

**MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES OF
NORTHEASTERN ILLINOIS UNIVERSITY
CHICAGO, ILLINOIS**

April 9, 2009

The meeting of the Board of Trustees of Northeastern Illinois University was convened on Thursday, April 9, 2009, at 4:15 p.m., in the Multipurpose Room at Northeastern Illinois University - El Centro, 3119 N. Pulaski, Chicago, Illinois. Walter W. Dudycz, Chair of the Board, called the meeting to order.

Roll was called and the following trustees answered present:

Carlos Azcoitia, Secretary
Grace G. Dawson
Walter W. Dudycz, Chair
Omar Duque
Jin Lee, Vice Chair

The following trustees were absent:

Carole Balzekas
Edward Dykla
Eduardo Arabu

Also present were the following:

Sharon K. Hahs, President
Jean A. Kelchauser, Assistant Secretary
Mark Dunn, Legal Counsel

University Provost, Vice Presidents and Staff

Welcome to El Centro

President Hahs introduced Dr. Daniel Lopez, Associate Dean, Academic Development and Director, El Centro, Dr. Lopez welcomed everyone and told the trustees about the programs offered at El Centro which is celebrating its 40th Anniversary this Fall.

President Hahs introduced Julie Wight, Director of Marketing, who played the 30 second commercial now airing in Spanish on selected area stations.

Approval of Minutes

Written Minutes of the meeting of February 11, 2009 and the Minutes of the Confidential Executive Session dated February 11, 2009 have been prepared and submitted. Chair Dudycz said that hearing no corrections, the Minutes stand as written.

President's Report

Before beginning her report, President Hahs told the trustees that the June Board meeting would be the last for Board Liaison Jean Kelchauser. She also told the trustees about the March 18-19, 2009 Great Service Matters conference held on campus under the leadership of Dean Murrell Duster.

Mr. Duque, seconded by Dr. Dawson, moved to approve the granting of **Tenure** to the following 12 members of the faculty:

<u>Name</u>	<u>Department</u>
Paulo Acioli	Physics
Jon Hageman	Anthropology
Eleni Makris	Educational Leadership and Development
Janalyn Meehan	Reading
Theophilus Y. Okosun	Justice Studies
Janet Pariza	Reading
Mark Schmeller	History
Katherine Smith	Teacher Education
Marcelo Sztainberg	Computer Science
Daniela Truty	Educational Leadership and Development
Nancy Wrinkle	Mathematics
Shencheng Xu	Art

Following is brief biographical information on the candidates.

Paulo Acioli is an Assistant Professor in the Physics Department. Dr. Acioli has authored five articles in the field of computational condensed matter physics, participated in successful grant proposals, and actively contributed to the College of Arts and Sciences Academic Affairs Committee.

Jon Hageman is an Assistant Professor in the Department of Anthropology. Dr. Hageman has developed a strong archeological curriculum, including establishing an archeological field school in Belize. He has published a book chapter and journal articles on settlement and social systems among the Ancient Maya of Central America.

Eleni Makris is an Associate Professor in the Department of Educational Leadership and Development. Dr. Makris specializes in the areas of educational and individual differences, human development and learning, psychology of instruction, and

educational research. Her presentations and publications address the individual's capacity to overcome adversity.

Janalyn Meehan is an Associate Professor in the Reading Department. Dr. Meehan has published and presented peer reviewed research at 21 national and state conferences, and given over 20 workshops to area elementary and middle schools. She also directs an ongoing grant from the Chicago Community Trust, in partnership with the Chicago Public Schools.

Theophilus Okosun is an Assistant Professor in the Department of Justice Studies. Dr. Okosun took a leadership role in internationalizing the Justice Studies curriculum. He has published several books and articles in the field of justice studies.

Janet Pariza is an Associate Professor in the Reading Department. Dr. Pariza has made significant contributions in the field of literacy instruction. She has co-authored a book chapter, a peer-reviewed article and presented papers at local, state, national and international conferences.

Mark Schmeller is an Assistant Professor in the History Department. Dr. Schmeller specializes in early American political, intellectual, and legal history. He has published an article and several book reviews, and delivered papers at the Newberry Library and the University of Paris.

Katy Smith is an Associate Professor in the Teacher Education Department, where she has served as Chair for the past fifteen months. Dr. Smith specializes in curriculum theory, educational assessment, and advises the secondary education Masters candidates. She has authored several peer-reviewed articles and book reviews.

Marcelo Sztainberg is an Assistant Professor in the Computer Science Department. Dr. Sztainberg is the director of the Student Center for Science Engagement at NEIU, an initiative sponsored by the Department of Education that focuses on recruitment and retention of minority students into math and physical science disciplines.

Daniela Truty is the undergraduate advisor and Associate Professor of Educational Leadership and Development-Human Resource Development. She served on the Board of Directors and Steering Committee for professional research organizations, chaired two adult education research conferences and published a book chapter and numerous papers and book reviews.

Nancy Wrinkle is an Assistant Professor in the Mathematics Department. Dr. Wrinkle's research is in low-dimensional geometric topology, focusing on the subjects of knots, links, and braids. She is co-principal investigator on several grants aimed at recruiting and retaining under-represented minority students in the STEM (Science,

Technology, Engineering, and Mathematics) disciplines.

Shencheng Xu is an Assistant Professor in the Art Department. Mr. Xu's art has been exhibited nationally and internationally. He was instrumental in creating a partnership between NEIU and Northeastern University of China, and has led many educational trips to this partner university.

Roll was called and the vote was as follows:

Azcoitia	Yes
Dawson	Yes
Dudycz	Yes
Duque	Yes
Lee	Yes

The motion carried.

Dr. Dawson, seconded by Mr. Duque, moved to approve the **expenditure for CCICS West Face Facade Repairs** as follows:

The Carruthers Center for Inner City Studies (CCICS) building was constructed in 1904 and completely remodeled in the early 1970's. As reported to the Board of Trustees in June 2007, the City of Chicago Exterior Wall Ordinance requires that the masonry exterior of certain city buildings, including CCICS, be periodically inspected by a registered engineer and a report submitted identifying conditions requiring immediate or on-going maintenance and repair. Reports were prepared in November 2006 and September 2008 and submitted to the City that indicated the CCICS parapet walls required reconstruction, window lintels required repair and painting, and that all brick masonry joints needed to be ground out and tuck pointed.

The repair work identified in those reports was planned to be completed in four phases. The first phase of work, repairs to the North Face, was approved by the Board of Trustees in June 2007 and has been completed. Approval is now requested for the second phase of work.

This second phase of repair work includes the reconstruction of the west parapet wall; repair of parapet expansion joints; removal and reinstallation of terra cotta coping units; installation of new roof flashing; grinding and tuck pointing of brick masonry; removal and replacement of lintels, as necessary; terra cotta sill replacement; and window caulking and painting. The project also includes an alternate bid request for tuck pointing of all of the masonry joints on the west side.

The successful bidder is a minority-owned business, currently certified with the City of

Chicago. The owner is working the University Purchasing Department to obtain State of Illinois MAFBE certification.

With some of the work on this project, the actual condition of certain aspects of the building will not be known until surface materials are removed. Because of this uncertainty, an allowance for unknown conditions is included in this project.

Board approval is requested for the contract with Sandsmith Construction.

PROJECT COST:

Base Bid	\$234,178
Alternate #1	39,000
Additional funds if needed	<u>26,000</u>
TOTAL COST:	\$299,178

SOURCE OF FUNDS:

University Operating Funds

RECOMMENDED VENDOR:

Sandsmith Construction
1835 Yale Avenue
Flossmoor, Illinois 60422

SUMMARY OF BIDS:

	<u>Base Bid</u>
Sandsmith Construction	\$ 234,178
UGL Unicco	260,884
All Bry Construction	279,885
Bulley & Andrews Masonry	297,358
JSL Masonry Restoration	312,913
W. J. McGuire	329,607
Chicago Commercial Contract	334,084
Reliable Building Systems	337,675
Eugene Mathews, Inc.	341,800
JLJ Contracting, Inc.	381,955
Abel Building & Restoration	392,000
Mark 1 Restoration	407,700

Roll was called and the vote was as follows:

Azcoitia	Yes
Dawson	Yes
Dudycz	Yes
Duque	Yes
Lee	Yes

The motion carried.

Dr. Azcoitia, seconded by Mr. Duque, moved to approve the **expenditure for Building A Site Work** as follows:

Building A is being renovated to house the College of Business and Management and provide general and specialized classrooms and faculty and administrative offices. The project has an estimated completion date of summer 2009.

In addition to the remodeling project, there is exterior site work that is necessary for the opening of the building. The site work includes two main areas - the new main entrance on the building's north side and improvement to parking Lot A, also north of the building. Required site work related to the new entrance includes entry sidewalks, fieldstone benches and lighting. Site work related to parking Lot A includes a drop off area in front of the building and a turnaround circle at the east end of the parking lot. In addition, the entire Lot A will be sealed and re-striped. This work will commence when the building remodeling is complete.

There are two contracts related to this work. The general contractor will be responsible for the entrance sidewalks and benches, and parking lot improvements. The electrical contractor is responsible for entrance lighting improvements. Based on the bid amounts, Board approval is required for the general contractor portion of Building A Site Work. Costs for the new entrance will be paid from operating funds and parking lot costs will be paid from parking funds. The bid for the electrical work is \$59,490 and will be reported to the Board in June as an information item.

Board approval is requested for the contract with A-Lamp Contractors.

GENERAL CONTRACTOR PROJECT COSTS:

Base Bid	\$194,999
Additional funds if needed	<u>19,500</u>
TOTAL COST:	\$214,499

SOURCE OF FUNDS:

University Operating Funds:	\$ 98,597 (Entrance)
Parking Funds:	96,402 (Parking Lot A)

RECOMMENDED VENDOR:

A-Lamp Contractors
800 W. Irving Park Rd.
Schaumburg, IL 60193

SUMMARY OF BIDS:

	<u>Base Bid</u>
A-Lamp Contractors	\$194,499
Abbey Paving	209,660
Rose Paving Co.	248,549
Pelar Construction	256,477
R.T. Milord Co.	333,203
Chicago Commercial	341,773

Roll was called and the vote was as follows:

Azcoitia	Yes
Dawson	Yes
Dudycz	Yes
Duque	Yes
Lee	Yes

The motion carried.

Mr. Duque, seconded by Mr. Lee, moved to approve the **expenditure for Legal Services with Bryan Cave, LLP** as follows:

In July 2008, the University contracted with Bryan Cave, LLP to assist University and Board legal counsel in a unique arbitration case with the University Professionals of Illinois Local 4100 (UPI). The arbitration centers on the denial of tenure to a faculty member. It is the first arbitration since the inception of the faculty collective bargaining agreement between Northeastern and the UPI that involves the denial of tenure. This firm was hired because of its unique knowledge of Northeastern and its extensive experience in higher education arbitration and collective bargaining issues.

The arbitration has been longer than expected. The hearing phase of the arbitration concluded in March and post-hearing briefs will be submitted thirty days after receipt of the transcripts of the proceedings.

In addition to the arbitration work, Bryan Cave, LLP also has been retained to provide representation in connection with an investigation being conducted by the Office of Executive Inspector General. The case involves refusal by the Inspector General to allow University or Board legal counsel to represent an employee under investigation, which has required the employee to retain separate legal counsel.

Between July 2008 and now, costs for these two cases have continued to increase and the initial purchase order was incrementally increased to the point where it is now approaching the level that requires Board approval (\$100,000). Due to the complex

nature of the arbitration and the ongoing Inspector General investigation, it is anticipated that Bryan Cave, LLP legal fees could approach \$150,000.

Board approval is requested for the expenditure of up to \$150,000 for legal services provided by Bryan Cave, LLP.

Roll was called and the vote was as follows:

Azcoitia	Yes
Dawson	Yes
Dudycz	Yes
Duque	Yes
Lee	Yes

The motion carried.

Board Committee Reports

Chair Dudycz announced that he has appointed Omar Duque to replace Carole Balzekas on the Buildings and Grounds Committee.

Mr. Duque gave the Construction Update as follows:

Building A Remodeling:

- The remodeling of Building A, which will house the College of Business and Management, faculty offices and classrooms, has a planned completion date of July 15, 2009.
- Work on this project stopped on February 2, 2009 when the contractors left the jobsite due to lack of payment from the State of Illinois. The State is in the process of issuing bonds to raise the funds necessary to pay the contractors and they are expected to return to work at the end of April. This delay may affect the planned completion date.

Education Building:

- The Governor included planning and construction funds for the Education Building in his proposed fiscal year 2010 capital budget. Funding now awaits action by the Illinois General Assembly on the statewide capital program.

Academic Writing Center:

- This project remodeled approximately 2,000 square feet of the 4th floor in the Ronald Williams Library to support the Center for Academic Writing and was completed in March 2009.
- The funding for this project is from a Title V Grant (Strengthening Hispanic Serving Institutions).

Emergency Notification System:

- This project installs a wireless emergency notification system, including a public address system and electronic message boards at each University campus. The system will be networked allowing messages to be initiated from any campus to any other campus using prerecorded messages or live voice.
- This project will be completed May 2009.

Building A Site Work:

- This project is an action item for today's Board meeting. In conjunction with the Building A remodeling, this project provides new entry sidewalks, benches, lighting and parking lot improvements, included sealing and restriping the entire Lot A.
- The project has an estimated completion date of September 2009.

CCICS West Face Façade Repairs:

- This project is an action item for today's Board meeting. This work is the second of four phases which reconstructs the parapet walls, repairs window lintels and grinds and repoints all brick masonry joints that are required as on-going maintenance by the City of Chicago Exterior Wall Ordinance.
- The project has an estimated completion date of August 2009.

Legal Counsel Report

Mr. Dunn said that a copy of Legal Counsel Report No. 70 has been provided and that he planned to discuss three matters in executive session.

Old Business

Trustee Dawson asked if Lech Walesa would be attending the May Commencement to receive the honorary degree approved by the Board at the February 2009 meeting and President Hahs said that he probably will not be coming to Chicago until late May. President Hahs said that she planned to bring guidelines for awarding of honorary degrees to the Board at the June 11 meeting following endorsement by the Faculty Senate.

New Business

Trustee Azcoitia asked that the President explore offerings available for full time study by students who wish to complete a BA degree in three and one half year.

Chair Dudycz congratulated the staff of the *Independent* on winning 2nd place in their category of non-weekly four year university newspapers.

A trustee is still needed to bring greetings at the Academic Honors Reception on April 30. Please contact Jean Kelchauser if you are able to attend.

Opportunity for Public Comment in Accordance with Public Act 91-0715

Chair Dudycz noted that an Opportunity for Public Comment was provided.

Convene in Executive Session

At 4:49 p.m., Mr. Lee, seconded by Mr. Duque, moved to convene in executive session to consider: 1) the employment of employees, as permitted by Section 2. (c) (1) of the Open Meetings Act; 2) collective negotiating matters, as permitted by Section 2. (c) (2) of the Open Meetings Act; 3) pending, probable or imminent litigation, as permitted by Section 2. (c) (11) of the Open Meetings Act; and, 4) discussion of minutes lawfully closed under this Act, as permitted by Section 2. (c) (21) of the Open Meetings Act.

Roll as called and the vote was as follows:

Azcoitia	Yes
Dawson	Yes
Dudycz	Yes
Duque	Yes
Lee	Yes

The motion carried.

Reconvene in Open Session

At 6:41 p.m., Mr. Lee, seconded by Mr. Duque, moved to reconvene in open session.

Roll was called and the vote was as follows:

Azcoitia	Yes
Dawson	Yes
Dudycz	Yes
Duque	Yes
Lee	Yes

The motion carried.

Mr. Lee, seconded by Dr. Dawson, moved that the **confidential written minutes of the executive session dated April 10, 2008** no longer require confidential treatment and are available for public inspection.

The motion was approved unanimously by voice vote.

Dr. Azcoitia, seconded by Mr. Duque, moved to approve the **destruction of verbatim records for the meeting of September 20, 2007** as follows:

Whereas, 5 ILCS 120/2.06(a) requires public bodies to keep verbatim records of all closed meetings in the form of a video or audio recording; and

Whereas, 5 ILCS 120/2.06(c) provides that these verbatim records may be destroyed after eighteen (18) months but only after: 1) the public body approves destruction of a particular recording; and 2) the public body approves Minutes of the closed meeting that meet the written requirements applicable to open meetings; and

Whereas, the Board of Trustees has reviewed written Minutes of the closed meeting held on **September 20, 2007** and those written Minutes meet the written minutes requirements; and

Whereas, the Board of Trustees believes that the destruction of the verbatim records is appropriate:

Therefore, be it resolved that the Board of Trustees of Northeastern Illinois University approves 1) the written Minutes of the closed meeting held on **September 20, 2007** 2) the destruction of the verbatim records of the closed meeting held on **September 20, 2007** and, 3) directs the Assistant Secretary of the Board of Trustees to destroy said verbatim records.

The motion was approved unanimously by voice vote.

Adjourn

At 6:43 p.m., Dr. Dawson, seconded by Dr. Azcoitia, moved to adjourn.

Roll was called and the vote was as follows:

Azcoitia	Yes
Dawson	Yes
Dudycz	Yes
Duque	Yes
Lee	Yes

The motion carried.

Walter W. Dudycz, Chair
Jean A. Kelchauser, Assistant Secretary