



Special Meeting
of the
Board of Trustees

February 13, 2020

**Special Meeting of the
BOARD OF TRUSTEES OF NORTHERN ILLINOIS UNIVERSITY
1:30 p.m. – Thursday – February 13, 2020
Board of Trustees Room
315 Altgeld Hall**

AGENDA

1. Call to Order and Roll Call
2. Verification of Appropriate Notification of Public Meeting
3. Meeting Agenda Approval..... *Action*..... i
4. [Review and Approval of Minutes of December 5, 2019](#) *Action*..... 1
5. Chair's Comments/Announcements
6. Public Comment*
7. President's Report No. 139
 - a. [Honorary Doctorate Recommendation](#) *Action*.....26
 - b. [Research and Innovation Partnerships Intellectual Property Counsel](#) *Action*.....27
8. Other Matters
9. Next Meeting Date
10. Closed Session
11. Adjournment

*Individuals wishing to make an appearance before the Board should consult the [Bylaws of the Board of Trustees of Northern Illinois University](#), Article II, Section 4 – *Appearances before the Board*. Appearance request forms can be completed [online](#) in advance of the meeting or will be available in the Board Room the day of the meeting. For more information contact Karen Campbell, kcampbell5@niu.edu, Recording Secretary to the Board of Trustees, Altgeld Hall 300, DeKalb, IL 60115, 815-753-1273.

Anyone needing special accommodations to participate in the NIU Board of Trustees meetings should contact Karen Campbell, kcampbell5@niu.edu or (815) 753-1273, as soon as possible.

Minutes of the
Board of Trustees of Northern Illinois University
Regular Meeting
December 5, 2019

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 9:00 a.m. by Board Chair Dennis Barsema in the Board of Trustees Room, 315 Altgeld Hall. Recording Secretary Karen Campbell conducted a roll call. Members present were Rita Athas, John Butler, Montel Gayles, Madalynn Mershon, Bob Pritchard, Vice Chair Eric Wasowicz, and Board Chair Dennis Barsema.

Also present: President Lisa Freeman; General Counsel Bryan Perry; Board Liaison Matt Streb; Executive Vice President and Provost Beth Ingram; Vice President for Administration and Finance Sarah McGill; Vice President for Enrollment Management, Marketing and Communications Sol Jensen; Associate Vice President of Information Technology Matt Parks; Associate Vice President for Student Affairs and Dean of Students Kelly Wesener-Michael; Associate Vice President of Facilities Management and Campus Services John Heckmann; and University Advisory Council (UAC) Representatives Kendall Thu, Cathy Doederlein, Sarah Marsh, and Alex Gelman.

VERIFICATION OF QUORUM AND APPROPRIATE NOTICE OF PUBLIC MEETING

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

MEETING AGENDA APPROVAL

Chair Barsema asked for a motion to approve the meeting agenda. Trustee Montel Gayles so moved and Trustee Bob Pritchard seconded. The motion was approved.

PRESIDENT'S REPORT NO. 138

Chair Barsema introduced the President's Report No. 138.

Agenda Item 4.a. – Resolution Authorizing Issuance of Auxiliary Facilities System Revenue Bonds and Adoption of an Amended and Restated Bond Resolution

Chair Barsema announced that there would be a change to the normal order of Board meetings to accommodate a guest, and the President's report would begin at this time.

President Freeman introduced Agenda item 4.a., a resolution authorizing issuance of auxiliary facilities system revenue bonds and adoption of an amended and restated bond resolution. The opportunity to refinance the series 2010/2011 auxiliary finance system bonds to create savings is an exciting one for the university. Due to the nature of the refinance, the University may need to act in between Board meetings to take best advantage of the market. The University requests delegation of authority from the Board collectively to the administrators who serve typically as signatories for the university: the President, the Chief Financial Officer and the General Counsel. President Freeman invited Michael Boisvert, President of Longhouse Capital Advisors and Shyree Sanan, Associate Vice President for Finance and Treasury, to the podium. Michael and his colleagues from Longhouse Capital have served as financial advisors to the university since 2012. Associate Vice President McGill, and General Counsel Perry have worked closely to prepare for the refinancing of the bonds.

Mr. Boisvert thanked the Board and the President for the opportunity to speak. This is a good time to refinance; rates are low, the bonds are refinancable, and the time is right to make changes to take advantage of these savings. He noted that there would soon be discussion of approving a bond

underwriter group. A competitive Request for Proposals led to great responses indicating that the savings opportunity has arrived.

Chair Barsema asked for a motion to approve Agenda Item 4.a. Trustee Wasowicz so moved and Trustee Athas seconded.

Trustee Wasowicz commented that the Board had previously met Mr. Boisvert and thanked him for coming to the meeting. Trustee Wasowicz said that this is a very prudent thing to do. It saves the taxpayers a lot of money in the future, and helps NIU from a fiscal standpoint.

Trustee Pritchard added a compliment to those that have drafted the bond refinance document, noting that it gives the university some flexibility and modernizes some regulations so that the university may better handle various situations, use money more efficiently, and improve facilities for the enjoyment of the students.

Chair Barsema explained the two bonds to ensure common understanding among the Trustees. The 2010 and the 2011 bonds will be paid off, assuming that the refinancing goes through. The total of those bonds is approximately \$175 million. So, the university has asked the Board for authorization to borrow an amount not to exceed \$185 million, because there will be added fees for advisors, attorneys, insurance and such.

Trustee Wasowicz said the refinance is not expected to reach \$185 million, but that ceiling has been set to ensure flexibility for the administration.

Mr. Boisvert agreed that Trustee Wasowicz was exactly right. That number is a conservative estimate. The cost should be well below \$185 million, but it cannot go higher than that without further Board approval.

Chair Barsema reiterated that there is a ceiling on what can be spent before requiring further Board approval as well as a ceiling relative to the interest rate.

Mr. Boisvert affirmed that statement. The interest rate ceiling is four and a quarter.

Chair Barsema called for a vote.

The motion was approved.

Agenda Item 4.b. – Division of Administration and Finance Investment Banking Services Vendor Pool

President Freeman introduced Agenda Item 4.b., which is related to the previous item. It originates from the Division of Administration and Finance and requests approval to create a qualified pool of vendors to provide investment banking services to the university for a period of five years, with an option for an additional five-year renewal. As a result of the request for proposal process that's described in the detailed item, five bond underwriting firms, all of which provided a Business Enterprise Program (BEP) commitment, were selected to be included into a pool to provide investment banking services as needed. A subset of firms from the pool will be selected to work on the Series 2010 and 2011 refinancing issue. Underwriter fees are estimated at a maximum of \$3 million per vendor, totaling \$15 million for the five vendors in the aggregate for the five-year contract period. Therefore, the University recommends Board approval to create a qualified pool of five vendors to provide investment banking services to the university.

Chair Barsema asked for a motion to approve. Trustee Wasowicz so moved, and Trustee Montel seconded.

Trustee Gayles stated that he appreciates the selection of these vendors. This builds capacity, so that one day maybe one of these BEP vendors will be primary on the job.

Trustee Pritchard asked for affirmation that the five vendors in the pool is really a maximum and that the university might not need that many; therefore the expense might not be that large.

President Freeman said Trustee Pritchard's understanding was correct. That is a not to exceed number and a pool from which the university may draw, but are not obligated to draw from all five.

Trustee Wasowicz added that this is a great opportunity for the university to achieve its BEP goal, and is something that the Board takes seriously. This whole process has been very transparent.

Chair Barsema asked for clarification as to whether the pool has already been created.

Vice President McGill explained that the Request for Proposal (RFP) process began in the late fall of 2019. The team searched for vendors in support of not only the Series 2010/2011 refinance, but also would result in a qualified pool that the university could draw on over the next five years if any financing needs arise. 11 or 12 qualified vendor bids were narrowed to the pool of five. The finance team is currently doing due diligence, reviewing the necessary disclosures and working with the state procurement office. Following a review of the disclosures, a contract could be awarded for the five vendors.

Chair Barsema asked whether there would be individual contracts with each company or a consortium with one contract with three, four or five different vendors.

Associate Vice President Sanan answered that the contracts will be with each individual vendor, and President Freeman clarified that the university might not contract with all five.

Chair Barsema asked what types of work would be included in the contracts.

Mr. Boisvert answered that a financing like this is led by a senior manager. That is the investment bank that will lead the process of getting the prospectus together to show to investors, do the primary marketing, work with the university to update the bond rating, and work with the university to bid the bond insurance. Often there are co-managers who take a lesser role in that process, as well as at the time that the bonds are sold. Normally there is a two-tier group of bond underwriters for a fixed rate issue. Furthermore, an element of this financing will be a bank placement to allow flexibility to prepay debt earlier if necessary. The university will likely contract with a separate bond underwriter to work as the placement agent. So, there will probably be a couple of lead underwriters, and possibly some secondary ones.

Chair Barsema asked how vendors are paid.

Mr. Boisvert responded that they are typically compensated on a percentage of the sale. That percentage and the rate offered by the vendors will determine the final vendors used.

Chair Barsema asked what other things besides the bond sale or the bond reissue might require use of this pool of vendors.

Vice President McGill answered that the one that would immediately follow this transaction would be the Collegiate Housing Foundation (CHF) transaction. That agreement becomes eligible for refinance a year from now. The process would be very similar to the current bond refinance. Any future action with the CHF would still need Board approval to act, but having the bond underwriters already under contract would allow flexibility to work with current partners. NIU would not have to repeat the RFP process.

Chair Barsema called for a vote.

The motion was approved.

REVIEW AND APPROVAL OF MINUTES OF NOVEMBER 14, 2019

Chair Barsema asked for a motion to approve the minutes of November 14, 2019. Trustee Wasowicz so moved and Trustee Gayles seconded. The motion was approved.

CHAIR'S COMMENTS/ANNOUNCEMENTS

Chair Dennis Barsema welcomed the University Advisory Committee (UAC) members present and asked for their comments.

(Trustee Mershon left the meeting at 9:20am.)

UAC Representative Doederlein said that Representative Jeffrey Royce, who could not be present, is looking forward to upgraded elevators in the Holmes Student Center.

She then observed that the Women, Gender, and Sexuality Studies major is a huge milestone event for the university with a rich history to be celebrated with many people in the room who have made it possible to get to this step and many people not in the room who were the leaders who made it possible. Also, the general fees that are being approved today are a real victory, with the inclusion of the art and culture fee.

UAC Representative Thu expressed his appreciation for all the staff do on this campus, noting the pivotal role that staff play in all aspects of academic and non-academic life on the campus. He then wished students and faculty luck going into finals week.

Chair Barsema stated that he was looking forward to Commencement.

He went on to recognize milestone anniversaries for various campus departments: the Center for Governmental Studies is celebrating 50 years; the Department of Geographic and Atmospheric Sciences is celebrating 50 years; the Department of Geology and Environmental Geosciences is celebrating 50 years; the Office of the Ombudsperson is celebrating 50 years; and the School of Nursing is celebrating 60 years. He congratulated all for many decades of service to NIU, students, faculty, staff and community.

PUBLIC COMMENT

Chair Barsema introduced the public comment portion of the meeting.

General Counsel Perry indicated that there were two requests for public comment and called Mr. Jett Martin forward.

Mr. Martin: "Good morning everybody. My name is Jett Martin, like an airplane, so I actually was one of the students who decided that we should start a petition to expand and pave parking lot A earlier this semester. I've been a commuter student for a year now and that parking lot was not really handling the capacity of commuter students that we had here that attended Barsema, the engineering building and Anderson. So me and my fellow peers decided to take it upon ourselves to try to gain support to see if we could do anything about expanding that and repaving some of the humungous pot holes that were there. We're very delighted to hear and see that there is a 220-spot expansion going in there and we really wanted to express our thanks for that. It's a great start. There's a lot more students that will be able to get to class on time. We've had over 919 signatures, which we find to be a very great thing, you know, a lot of student support. We had over 46 faculty members that decided to support their students and we really take pride in that our faculty supported us in our endeavors over here. So a lot of the faculty were actually getting their parking spots taken by students because they couldn't get to class on time. It was kind of insane. But we really wanted to thank you guys for that and I wanted to present you guys a copy of the 919 people who are thankful for what you guys have done."

Trustee Wasowicz asked Mr. Martin where he was commuting from and what he was studying.

Mr. Martin: “I’m from Hampshire. I don’t know if any of you guys know where that is but it’s 45 minutes out.”

Chair Barsema: “I go by it every time I come to campus.”

Mr. Martin: “Awesome, some people actually know where it is. I thought it was just a corn town. I’m an Accountancy major so I decided to come out here because NIU has a great reputation for their Accountancy program. They’ve taught us a lot over there. They taught us how working together in teams are very important and we have to be able to rally up the base. You know, in our management class we really learned that you really have to get everyone’s support and if you didn’t have that like the petitions in the past, no one really recognizes you. But if we’re all very respectful and present our idea appropriately a lot can happen and with the support of NIU’s Board over here, we’re very grateful for what you guys have done.”

Chair Barsema thanked Mr. Martin for his comments and noted that the credit for the new parking is due to Dr. Freeman and her team.

Vice President for Administration and Finance Sarah McGill also thanked Mr. Martin for his comments and for acknowledgement of the work that happened to expand the parking lot. She said that NIU administration understands how difficult it can be to find parking in Lot A. Administration also understands the changing needs of the campus and had heard the many requests to pave the gravel portions of Lot A and add more parking in the area. A campus facilities master plan will be in the initial planning phase starting early in 2020. That will help in thinking about the campus footprint in the years to come. Parking considerations will be a big part of that discussion. The planning team will be mindful of the needs of the community and the residents who live around campus, and will continue to work with the city, state and federal agencies to determine reasonable and respectful solutions to the parking needs on campus.

Mr. Martin: “Thank you everybody. I appreciate it. Have a great day.”

General Counsel Perry called Ms. Carley Johnson forward, then asked that the record reflect that Ms. Johnson was called but was not present. No other people had registered for public comment.

REPORTS OF THE BOARD COMMITTEES AND BOARD LIAISONS

Chair Barsema reminded everyone that the reports of the Board Committees and the Board Liaisons are information only. One verbal update that will be given on the Civil Service Merit Board by Trustee Butler is 8.e. He then asked whether there were questions on items 8.a. – 8.d. Hearing none, Chair Barsema invited Trustee Butler to give his update.

Trustee Butler said that the Merit Board had not met since the last regular meeting of this Board. However, the State University Civil Service system submitted to NIU a governance risk and compliance audit of the office of Human Resources at NIU covering the period of October 1, 2014 through January 31, 2019. This report is intended to document risk assessment category findings and provide recommendations to rectify the issues. Copies of the document go to NIU’s leadership and to the Chair of the Merit Board and to Trustee Butler. He stated that this audit is a very positive report and it appropriately accounts for the challenges faced by the university during the audit timeframe. This audit did not take into account or evaluate the university’s compliance with new standards concerning exemptions of principal administrative employees or what NIU refers to as Supportive Professional Staff or SPS. The Merit Board has discussed issues associated with conversion of some SPS to Civil Service employees and that effort is ongoing. There were two findings of concern in the audit. One concerns instances where employees appeared to exceed 30 consecutive work days serving in temporary upgrade assignments. The system recommended discontinuation of that practice and the university agreed. The audit noted that the new procedures that went into effect in August 2017 appeared to have had a positive effect in reducing instances of this problem. The second finding, which is considered to be of minimal impact, concerns

instances of extra help positions that have exceeded the 900-hour limitation within a 12-month period. The audit notes that NIU has diligently monitored its use of extra help. Trustee Butler quoted from the report, “the number of employees and positions found to exceed the 900-hour limitation are considered to be minimal in terms of risk and have been reduced when compared to previous audits.” The findings actually commend the university for its diligence, making note of “the extended audit timeframe and covering the period of significant reductions in state appropriations and a budget impasse.” On November 1, 2019, the system also released its 68th annual report, which is available to anyone who would like to review it.

(Trustee Mershon returned to the meeting at 9:35am.)

Chair Barsema continued with Agenda Item 8., asking for any questions or comments relative to 8.f., 8.g. or 8.h., the NIU Alumni Association, the Northern Illinois Research Foundation, or the NIU Foundation. There were none, so Chair Barsema commented. He complimented the Alumni Association team on the increased number of engagements with Alumni over the past two years and asked the team to keep up the good work. For the NIU Foundation, Chair Barsema noted that through the first quarter of Fiscal Year '20, giving is up significantly compared to a year ago. For the first quarter, roughly \$3.1 million was raised versus about \$1.5 million raised last year. He also thanked Mike Cullen for taking over as chair of the NIU Foundation Board, and thanked former chair, Jeff Yorden, for his leadership. Chair Barsema then asked whether anyone else had comments.

Trustee Pritchard requested a pause to remember former Sycamore Mayor Ken Mundy, who had passed away a few days before the meeting. Mr. Mundy provided many years of service to Northern (he was an NIU graduate), and to the community. At Northern, he served as Assistant Payroll Supervisor for a number of years. He served the community and improved the relationships between the Sycamore community and NIU.

Chair Barsema noted that the quiet phase of the upcoming capital campaign will begin early in 2021. The last campaign, which was called “True North,” ended in 2010. Chair Barsema expressed his belief that this is the right time for a campaign from a leadership standpoint at the university level. Alumni engagement will be extremely important in preparation for the next campaign.

President Lisa Freeman added that aspects of campaign planning, feasibility, and timeline and university priorities are a part of the 2020 Presidential Goals. Over the course of spring 2020, the provost and the president will be working with academic and administrative departments to clarify the university’s priorities going into a campaign.

PRESIDENT’S REPORT NO. 138 CONTINUED

Chair Dennis Barsema returned to the President’s Report No. 138.

UNIVERSITY RECOMMENDATIONS FORWARDED BY THE BOARD COMMITTEES

Agenda Item 9.a.1. – Request for New Degree Program in B.A./B.S. in Women, Gender and Sexuality Studies

President Freeman presented Agenda Item 9.a.1., Request for New Degree Program, a Bachelor of Arts and a Bachelor of Science in Women, Gender and Sexuality Studies. She explained that this is a real opportunity for the university and the Center for Women and Gender Studies to bring together many of the academic pieces, the courses and credentials that they already offer into a major. Everyone is proud of this. The University recommends Board approval of the request for this new degree program, Bachelor of Arts and Sciences in Women, Gender and Sexuality Studies.

Chair Barsema asked for a motion to approve. Trustee Athas so moved and Trustee Gayles seconded.

Trustee Butler indicated his excitement about this item and noted how grateful he was that so many people came to the meeting to honor this moment. He recognized the pioneers of this program, including Lois Self, Amy Levine, Kristin Myers, Sue Doederlein, Margie Cook, and Norden Gilbert. These are people who did some really important work that led us to this day. He went on to thank those involved with the program who were present for their hard work and patience. This will be important to the social and intellectual life of this campus.

Trustee Wasowicz recommended an article written by John R. Butler, Ph.D. in September of 2000, titled “Transgender DeKalb: Observations of an Advocacy Campaign”. Trustee Butler thanked him for the acknowledgement.

Chair Barsema said that he was proud to be a part of the group of Trustees approving this degree for NIU, and proud to be a part of a university that has a degree like this and recognizes the significance and importance of it. He then called for a vote on Agenda Item 9.a.1.

The motion was approved.

Agenda Item 9.a.2. – Request for New Degree Program a Ph.D. in Kinesiology and Physical Education

President Freeman brought forth Agenda Item 9.a.2., Request for New Degree Program, a Ph.D. in Kinesiology and Physical Education. The program being proposed is designed as an interdisciplinary doctorate across the subdisciplines where NIU excels, particularly sports for development and exercise and movement science. The University recommends that the Board of Trustees approve this request for a new degree program, a Ph.D. in Kinesiology and Physical Education.

Chair Barsema asked for a motion to approve. Trustee Pritchard so moved, and Trustee Wasowicz seconded.

With no Trustee asking to comment, Chair Barsema called for a vote.

The motion was approved.

Agenda Item 9.a.3. – Authorization to Retain Executive Search Firms to Support Selected Searches for the Division of Athletics

President Freeman presented Agenda Item 9.a.3., Authorization to Retain Executive Search Firms to Support Selected Searches for the Division of Athletics. Specifically, it is recommended that the President be authorized to select executive search firms to support select searches for head coaches. It is further recommended that the President report plans to retain such firms to the Board of Trustees as soon as practicable, and periodically report back to the Board regarding the selection and status of such searches. When this item was discussed in Committee, the Board of Trustees policy on search firms was omitted. It is included with today’s materials. The recommendation from the Committee is that the search firms be approved because of the nature and scope of the positions being filled, the nature and scope of these searches, external search firms’ ability to help recruit and screen candidates for these head coach positions, external search firms’ ability to enhance the quality and diversity of a candidate pool, and external search firms’ ability to help conduct and coordinate the logistics of the search. The University recommends that the Board approve authorization to retain executive search firms to support selected head coach searches for the Division of Athletics.

Chair Barsema asked for a motion to approve Agenda Item 9.a.3. Trustee Gayles so moved, and Trustee Athas seconded.

Again, no Trustee asked to comment; so, Chair Barsema called for a vote.

The motion was approved.

Agenda Item 9.a.4. – Fiscal Year 2021 Undergraduate Tuition Pricing Recommendation

President Freeman presented Agenda item 9.a.4., Undergraduate Tuition Pricing Recommendation. This item presents the pricing recommendation that addresses tuition rates for Fiscal Year 2021. The recommendations, as always, were developed with the goals of addressing affordability concerns and maintaining fiscal responsibility by keeping the total cost of attendance for fulltime students as low as possible. The recommendation is to hold base tuition flat in fiscal year '21 for the fifth year in a row, and there will be no change to undergraduate differential tuition rates. NIU sets tuition rates on a per credit hour basis, but undergraduate students who enroll in 12 or more semester credit hours are charged a flat tuition rate which is set subject to three important considerations: Illinois Truth in Tuition Law for undergraduates, differential tuition for select programs, and residency considerations. When NIU sets undergraduate tuition rates for Fiscal Year '21, these rates apply only to incoming or reentering students. NIU currently sets tuition for domestic, out-of-state students at the same rate as Illinois students. International partners pay a maximum of twice the in-state rates, but agreements with international partners for cohort or pipeline programs may lower tuition to no less than 1.5 times the domestic rates. For Fiscal Year 2021, the tuition recommendation specifically is for an undergraduate per credit hour rate for general programs of \$348.84, which means the cap tuition at 12 or more credit hours is \$4,732.80. The University recommends approval of these Fiscal Year '21 undergraduate tuition pricing recommendations.

Chair Barsema asked for a motion to approve Agenda Item 9.a.4. Trustee Eric Wasowicz so moved and Trustee Bob Pritchard seconded.

Trustee Athas complimented President Freeman and the group that worked on this. The fact that NIU has been able to hold the line on tuition and be concerned about affordability at the same time that the quality of the programs and the quality of the university keeps increasing is amazing.

Trustee Gayles added his thanks to Trustee Athas' thanks.

Trustee Pritchard also expressed compliments for holding tuition flat for six years, but noted that it is still at a high level compared to other states' tuition. and that's the responsibility of the State of Illinois. NIU has failed to be competitive and that's why holding tuition flat is very significant, along with two other initiatives of President Freeman: increasing scholarships and the Huskie Pledge. These are great new tools that will help balance tuition, fees and things that may not be as competitive, in order to make Northern more competitive.

Trustee Gayles interjected that the Holmes Student Center will also help.

Chair Barsema stated that he is very proud to be a part of this, reiterating accolades and applause to the Senior Leadership Team for holding steady on tuition and the fees that will be discussed in the next agenda item. Illinois continues to be a state that exports more students than it should to other states. Cost is one piece of the puzzle. It is a big piece, but the university must also provide the right scholarships for students, the right education, the right environment, the right campus and instruction, and all of the other things considered when students are making decisions.

Chair Barsema called for a vote.

The motion was approved.

Agenda Item 9.a.5. – Fiscal Year 2021 General Fee Pricing Recommendation

President Freeman presented Agenda Item 9.a.5., Fiscal Year 2021 General Fee Pricing Recommendation. The item in the Board Book describes the purpose of each charge and a summary of the fee rates for Fiscal Years '20 and '21. She then highlighted items from this year's recommendation. The health and wellness charge is decreasing by \$1.08 from the Fiscal '20 charge of \$8.98, to \$7.90. This is largely because of the partnership with Northwestern Medicine. There

is also a \$3.03 decrease in the transportation access charge, which is now down to \$8.50, again because of leveraged relationships among the Huskie bus system, the Huskie Line and the city's TransVac line. Although fees are decreasing overall fees from \$95.23 in Fiscal '20 to \$91.50 per credit hour in Fiscal '21 the university was still able to institute a new arts and culture fee that will allow students to enjoy the wonderful productions of the School of Music and the School of Theatre and Dance without a direct cost to the student. The university recommends that the Board approve the fiscal year 2021 general fee pricing recommendation.

Chair Barsema asked for a motion to approve Agenda Item 9.a.5. Trustee Gayles so moved, and Trustee Pritchard seconded.

Trustee John Butler asked what the role of the students was in the development of this fee recommendation.

Vice President McGill answered that a Student Fee Committee meets in September or October. This committee includes some of the administrative and academic areas, as well as three to five student representatives. Different levels of student involvement are based on the student government, the speaker, and other individuals that take part in those discussions.

Dean Wesener-Michael explained that Student Affairs ensures that the student voice is part of the process. There is representation on the fee committee coming from the Student Association, including the student responsible for the treasury position, the student leadership position, and the president, as well as a few others. Student voices are also embedded as part of the process by which Student Affairs gets information to the Fee Committee. For example, the Residence Hall Association is widely involved in the process by providing feedback for the housing fee. Other student groupings provide feedback for each of the other individual charges.

Trustee Butler stated that previously good transparency has been lost on the bond funding support that comes from student fees and would like a breakdown. Going forward, Trustee Butler requested clearer accountability on the issue.

Vice President McGill replied that the format for student fee information that comes to the Board has evolved. In the past, it was better articulated as to what portion of the student fees actually went to debt servicing. Administration and Finance will provide that in the future when these items are presented. With the bond issuance that was approved, there will be no changes to the debt servicing provided by student fees.

Chair Barsema, on behalf of Director of Theatre and Dance Dr. Alex Gelman, expressed pleasure on having the Arts and Cultures Fee so that students can enjoy the wonderful productions and the wonderful theater and music that comes from that college.

Chair Barsema then called for a vote on Agenda Item 9.a.5.

The motion was approved.

Agenda Item 9.a.6. – Fiscal Year 2021 Room and Board Fee Recommendation

President Freeman presented Agenda Item 9.a.6., Room and Board Fee Recommendation. The university is recommending that room and board rates remain consistent with the school year 20 with two exceptions, an increase to the Neptune complex rates and a reduction in the Stevenson complex rate and with also a minor change in the dining meals plan structure. Recent improvements to the Neptune Complex have increased the popularity of this facility with students as amenities have been improved. Conversely, more campus services have departed the Stevens Complex and students' demand for that location has been decreased, and on that basis the university recommends a 1.3% increase to room and board in Neptune and a 1% rate reduction for all room types except suites at Stevenson. Campus Dining is recommending a change, the residential meal plan setting the default meal plan included in room and board pricing for a block

of 12 meals per week plus \$100 of dining dollars that can be used at any location on campus. This change gives more dining flexibility to residential students. The rate recommendation as stated has been decided in consultation with students, as have the voluntary upgrade plans. This also reflects the excitement for the changes in dining options including the Holmes Student Center venues. The University recommends that the Board of Trustees approve the Fiscal Year '21 Room and Board Fee as stated in the Board Book.

Chair Barsema asked for a motion to approve the item. Trustee Wasowicz so moved, and Trustee Pritchard seconded.

Chair Barsema asked why this recommendation does not include New Hall and Northern View, even though they are in the graph for information purposes only.

President Freeman answered that this is because of the public/private partnership that was approved previously by the Board during multiple years.

Chair Barsema noted that fees of those facilities are going up an average of anywhere from 2% to more than 3%. He asked who makes that decision.

President Freeman stated that the decision is according to the terms of the original agreement that was approved by the Board of Trustees. She further noted that the agreement will be eligible for refinancing in about a year, hopefully on more favorable terms.

Vice President McGill responded that the partner organization and the university each have responsibilities as part of that agreement. Those were specified as part of the term. There are bond covenants as well that help to guide the overall administration and audits that take place. The university partnership agreement was audited by Moody's earlier this year. So, different bodies provide oversight and help to ensure that the terms are met.

Chair Barsema asked for a vote on Agenda Item 9.a.6.

The motion was approved.

Agenda Item 9.a.7. – Fiscal Year 2021 Graduate and Law Tuition Pricing Recommendation

President Freeman introduced Agenda Item 9.a.7., Graduate and Law Tuition Pricing recommendation for Fiscal Year 2021. The recommendations hold base tuition flat for the fifth year in a row, but make modest adjustments to differential tuition rates as indicated in the Board Item. Specifically, in the College of Health and Human Sciences, the differential for the online Doctorate in Health Sciences is increasing by \$40 and the differential for the online Master of Public Health is increasing by \$20 to support scholarships, graduate student research program quality, accreditation costs, etc. In the College of Education, the differential for the Education Doctorate in Community College Leadership and for the Executive Education Doctorate in Adult and Higher Education weekend cohort will each increase \$15, again to support the hiring of qualified personnel to support graduate students with dissertation costs and administrative costs. The differential increase for a Master's in Athletic Training, a new program for summer 2020, will be used to support equipment needs and engaged learning spaces. The University recommends that the Board approve the Graduate and Law Tuition Pricing recommendation.

Chair Barsema asked for a motion to approve. Trustee Wasowicz so moved, and Trustee Gayles seconded.

Chair Barsema asked whether tuition for international students would be higher than domestic students, as it is for undergraduates.

President Freeman responded that tuition is the same for domestic and international students unless there is a cohort or pipeline program negotiation.

Chair Barsema then asked whether most international students come through a cohort or come individually.

President Freeman replied that at the graduate level, most international students come individually and participate in programs across campus. The same is true for undergraduates. Cohort and pipeline programs having the flexibility to negotiate is extremely important because of the culture of many of the countries that NIU negotiates with. It is culturally valuable to show commitment to the students and to the partner institutions by negotiating from base tuition to a differential tuition to show the importance of the partner in the negotiation. Many, if not most, graduate students, particularly in the STEM disciplines, received waivers of tuition because of the important role they play in advancing faculty research scholarship and mentoring undergraduates inside and outside the classroom.

Chair Barsema, hearing no further requests for comments, called for a vote on the motion. The motion was approved.

Agenda 9.a.8. – Student Success Collaborative and Academic Performance Solutions

President Freeman presented Agenda Item 9.a.8., Approval to Purchase Membership in EAB Student Success Collaborative and Academic Performance Solutions. These programs provide access to best practice research, data analytics and technology platforms to support student success efforts and resource allocation decisions. The total anticipated cost for both memberships over the five-year term is \$1.1 million as detailed in the item. The university recommends Board of Trustees approval for EAB Student Success Collaborative and Academic Performance Solutions.

Chair Barsema asked for a motion to approve. Trustee Gayles so moved, and Trustee Athas seconded.

Trustee Athas asked whether President Freeman or some of the leadership team could explain how the money is being used and which departments have access to the services, given the great expense.

President Freeman explained that purchase would be of two separate items. Student Success Collaborative is data analytics and other types of support for retention and completion efforts. It provides the high tech piece in the combination of high tech and high touch advising and coaching of students. It allows the university to identify the students who are most likely to benefit from proactive intervention in guiding them through social and academic adjustment to campus. For example, when data from this campus informs decisions about how to leverage financial aid, when NIU considers the role of admissions tests like the ACT and SAT in the success of students, one of the reasons the university can talk with certainty about the lack of impact of those tests and how students succeed at NIU is because of the sophisticated data analytics support from the Student Success Collaborative. When NIU works on equity initiatives, trying to find the gateway courses that can serve as obstacles to student success, trying to find the grade in a gateway course that may ultimately be a predictor of a student's success in an entire program of study, it is collaboration with the Student Success Collaborative that allows the pinpointing of data to be used to make decisions that promote the success of all of the students accepted at Northern Illinois University, and provides and targets the support to the students who will benefit from it most. The Student Success Collaborative is an excellent return on investment and it allows NIU to work with a partner who does this work across the nation so that they can help scale best practices and continue to update and improve the data analytics methods that they use, which are proprietary and which NIU would not be able to develop and maintain.

The other piece, the Academic Performance Solutions, is relatively new to campus. It is a tool the university contemplated purchasing several years ago, but was not able to do so because of the budget impasse. Academic Performance Solutions allows NIU to use data in business and

enterprise systems to make good resource allocation decisions about space and resources to advance the success of the colleges.

Executive Vice President and Provost Ingram added that Academic Performance Solutions will bring three disparate information systems together: information about students, information about finances, and information about HR. The most powerful use is to give tools to the deans to think about efficiencies, where there are course bottlenecks, where there are places needing added sections of courses, and where there is less demand for a course than sections available. This allows the deans to think about staffing across their colleges. It is a nice complement to the Student Success Collaborative because it focuses on administrative and HR processes that intersect with students. It will be available across campus as is Student Success Collaborative. It's a system available for anyone interested, but the chief users will be people in leadership teams, the deans, and the department chairs.

Trustee Eric Wasowicz said that he was at a conference where he saw a presentation about the usage of these types of analytics in terms of retaining African American and Latinx students specifically. They talked about the data being extremely important in making this happen. This will go a long way towards meeting some of President Freeman's goals as far as retaining students. NIU needs the data and the software to do that.

President Freeman stated that when looking at the annual cost of \$230,000 to \$255,000 for the support provided, the software platforms provided, and the research available or leverage, there is no way to invest that in personnel at NIU and receive the same benefit.

Trustee Wasowicz agreed that the software systems are cheap by that comparison.

Chair Barsema called for a vote on Agenda Item 9.a.8. The motion was approved.

Agenda Item 9.a.9. – Holmes Student Center Tower Elevator Upgrades Capital Project Approval

President Lisa Freeman presented Agenda item 9.a.9., the Holmes Student Center Tower Elevator Upgrades. These elevators have been in service for 52 years and require significant component upgrades to improve reliability and appearance. The funding for this comes from auxiliary reserves. The University enthusiastically recommends that the Board of Trustees approve the Holmes Student Center Tower Elevator Upgrades.

Chair Barsema asked for a motion to approve the item. Trustee Bob Pritchard so moved, and Trustee Montel Gayles seconded.

Hearing no discussion, Chair Barsema called the vote. The motion was approved.

Agenda Item 9.a.10. – Burma Art Collection Compact Storage Capital Project Approval

President Lisa Freeman brought forth Agenda Item 9.a.10., Capital Project Approval for the Burma Art Collection Compact Storage. President Freeman saw Dr. Raymond, the Director of the Burma Studies Center, and complimented her for being tireless in seeking external funds to help preserve and exhibit this spectacular and unique art collection. The project under consideration is related to a grant from the Department of Education and Institution of Museum and Library Sciences. The project leverages grant funding for the purchase of a storage system so that NIU is augmenting \$250,000 of grant funding with \$100,000 of institutional funds as detailed in the item. This is just an invaluable resource. It distinguishes NIU and the program in Burma (now Myanmar) and Southeast Asia on an international level and the University recommends Board approval for the Burma Art Collections Compact Storage Capital Project.

Chair Barsema requested a motion to approve. Trustee Eric Wasowicz so moved, and Trustee Montel Gayles seconded.

Once again, hearing no comment, Chair Barsema called for a vote. The motion was approved.

Agenda Item 9.a.11. – Fiscal Year 2020-2024 Fire Services Agreement with the City of DeKalb

President Lisa Freeman presented Agenda Item 9.a.11., Fiscal Year 2020-2024 Fire Services Agreement with the City of DeKalb. This item was discussed extensively in committee and is a five-year agreement for approximately \$4.9 million, a reasonable cost share based on historical usage of fire services as well as a proportional share of major equipment purchases and ambulance support for university events. The University recommends approval for Fiscal Year 2020 to 2024 for the proposed \$4.9 million Fire Services Agreement with the City of DeKalb.

Chair Barsema asked for a motion to approve. Trustee Eric Wasowicz so moved, and Trustee Bob Pritchard seconded.

Trustee Gayles commended the staff for working with the city to get a good deal.

Vice President McGill said that a lot of great work and discussion went into the negotiation, and Associate Vice President Heckmann should be especially acknowledged and commended. He led the university's efforts in these discussions.

President Freeman added that the City of DeKalb was very pleased about the transparent discussions regarding the sharing of fire services. It is in the best interest of both entities.

Chair Barsema called for a vote. The motion was approved.

Agenda Item 9.a.12. – Internal Audit Department Charter

President Freeman introduced Agenda Item 9.a.12., approval of the Internal Audit Department Charter. The chief audit executive must periodically review the internal audit charter and present it to the senior management and the Board for approval. The internal audit charter was last reviewed and approved by the Board of Trustees in 2016. After this year's comprehensive review, the internal audit directors made changes which include formatting and minor content revisions. These were presented at committee and the University recommends that the Board of Trustees approve the Internal Audit Department Charter.

Chair Barsema asked for a motion to approve. Trustee Pritchard so moved, and Trustee Wasowicz seconded.

Chair Barsema thanked the Internal Audit team for doing an excellent job, a very necessary and responsible function within the university. Hearing no other comment, Chair Barsema called for a vote. The motion was approved.

UNIVERSITY REPORTS FORWARDED BY THE BOARD COMMITTEES

Agenda Item 9.b.1. – Professional Excellence Awards for Faculty and Staff

Chair Barsema directed the meeting to 9.b., and asked President Freeman to present the University Reports Forwarded by the Board Committees. These are information only items that were presented by the committees at the November 14th meeting and are being presented again to the full Board for informational purposes.

President Freeman stated that Agenda Item 9.b.1. is Professional Excellence Awards for Faculty and Staff. The individuals listed were recognized at the committee meeting.

Agenda Item 9.b.2. – Oversight of Academic Programs

President Freeman brought forth Agenda Item 9.b.2., relating to the Oversight of Academic Programs. The oversight procedures used for programs internally and externally were discussed at the last committee meeting.

Agenda Item 9.b.3. - Annual Financial Summary and Budget to GAAP Reconciliation as of June 30, 2019

President Freeman presented Agenda Item 9.b.3., Annual Financial Summary and Budget to Generally Accepted Accounting Principles (GAAP) Reconciliation. This is an item that the Administration and Finance staff present to the Board to make it easier for the Board and all who attend Board Meetings to reconcile NIU's budget and other financial documents. This was discussed at the last committee meeting.

Agenda Item 9.b.4. – Quarterly Financial Summary Fiscal Year 2020 – First Quarter as of September 30, 2019

President Freeman said that Agenda Item 9.b.4. is Quarterly Financial Summary for Fiscal Year 2020's first quarter. The university recorded a positive performance of approximately \$70 million. Current projections suggest the university will end with negative net revenue of \$5.9 million, approximately \$760,000 worse than budget if no additional actions are taken to align expenses with expected revenues, but this should be mitigated this with the rollout of the multiyear budget plan and strategic enrollment management plan.

Chair Barsema clarified that, even though the first quarter target was missed, NIU leadership still expects to end the year at the budget that the Board approved for FY '20.

Agenda Item 9.b.5. – Series 2010 – 2011 Bond Reissuance Update

President Freeman mentioned Agenda Item 9.b.5., the Series 2010-11 Bond Reissuance Update. This item was covered during the first action items of today.

Agenda Item 9.b.6. – Quarterly Summary Report of Transactions in Excess of \$100000 for the Period July 1, 2019 to September 30, 2019

President Freeman introduced Agenda Item 9.b.6., Quarterly Summary Report of Transactions in Excess of \$100,000 for the Period July 1, 2019 and September 30, 2019. Governance documents in the Board Constitution and Bylaws obligate the reporting of transactions in excess of \$100,000, but NIU leadership is not required to ask for Board approval when such transactions do not exceed \$250,000.

Chair Barsema asked whether a profit was made on the Trevor Noah performance, which cost \$110,000.

Executive Associate Athletic Director John Cheney explained that the concert industry favors the artists. They make a lot of their money through their concerts, their tours, those type of things. The venue makes the money through rent, concession sales, parking, and those type of auxiliary items; so, it's a negotiation process with the artists since they get guaranteed money up front. For Trevor Noah in particular, NIU negotiated a reduced rate because he canceled his first two scheduled shows. NIU made between \$40 and \$50 thousand dollars.

Chair Barsema followed up by asking about the IHSA State High School Football Championship and whether the only profit for NIU was in renting the facility.

Executive Associate Director Cheney answered that there is a contract that the community put together and put forth for the Championship. It comes up for bid again next year. The current set up agrees that NIU will host it every other year over a ten-year period. The ticket revenue goes back to the IHSA and then NIU keeps concessions and related items, NIU has about 95% of the expense related to that. The event is breakeven financially for NIU. It is more of an opportunity to bring people to DeKalb and NIU's campus for exposure to the area and to the families of the student athletes who are playing.

President Freeman added that every participant got a string backpack with NIU promotional materials as part of coming to the IHSA. So, it also helps with enrollment and recruitment efforts.

Chair Barsema asked whether the Convocation Center or the artist controls tickets for concerts.

Executive Associate Director Cheney responded that sales are managed by the Convocation Center. That is why most of the numbers are so high, because The Convocation Center takes in all the money and pays out to the artist.

Trustee Gayles stated his understanding that the \$110,000 for the Trevor Noah concert does not reflect security costs.

Executive Associate Director Cheney replied that security costs are put into a contract as a “not to exceed” amount. In many cases, the actual cost of a concert is higher than the number listed on this report because the artists receive their cheques the day they come for their performance, and there may be other expenses less than \$100,000.

Trustee Gayles asked who keeps the proceeds of concession sales.

Executive Associate Director Cheney stated that either concessions are kept in-house or there is a contract with Sodexo stating that NIU gets commission from their sales.

Trustee Gayles further asked about merchandise sales.

Executive Associate Director Cheney explained that profits on merchandise sales vary depending on whether the Convocation Center is making the sales or the artists are making the sales. Generally, artists bring their own merchandise.

President Freeman clarified that the reason these transactions are listed on the report is that NIU is not allowed to pay flow through funds in excess of \$100,000 to a partner without Board approval. So if they are not listed in a timely fashion, then NIU cannot fulfil its aspect of the partnership agreement.

Trustee Gayles asked whether there would be a way for a sheltered market to target these opportunities to smaller businesses in the local area or minority- or woman-owned businesses.

President Freeman indicated that for things that are not exempt from the procurement bulletin, NIU follows standard procurement processes which have the commitment to bringing in business enterprise, minority, women, disabled, and veteran vendors.

Trustee Gayles clarified that “sheltered market” means specifically to a targeted group versus having it open to everyone. In a normal transaction, there would be a prime vendor who would be asked to have a Business Enterprise Program participant. But for some types of procurements, NIU could just target minorities and women for this kind of opportunity.

Vice President McGill stated that she is unsure whether there would be anything that would prohibit that, and agreed to follow up on the issue.

Agenda Item 9.b.7 – Periodic Report on Investments for Period Ending September 30, 2019

President Freeman introduced Agenda Item 9.b.7., Periodic Report on Investments for the Period Ending September 30, 2019. The cash and investment holding summary shows total holdings of \$163.5 million, \$9.5 million lower than the balance on the same date in 2018, due to spending of Build America bonds proceeds on the Holmes Student Center renovation. The investment earnings report shows interest earnings for the first quarter at \$928,000, an overall annualized rate of return of 2.23%. This is a slight decrease in the return this quarter over the last quarter because of the Federal Open Market Committee’s decision to reduce the federal funds interest rate.

Agenda Item 9.b.8. – Fiscal Year 2019 Annual Report of Transactions Involving Real Property

President Freeman brought forth Agenda Item 9.b.8., Fiscal Year 2019 Annual Report of Transactions Involving Real Property. It shows in leases, where NIU is the lessee; out leases, where NIU is the lessor; as well as facility capital leases.

Agenda Item 9.b.9. – Fiscal Year 2019 Report on Facilities and Infrastructure Capital Investment Activities

President Freeman introduced Agenda Item 9.b.9., Fiscal Year 2019 Report on Facilities and Infrastructure Capital Investments. This is the summary item that Associate Vice President Heckmann provides periodically to provide an update on the projects related to general revenue, auxiliary revenue projects, maintenance, investments, etc.

Agenda Item 9.b.10. – Fiscal Year 2019 Internal Audit Update

President Freeman presented Agenda Item 9.b.10., Fiscal Year 2019 Internal Audit Update.

ITEMS DIRECTLY FROM THE PRESIDENT

Acting Dean Rigertas began by quoting a line from the preamble of the American Bar Association’s *Model Rules of Professional Conduct for Lawyers*: “Lawyers play a vital role in the preservation of society.” Students often linger on that one a little bit. It gives them a context to think big picture about what they are doing no matter the practice area. Whether helping draft a will and helping somebody with a future financial planning of their family, or helping draft a contract, an employment agreement, a custody agreement, or a home purchase, all of these are different ways that lawyers assist people. The foundation of how society has decided to interact as human beings is based on the rule of law, and what lawyers do is helping to fulfill that value. The college’s goal is to help the next generation of lawyers do this.

The first part of the college’s mission is to strive to prepare students to become effective, creative and ethical lawyers who are ready to serve the legal needs of their community. The unofficial motto, “We train lawyers for Main Street, not Wall Street,” really animates everything done at the law school.

Students need to have a body of knowledge with respect to the law, as well as a skill set. They will need to be able to figure out the laws after they graduate, to read the new cases and statutes. Students must also develop their professional identities. Not only must they decide what area of law to practice; furthermore they must decide the values they will use in that practice and how to apply those when helping people solve their legal problems.

The college has a very strong skills curriculum, including a Lawyering Skills course which is required for all students. In that course, students hone and polish their skills in a safe place through simulated experiences such as a mock client interview, drafting a complaint, arguing motions, and negotiating a settlement. Those interested in criminal law also have Criminal Practice Skills. The college offers a large variety of both trial and appellate advocacy opportunities in terms of courses, internal competitions and external competitions.

In addition to skills curriculum, and in order to graduate, all students are required to take either an externship or a clinic. This allows them to practice their newly honed skills under supervision from experienced attorneys.

Clinics also serve as regional engagement, being involved in the community, helping to serve the community and helping instill in the students that value of serving the communities where they live. The Zeke Giorgi Clinic is in the Rockford community. Within that clinic are two clinics: the Civil Justice Clinic, which focuses on serving the elderly community with a variety of elder law needs and helping victims of domestic violence, and the Criminal Justice Clinic, where students represent adults in misdemeanor or major traffic offense cases. Students are taught to take a holistic

approach to their representation, not necessarily just looking at the particular crime, but looking at some of the underlying reasons and behaviors that led to the crime.

The clinics are free to the public. The Health Advocacy Clinic is located in Aurora and is an arrangement between Hesed House, which is a homeless shelter, and Aunt Martha's Health Clinic. Students in that setting are helping people access public benefits such as social security, Medicaid, Medicare, and food stamps. Access to those public benefits can have an integral impact on health issues that the clients are suffering.

The College of Law is in the second year of a prisoners' rights project which has been a partnership with the P. Michael Mahoney chapter of the Federal Bar Association. Students are representing prisoners who have alleged that their constitutional rights have been violated.

All of these are incredible experiences for students under the supervision of experienced and licensed attorneys. They provide the opportunity for students to start to take on the role as lead counsel and begin the transition from student to professional.

For students that do not participate at one of the clinics, there are engagement opportunities through externships. Students are placed throughout the region in a variety of externship placements, where they work under the supervision of the employer. The civil ones vary and can include work for a for-profit, a non-profit, or a government organization. Additionally, many students engage in criminal externships where they work with state's attorneys' offices or public defenders' offices. Once a student has completed about half of their law school credits, they can get a 7-11 license. This license, provided by the Illinois Supreme Court, gives them the ability, under supervision of a licensed attorney, to appear in court in a representative capacity. So, they are actually before judges and getting real life training.

In terms of curriculum, there are six certificates offered so that students have a deeper knowledge within that particular subject matter area, similar to a concentration.

Currently, the school has two joint degree programs, the J.D. M.B.A. and the J.D. M.P.A. Associate Dean Falkoff has been having conversations with all six colleges about exploring other joint degree programs that might be of benefit to students. As a public law school focused on value and accessibility, an accelerated law degree, or 3 + 3 Program is being established.

The college has started having programs with individual departments and partnered with the Honors Program so that students who are in the Honors Program could avail themselves of the 3 + 3 Program. The idea is that their last year of their undergraduate program is going to be their first year of law school. NIU students are offered free tuition for that first year of law school. That has led to 7-6-5, two degrees that normally take seven years can be completed in six years, paying for only five years.

The school has also formed 3+3 agreements with four other area universities, and is continuing to have discussions with other universities or colleges without law schools, where that partnership would be beneficial for their students and for NIU's students. The college's mission attracts students who are looking for a collegial, strong environment that will help prepare them to serve their communities.

The current class that just arrived in August has 119 students. That was the largest class in about a decade and about 30% larger than last year's incoming class. Diversity is always extremely important. Currently, the college is 77 out of 191 law schools in terms of the *U.S. News and World Report* diversity ranking. Acting Dean Rigertas could not say why the class is so much bigger, even bigger than the target of 100 to 105. The answer is probably a variety of different things that happened last year.

Chair Barsema asked whether the college surveys its students on why they choose NIU. Acting Dean Rigertas replied that there have been formal surveys periodically, but the college reaches out to students who choose not to attend NIU to find out why. The college is so small that generally this question is asked of students informally.

Chair Barsema then asked about the number one reason why students come to NIU for law school, and Acting Dean Rigertas said that a large number of students come for the value. Even though there is now another public law school in northern Illinois, NIU still offers the best value for a legal education. Many others come because of the proximity to their homes for an easy commute. For still other, the reason is programming and reputation.

Acting Dean Rigertas continued that all law classes are held at the DeKalb campus. Students primarily come from northern Illinois and the mid-Illinois region. The admissions team is actively thinking about how to reach farther down state, because there are opportunities there. Students also have come from 14 other states, primarily Wisconsin and Indiana. Out-of-state enrollment has increased since the elimination of out-of-state tuition. So, there were 21 students who were out-of-state the last year who were paying out-of-state tuition and then 31-34 out-of-state students the two subsequent years.

Outcomes are important. The college works hard to prepare students to pass the bar exam. That is a very important hurdle for them to pass through before they can go on and serve their communities and work as a lawyer. For this last bar exam in July, NIU had an 83% pass rate for the first-time takers. The state average was 80%. The ABA requires reporting of the bar pass rate two years after graduation. The accreditation standard is at least 75% of students need to pass the bar. NIU just reported its first two-year rate under this reporting as 86.25%.

Over half of NIU College of Law graduates go into law firms, generally the smaller law firms with two to ten lawyers serving in the collar counties. A large chunk of them go into government and public interest. Additionally, quite a large segment goes into government service, either in State's Attorney's offices or as Public Defenders. We do not have employment rates yet for the most recent graduating class, though strong bar passage usually correlates to strong job placement numbers.

NIU alumni are amazing and have gone on to do all sorts of interesting things. This past year, the college had a celebration because over 100 alumni (112), have become members of the judiciary.

Faculty are incredible and spend a tremendous amount of time with students. The college has an open-door policy and a lot of one-on-one mentoring. Faculty engage in scholarship in a wide variety of areas, but with a central theme of how to improve the law to better fulfill the values of justice and fairness. In terms of service, faculty serve on many committees both in the Law School and the university, they participate in bar associations and professional organizations, they put on continuing legal education programs for lawyers in the community, and they are very active in serving in a variety of ways.

Acting Dean Rigertas went on to discuss highlights from the college. The college has started a mentoring program for first year students, who are paired with an attorney mentor. Many of the attorneys are alumni, but not all of them. Many of the students are first generation college graduates, so to have a lawyer to guide them through thinking about how to build their resume and prepare for the bar has been a great program to offer.

Recently, about 30 students participated with the Second Chances Summit, which is an expungement summit where volunteer attorneys meet with people to see if they are eligible to have their criminal record expunged or sealed, because that is often an impairment to employment and other opportunities. The students helped prepare the charts for the volunteer attorneys, another

great opportunity for students to develop that commitment to pro bono volunteer work, serving in their communities, and helping make a difference in people's lives.

Another highlight of the college is the Learn Program. Clinical Professor Wendy Vaughn and Interim Assistant Dean and Associate Professor Yolanda King received a grant from AccessLex. The idea is to help increase diversity in the pool of law school applicants. There are 25 initial participants in the program. The grant is focused on people who took the LSAT but were not accepted to law school who believe the low LSAT score was part of the reason, or people who took the LSAT and did not apply to law school because they thought the low LSAT score would be prohibitive. Through the grant, the professors are trying to reach underrepresented communities and give support to help increase LSAT scores and increase prospective students' chances of getting the admission that they would like. The prospective students have had access to the Kaplan Bar Prep course and a variety of mentoring in terms of writing personal statements, putting together a resume, and thinking about all the components that go into a law school application. This grant program is still in its early stages. Students are not required to apply to NIU Law. This a great opportunity to help diversify the pool of those who are applying for law school.

The Illinois State Bar Association's Excellence in Education award was given to NIU's clinic.

The Law School received, from the Illinois Lawyers' Assistance program, their first Warren Wilson Award in Educational Excellence. The Illinois Lawyers' Assistance Program focuses on providing support to lawyers, judges, and law students who are struggling with mental health and substance abuse issues. The college has given them a great platform in terms of training for staff. They have monthly office hours for students. They have given presentations to students to try to give them the tools to deal with what can be a very stressful profession. NIU has received an award to acknowledge its work and partnership with the Illinois Lawyers' Association in the area.

Finally, the college has been ranked 11th in the nation for sending students to small firms. Those small firms that are really the lawyers for Main Street.

Trustee Pritchard asked for local or state examples of faculty looking at scholarship and identifying parts of the law that may need updating or changing, asking whether they were writing articles or working with legislators to actually change the law.

Acting Dean Rigertas replied that often faculty are drafting articles, but some people in the law school, particularly clinicians who are more active with the bar associations and have opportunities to advocate for changes.

She noted that she has testified before the Illinois State Bar Association on issues with respect to the unbundling of legal services. She writes a lot about access to legal services and pursuing alternative paths to that. For instance, rather than hiring a lawyer to do the whole case, could someone hire the lawyer for just a piece of it, and what are ethical implications of that? A person might not be able to pay any attorney to do a whole divorce, but would like somebody to attend custody hearings. The Illinois State Bar Association has made changes to the rules to allow for that.

Trustee Athas commented that the presentation was impressive. She asked whether, in addition to the joint degrees, the college works with different departments to let students know about opportunities to go on to law school where they could strongly utilize both the undergraduate degree and the law.

Acting Dean Rigertas answered that the admissions team definitely is looking for opportunities to talk to other departments, and the college has organizations like the Pre-Law Society to do that.

Associate Dean Falkoff added that meeting with various departments about potential dual master's degrees in law and in the original major allows some opportunity to be more cognizant of exactly

what it is that the school is offering and where synergies might exist. So Engineering for example, is interested in the college offering patent law courses to the engineering students. At the moment, NIU does not have a professor who specializes in patent law. In the near future, that may be a hiring target. Part of the benefit of the University Honors Program taking over the accelerated law programs is that it allows some opportunity to engage in discussions directly with other departments. There are a lot of synergies out there. There are a lot of disciplines where professors are teaching some legal aspect of something and there are many opportunities, even more than the school is currently using.

Associate Dean Falkoff continued with another example. In speaking with education and about a potential J.D. Ed.D. degree, the College of Law recognized opportunities. Education has a new professor who both has a J.D. and a Ph.D., so will be teaching primarily in Education, but will also be teaching a course in the Law School once a year to solidify those relationships. Crossing boundaries is really important, since it strengthens the university.

Trustee Gayles asked how the college interacts with the undergraduate community, particularly the undocumented students, by providing counsel for that population.

Acting Dean Rigertas answered that on campus there is a formal support system that has been put in place, so the college refers those students to that system when they need to have a broader community of support.

Trustee Gayles responded that when Acting Dean Rigertas was talking about the clinics and the services provided in other parts of the state, he wondered whether NIU is helping its own people on campus work through some of those legal landmines.

Acting Dean Rigertas stated that the college is not involved in Campus Legal Services.

Trustee Butler said that, years ago, it was common to think about two options, either full-time or part-time. Full-time was three years, part-time was four years and sometimes referred to as a night program. He asked whether those options were still available.

Acting Dean Rigertas said that is not an option at NIU. The college does not have a part-time program per se because there are different accreditation requirements than in the past. The ABA requires a degree to be finished within seven years. Most who are doing it part-time will finish it in less than seven years. So, the college works with students on an individual basis if they want to have a part-time schedule, in order to craft a schedule about what will work for the student. A few classes are offered in the evening, but there is no nighttime program that somebody could enroll in and have a full-time job.

Trustee Butler asked for clarification of his understanding that students must be able to go to classes during the day in order to fulfill the degree requirements.

Acting Dean Rigertas agreed, but stated that the college has discussed a part-time program, perhaps offering courses at the Naperville campus, or places that would be easier for a larger population to access. However, that is something for the next permanent dean to think through.

CHAIR'S REPORT NO. 93

Item 10.a. – 2019 Annual Performance Review of President Freeman

Chair Barsema moved on to Agenda Item 10.a., the 2019 Annual Performance Review of President Freeman. In summary, NIU law requires that the Board of Trustees complete an annual performance review of the president and such review must be made available to the public on the university's internet website. The annual performance review of Dr. Freeman is posted on the Board of Trustees website. The 2019 or the Fiscal Year 2019 Annual Performance Review of President Freeman includes the following items: President Freeman's Summary Memo to the

Board of Trustees, her FY 2019 Presidential Goals Summary and Results along with her comments, the Board of Trustees' Summary Memo to President Freeman, and the approved Fiscal Year 2019 goals. This is an information only item. It does not require a vote or approval in public.

Chair Barsema thanked all of the Trustees for their involvement in putting this performance review forward. He then thanked President Freeman and her team for the effort as well. He then invited comments from the Board.

Trustee Wasowicz said that President Freeman is doing an incredibly great job. The university is fortunate to have her here. The Board and President Freeman do not always agree, which is a healthy and important thing. Trustee Wasowicz stated that there is a lot of work to do still, that he looks forward to continuing to work with President Freeman, and congratulated her on her meeting most of the Presidential Goals.

(Trustee Wasowicz left the meeting at 11:19am.)

Trustee Gayles said that the impressive thing about Dr. Freeman is that she tries to be everywhere. She has done a lot of things. She is one of the best advocates for the university and should be recognized for that. She understands the value of diversity and the value of not only a diverse student population, but also a vendor population, which is critical because students have to go someplace when they graduate. Trustee Gayles stated that he also looks forward to the next years and thanked her for her good work.

Trustee Athas added the NIU was extremely fortunate after a challenging time to find President Freeman already here and already doing a great job. She is a visionary but also knows how to push the university and its staff forward. At the same time, she has a steady, calm pace which results in an atmosphere in which the university is on track, is calm, and is moving forward, which has been a really big asset to the university. Trustee Athas thanked President Freeman too.

Trustee Butler echoed all the very nice comments that had been said about President Freeman. He noted that the Annual Performance Review process at NIU is outstanding. Anyone who takes some time to read the documents will see an alignment of values that cuts across not just these documents, but also the strategic enrollment management plan. Several of the other items that have come before the Board in terms of recently approved curriculum show great consistency in the pursuit of a vision for Northern that is comprehensive and exciting. Anyone reading the review documents will come away with an understanding of where the university is headed. Trustee Wasowicz thanked President Freeman for her work.

Trustee Pritchard noted that, in any organization, success like that reported on the Annual Performance Review can be attributed to the leadership of the organization. The most amazing thing about Dr. Freeman is her collaboration. She has built a team that buys into the vision, the mission and the values that she has expressed for this university. That is partly the reason for the success of this year. Often times, a leader will be excellent in one area or another, but NIU's accomplishments are due to President Freeman's strength in many areas: her expertise, her interest, her passion, and most importantly her ability to work with people. Looking at the state of the university today and how President Freeman has incorporated the university into the community, the university is in a much better position than it has been for a decade or more. That is attributable to its characteristics, President Freeman's style of leadership, and the way she has worked with others within the university and externally to take the next step. Trustee Pritchard applauded Dr. Freeman's efforts and said that he looks forward to the continued growth of this university.

Chair Barsema reiterated the other Trustees' statements and then read the last paragraph that the Board wrote in its letter to Dr. Freeman:

“The Board would like to recognize that you have been a tireless advocate of the interests of NIU students, faculty, administration and staff, alumni and local communities. You have

fostered great relationships with your peers on a local, state, and national level which have proven beneficial for NIU in both the short and long term. You have demonstrated great respect for, and represented well, the values of the university. We look forward to the continued transformation and positive evolution of Northern Illinois University under your leadership.”

President Freeman thanked all the members of the Board for the kind comments, the recognition in their formal evaluation, their commitment to the success of the university, and their willingness to listen to each other, the president, and the members of the leadership team. She said that the success of this university and her own success as a leader would not be possible without the very thoughtful and dedicated Board of Trustees. Also, it is a privilege to be the president of Northern Illinois University, to be the person who gives voice to the shared vision, mission and values and have the opportunity to work with all members of the university community: students, faculty, staff, administrators and alumni, to do the things necessary to be successful, to promote the success of all students, to strengthen the diversity and inclusivity of the community, to perform impactful research and artistry, and to engage the communities that NIU serves locally and around the world. This is a university that makes a difference, and it makes a difference because of everyone here. President Freeman concluded with the statement that she is pleased to lead these efforts to facilitate the great work and to push when necessary.

Item 10.b. – 2019 Presidential Evaluation Performance Incentive Pay

Chair Barsema presented Agenda Item 10.b., the 2019 Presidential Evaluation Performance Incentive Pay. Section 3.2. of President Freeman’s contract states that in the fall of 2019, the Board shall evaluate the performance of the president for their FY19 performance in accordance with article 1.3 of this agreement. Based upon the president’s FY19 performance, the Board shall make a recommendation as to the performance incentive for the president and shall take action on its recommendation prior to December 31, 2019. Such performance bonus shall not exceed \$25,000.

Based on the 2019 Annual Performance Review that was completed under Agenda Item 10.a., the chair of the Board of Trustees recommends that Dr. Freeman receive a performance bonus calculated by the earned percentages listed in Item 10.b. This recommendation does not represent in any way dissatisfaction with the FY ‘19 performance of Dr. Freeman as evidenced by her overwhelmingly positive Annual Performance Review for FY19. However, the process for deciding the performance pay incentive that the Board of Trustees negotiated into her contract when Dr. Freeman became the 13th president of NIU back in September of 2018 must be respected.

Although an overwhelming majority of her goals were met or exceeded, several were not. There were three out of a total of 25 goals that were not fully met. Two were in the goal of enrollment and the other was in fiscal sustainability.

The two goals in enrollment that were not completely met were to stabilize enrollment and increase new undergraduate, Hispanic and Latinx enrollment. This goal attained 99.2% of the target. However, the university did come up 100 plus students short of the target. In the goal of Hispanic and Latinx enrollment, while the target was not met, many programs were established, and a head count was put in place to help meet the enrollment targets for fall of 2020. The enrollment goal was worth 25% of Dr. Freeman’s performance incentive pay if all goals were fully met, and the chair recommended to the Board that they award 21% towards 100% of her targeted performance pay.

In the goal of fiscal sustainability, while important goals like a balanced budget were made, the goal of implementing the CHANCE Program’s 50th Anniversary Fund was not fully met. Fiscal sustainability accounts for 20% of Dr. Freeman’s performance incentive pay if all goals were fully met, and the Chair recommends that the Board award 18% towards 100% of her targeted performance incentive pay.

All other goals in diversity, equity, inclusion; research and artistry; and leadership initiatives were met or exceeded. Of her 25 goals, 22 were met or exceeded. Therefore, in total, the chair recommends that the Board award 94% of the total eligible \$25,000 performance incentive pay or a total of \$23,500. The Board of Trustees is being asked to take final action and approve the recommendation of \$23,500 in the 2019 Presidential Evaluation Performance Incentive Pay.

Chair Barsema asked for a motion to approve. Trustee Gayles so moved, and Trustee Athas Seconded.

The motion was approved.

Item 10.c. – Closed Session Minutes Review and Release

Chair Barsema introduced Agenda Item 10.c., Closed Session Minutes Review and Release. The Open Meetings Act of the State of Illinois requires public bodies to review the minutes of their closed session minutes on a semiannual basis and to determine what parts of the minutes they should make available to the public because they no longer require confidential treatment. The recommendation, upon review and advice of the Board's parliamentarian, is that the Board approve no additional release from confidentiality of any of the previously unreleased sections of the closed session minutes at this time. Those sections which are still subject to confidentiality, together with sections from subsequent meetings will be considered again in six months.

Chair Barsema called for a motion to approve. Trustee Gayles so moved, and Trustee Pritchard seconded.

The motion was approved.

OTHER MATTERS

No other matters were discussed.

NEXT MEETING DATE

Chair Dennis Barsema announced that the next regularly scheduled meeting of the Board of Trustees will be held March 5, 2020.

CLOSED SESSION

Chair Barsema stated that there would be no closed session during this meeting.

ADJOURNMENT

Chair Barsema asked for a motion to adjourn. Trustee Pritchard so moved, and Trustee Gayles seconded.

The motion was approved.

Time of Adjournment: 11:36am.

Respectfully submitted,

Karen Campbell

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.

HONORARY DOCTORATE RECOMMENDATION

Summary: The Honorary Degree Committee met on November 12, 2019, to consider the candidacy of two nominees. The Committee unanimously recommended one individual for an honorary degree. The recommended candidate is Dr. Sherret S. Chase. The committee recommends that Dr. Chase be awarded an honorary doctorate in science.

Dr. Chase was nominated by Helen Chase (Dr. Chase's daughter), and the nomination was supported by multiple current and retired NIU faculty. Dr. Chase's life's work was the development of techniques in plant breeding via haploids, doubled haploids, and hybrids as well as the conceptual framework and technology that (prior to GMOs) led to great advances in plant breeding. Much of his work involved improvement of hybrid maize seed. The techniques that he developed are still used today, and they are used in all manner of plant breeding (not just maize) and even in hybrid animal breeding programs.

Born in Ohio and raised in Pennsylvania, he graduated from Yale University in 1939 with a degree in botany. Although his graduate studies were interrupted by a three-year tour as a navigator in the Army Air Corps, he completed his Ph.D. in genetics in 1947 at Cornell University. Between 1947 and 1953, he was an assistant professor at Iowa State College. In 1953, he joined DeKalb Agricultural Association and where he further developed his monoploid method of plant breeding to help the company emerge as one of the world's leading seed companies. While at DeKalb Ag, he managed breeding programs around the world, including in European and Southeast Asian countries. Although he returned to academia in 1966 (first as a fellow at Harvard, then as a professor at SUNY Oswego), Dr. Chase continued his association with DeKalb Ag. In 1981, he was appointed Director of Plant Breeding for the International Plant Research Institute in California. He later served as the Director of Plant Breeding for the DNA Plant Technology Corporation until 1987. He remains an active researcher at his home in Ulster County, New York. In 2015, he donated his personal and professional papers to the NIU Regional History Center.

Recommendation: The University requests Board of Trustees approval for the recommendation to award an honorary doctorate in science to Dr. Sherret S. Chase.

RESEARCH AND INNOVATION PARTNERSHIPS INTELLECTUAL PROPERTY COUNSEL

Summary: The Division of Research and Innovation Partnerships (RIPS) requests permission to enter into agreements with as many as four intellectual property legal firms. Multiple firms are required to ensure the availability of a variety of expertise to accommodate the broad nature of University intellectual property. Each contract will be for an initial one-year term followed by eight one-year renewal options. As part of this agreement, the firms awarded under the Request for Proposal (RFP), conducted Spring 2019, may be requested to provide a wide variety of legal services relating to intellectual property and technology transfer managed by the Vice President for Research and Innovation Partnerships.

Background: Protection of intellectual property is essential to ensure the University receives full benefit of research investments. Protection is also mandated by Federal statute for federally funded research. In addition, intellectual property protection is essential for faculty recruitment and retention. Faculty in the STEM fields, particularly chemistry, biology, physics and engineering are especially active.

In order to represent clients pursuing patents, a patent lawyer must possess at least a bachelor's degree in a scientific or technical field and must pass the patent bar exam. With the University's diverse research portfolio, a wide range of attorney expertise is required. Due to many variables, including the number of invention disclosures submitted, academic field of the research, and number of potential partnerships that may lead to licenses, the financial authorization required each fiscal year is unpredictable. To ensure RIPS has sufficient funds to engage qualified law firms for the remainder of Fiscal Year 2020 and for subsequent years, the request for intellectual property services will not exceed \$250,000 per year. Under this authority, specific transactions will be processed in accordance with the Illinois Procurement Code and internal approval procedures.

Funding: Institutional – Local Funds

Services will not exceed \$250,000 per year, or \$2,250,000 in the aggregate, from March 1, 2020-June 30, 2028.

Recommendation: The University recommends Board of Trustees for approval for this item.