recording Secretary Duis conducted a roll call. Members present were Trustees Barsema, Butler, Hays, Pritchard, Struthers, and Coleman. Members absent were Trustees Herrero and Wasowicz.

### **14. ADJOURNMENT**

Chair Coleman asked for a motion to adjourn. Trustee Struthers so moved and Trustee Barsema seconded. The motion was approved. Meeting adjourned at 5:55 p.m.

Respectfully submitted,

Chelsea Duis  
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.*