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ARTICLE I. POLICY-MAKING AUTHORITY

SECTION 1. POWERS AND DUTIES

The Board of Trustees of Northeastern Illinois University, as the designated policy-making agency for the University, shall have all of the powers and duties established by, the Northeastern Illinois University Law, 110 ILCS §680/25-1 et.seq., as amended from time to time. Although the Board is responsible for assuring that its policies and regulations are followed, it shall not participate in the details of institutional management, which are hereby delegated to the university administration. Members of the Board, as representatives of the State and its citizens, may exercise official board authority only when the Board is in session or when they are acting on behalf of the Board pursuant to its direction. With the exception of the Executive Committee, which may take final action on behalf of the Board in accordance with the Bylaws, committees of the Board shall function only as fact-finding, deliberating, and advisory bodies that may present proposals to the Board for approval. The following governing policies are guides for those exercising delegated powers and they do not have the same force and effect as the Board's regulations.

SECTION 2. POLICY DECISIONS

Assisted in its deliberations by the guidance, advice and recommendations of the President concerning the university, and by the advice of other officially constituted university constituencies, the Board shall undertake policy-making decisions in such areas as the following:

- A. Consideration of proposals of the President, faculty, staff, and students presented in accordance, with established Board procedures.
- B. Adoption of policies and regulations to insure the effective administration and management of the university and to encourage the highest quality of instruction, scholarship, and appropriate service by the faculty.
- C. Review and approval of educational goals and purposes, including statements of the mission and scope of the university.
- D. Evaluation of the administration and execution of Board policies and regulations by its employees.
- E. Approval or disapproval of other matters requiring action by the Board.

ARTICLE II. NORTHEASTERN ILLINOIS UNIVERSITY

SECTION 1. THE UNIVERSITY

The University shall be known as Northeastern Illinois University. The University shall operate in accordance with policies and regulations established by the Board of Trustees under the laws of the State of Illinois.

SECTION 2. THE PRESIDENT

- A. The President is the chief executive officer of the university. The President is responsible to the Board of Trustees of Northeastern Illinois University for the execution of Board policies and for the management and direction of university operations. The President shall have full authority and responsibility within the framework of the policies and regulations determined by the Board for the organization, management, direction, and supervision of the university and shall be held accountable by the Board for the effective administration and management of the institution. In the discharge of these responsibilities, the President shall consult with the Board of Trustees and with such constituencies as are appropriate. The President shall be employed by and serve at the pleasure of the Board unless the contract of employment specifies otherwise.
- B. The President shall be accountable to the Board of Trustees for performing the following duties within his/her designated areas of responsibility:
1. Providing general leadership for the university.
 2. Making recommendations concerning the mission, scope, and organization of the university and concerning plans and policies for the development and enhancement of university operations and activities.
 3. Administering and directing university plans, operations, programs, and activities in the areas of academic affairs, administrative and fiscal affairs, student affairs, and public affairs and development.
 4. Serving, as the principal spokesperson and representative for the University with the governor and General Assembly, Illinois Board of Higher Education, and other external constituencies.

5. Developing and maintaining good public relations including establishment of rapport between the university and the region in which it is located and the public which it serves.
6. Making recommendations concerning the initiation, continuation, or modification of university programs and activities.
7. Making recommendations concerning the operating and capital Budget requests, appropriation requests, and internal budgets of the university.
8. Making recommendations concerning the selection and appointment of such officers as may be designated by the Board.
9. Performing such other duties as may be delegated by the Board.
10. Developing guidelines, procedures, and interpretations for the implementation of the Board's Governing Policies and regulations.

SECTION 3. RESOLUTION OF DISAGREEMENTS

Except as specifically provided in any contract for employment of the President, the following procedure shall be used in the event of a disagreement between the President and the Board which they are otherwise unable to resolve.

- A. The President may ask the Board Chair for an opportunity to address the Board concerning the matter. The President shall notify the Chair prior to making any such request.
- B. The Chair shall notify the Board of any such request by the President and shall consult with the President prior to taking action on the request. The Chair shall notify the Board of any action taken on the request.

SECTION 4. UNIVERSITY EMPLOYEES

Personnel practices shall ensure freedom from discrimination on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, disability, sexual orientation, unfavorable discharge from military service, status as a disabled veteran or veteran of the Vietnam era, or (if the applicant or employee is a U. S. citizen or an "intending citizen") citizenship. Current state and federal legal definitions of the above prohibited bases of discrimination shall be followed, when applicable. In addition, the university, will maintain an affirmative action plan and report biennially to the Board on progress toward achieving the goals

stated in the plan. This policy is not intended to waive any constitutional or statutory rights to claim sovereign or other immunities.

The following categories of personnel employed by the university define the various constituencies that enable the university to achieve distinction in its assigned mission. The university may recognize subgroups within the categories designated herein and shall specify in writing the rights, privileges, and responsibilities of persons in the different categories and subgroups, as appropriate in the discretion of the President.

- A. **FACULTY EMPLOYEES.** Faculty employees comprise all persons with the faculty ranks of Professor, Associate Professor, Assistant Professor, or Instructor, including Counselors and professional Librarians.
- B. **ADMINISTRATIVE EMPLOYEES.** Administrative employees comprise those administrative and professional employees who are not employed under the State Universities Civil Service System, including medical doctors engaged in providing health services appointed in accordance with Board Regulations. Administrative employees may be granted faculty rank and tenure in appropriate circumstances as provided in Board Regulations.
- C. **CIVIL SERVICE EMPLOYEES.** Civil Service employees include those employees who are employed under the State Universities Civil Service System.
- D. **OTHER EMPLOYEES.** Other employees, including temporary faculty, faculty assistants, graduate assistants, and other student employees shall be employed in accordance with Board Regulations and the procedures adopted by the university, and applicable negotiated agreements.

SECTION 5. ACADEMIC FREEDOM AND RESPONSIBILITY

In adopting the following statements concerning academic freedom and responsibility, the Board of Trustees affirms that academic freedom should not be abridged or abused and joins the numerous other organizations which have endorsed such principles.

- A. **ACADEMIC FREEDOM.** Institutions of higher education are conducted for the common good and not to further the interest of either the individual faculty member or the institution as a whole. The common good depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to both

teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the faculty member in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

1. The faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
 2. The faculty member is entitled to freedom in the classroom in discussing his/her subject. The faculty member should be careful not to introduce into his/her teaching controversial matter which has no relation to his/her subject.
 3. The university faculty member is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but his/her special position in the community imposes special obligations. As a person of learning and an educational officer, he/she should remember that the public may judge his/her profession and his/her institution by his/her utterances. Hence he/she should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesperson.
- B. ACADEMIC RESPONSIBILITY.** Membership in the academic community imposes on students, faculty members, and administrators an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off campus. The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways which injure individuals or damage institutional facilities or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence, but given an opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that significantly impede the functions of the institution. Students are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher-student relationship. Faculty members may not refuse to enroll

or teach students on the grounds of their beliefs or the possible uses to which they may put the knowledge to be gained in a course. Students should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or their own part of society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs.

It is the faculty members' mastery of their subjects and their own scholarship which entitle them to their classrooms and to freedom in the presentation of their subjects. Thus, it is improper for faculty members to intrude material which has no relation to their subjects, or to fail to present the subject matter of their course as announced to their students and as approved by the faculty in their collective responsibility for the curriculum.

Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions, on the other. If such conflicts become acute, and the faculty members' attention to their obligations as citizens and moral agents precludes the fulfillment of substantial academic obligations, they cannot escape the responsibility of that choice, but should either request leaves of absence or resign their academic positions.

SECTION 6. PARTICIPATION IN UNIVERSITY GOVERNANCE

- A. **SHARED PARTICIPATION.** In order to promote shared participation in responsible and wise decision-making and to ensure channels of communication, the university shall provide for elected campus organizations, the structures of which shall be determined by the constituencies they represent and approved by the President. Except as limited by the scope of collective bargaining negotiations between the Board and the academic employees and the requirements of good faith collective bargaining, the appropriate and duly constituted committees of faculty government shall participate in the decision making process of the university in the following areas:

1. University curriculum.

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2. Basic policies with regard to campus planning and facilities construction and utilization.
 3. Creation of administrative positions at the level of Dean and Vice President and selection of administrative officers for such positions as well as of the President of the university.
 4. Policies relating to student life and conduct, following consultation with the Student Government Association.
 5. Academic planning and the determination of priorities for the conduct and development of the university.
- B. BUDGET COMMITTEE.** The university shall establish a university-wide budget committee composed of faculty, staff, and students selected so as to provide representation of academic and support areas consistent with a practical committee size. The budget committee shall participate in making recommendations with respect to:
1. The setting of program priorities in the university budget (in the areas of capital, operating, internal, etc.) to enhance strategic allocation and reallocation of fiscal resources.
 2. Periodic review of the university budget.
 3. Transfers of significant amounts among internal budget items.

To operate effectively, committee members should familiarize themselves with previous budgets and with existing budget formulas; acquaint themselves with program budgeting and other modern management techniques as they become appropriate; familiarize themselves with data processing or other reporting and auditing procedures used in their university; and develop a good working knowledge of the financial operation of the university. To aid the budget committee in its function, the appropriate administrative officers shall keep members and all fiscal agents currently informed concerning budget formulas, budgetary procedures, and calendars as they are formulated at the university and State levels. It is expected that broad committee representation will provide maximum opportunity for a voice for the faculty as a body.

- C. CONSTITUTIONS.** The faculty, staff, and students at the university shall develop constitutions for their own duly established government

organizations. Such constitutions shall be reviewed and approved by the President, shall be consistent with Board policy and applicable bargaining units' law and shall ensure the democratic involvement of the constituencies so represented.

SECTION 7. STUDENTS

As members of the community of scholars, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. The responsibility to secure and respect conditions conducive to the freedom to learn is shared by all members of the academic community. Therefore, the university shall provide means by which students participate in university governance. Students shall be guaranteed due process in disciplinary proceedings and freedom from discrimination on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, disability, or sexual orientation. Current state and federal legal definitions of the above prohibited bases of discrimination shall be followed, when applicable. This policy is not intended to waive any constitutional or statutory rights to claim sovereign or other immunities. Appropriate and duly constituted committees of student government may develop and propose to the President, or such other administrative officers as the President may designate from time to time, advisory recommendations with respect to student concerns.

SECTION 8. SELECTION AND EVALUATION OF THE PRESIDENT

A. SELECTION OF THE PRESIDENT

1. The Board will determine whether to function as a committee of the whole in the process of selecting a President. The Trustees will name a member who will be responsible for managing and directing the process of selecting a President and who will make recommendations to the Board concerning the qualifications, experience, and characteristics to be sought in a President.
2. The Board of Trustees may decide the composition and function of any advisory committees and the terms and conditions of employment of any consultants used in the process of selecting a President.
3. The Board may select and interview the final candidates for the position of President.

4. The Board may determine and contract with the President concerning his/her terms and conditions of employment. The President will serve at the pleasure of the Board unless the contract of employment specifies otherwise.

B. EVALUATION OF THE PRESIDENT

1. The performance of the President should be reviewed annually by the Board at a time designated by the Board.
2. The material used in the annual review of the President's performance shall include a statement of the President's goals and objectives and such other material as specified by the Board. Additional material may be submitted at the discretion of the President.

ARTICLE III. ADOPTION, AMENDMENT, OR REPEAL OF POLICIES

Governing policies may be adopted, amended, or repealed at any regular meeting of the Board by a majority vote of the voting members then serving on the Board. Requests for the adoption, amendment, or repeal of governing Policies shall be submitted to the President, who shall notify the Board's Chair of such requests. The President shall report such requests with recommendations for action to the Board. Board action on the proposal shall normally be taken not earlier than the next regular meeting following first reading. During the interim between first reading and Board action, the President shall distribute copies of the proposal to appropriate faculty, staff, and student groups. Up to ten days prior to the Board meeting at which action is to be taken, members of the faculty, staff, and student body may submit their views and comments in writing to the President for distribution to the Board together with the President's recommendation for action on the proposal.

ARTICLE IV. RESERVATION OF POWERS

The Board of Trustees is charged by law with full responsibility for governing the university under its jurisdiction. Although the Board properly and necessarily delegates authority to designated officers and the university, it cannot divest itself of its ultimate legal responsibility. Accordingly, the Board expressly reserves to itself the power to act on its own initiative in all matters affecting Northeastern Illinois University.