CALL TO ORDER

The meeting was called to order by Chair Myron Siegel at 12:10 p.m. in Room 233 of NIU Hoffman Estates. Recording Secretary Mimms conducted a roll call of Trustees. Members present were Trustee George Moser and Chair Myron Siegel. Trustee Manuel Sanchez joined the meeting in progress via teleconference. Also present were Committee Liaison Kathryn Buettner President John Peters and Board Parliamentarian Kenneth Davidson.

VERIFICATION OF APPROPRIATE NOTICE OF PUBLIC MEETING

Confirmation of Open Meetings Act public notice compliance was given by Parliamentarian Kenneth Davidson.

MEETING AGENDA APPROVAL

Trustee Moser made a motion to approve the agenda. It was seconded by Trustee Siegel. The motion was approved.

REVIEW AND APPROVAL OF MINUTES

It was moved by Trustee Moser and seconded by Trustee Siegel to approve the minutes of the March 11, 2004 and meetings. The motion was approved.

CHAIR'S COMMENTS

I want to take a minute and welcome everyone who is here today, Chair Siegel said. We are waiting for Mr. Sanchez, who is out of state on business and planning to connect via teleconference. But, as you know, we Trustees tend to be pretty busy, and sometimes events happen that prevent us from being able either to attend the meetings or to attend via teleconference. I would like to welcome Steve Cunningham, Sharon Dowen, Bob Albanese, Kathy Gilmer, John Lewis, Ken Zehnder and Anne Kaplan.

I would also like to recognize our UAC representatives, Donna Smith and Shey Lowman, both of whom were recently elected. So, congratulations. We wish you the best this year. We look forward to working with you and hearing what you have to say. If you have not attended a committee meeting or a Board Meeting before this, I want you to know that we Trustees are somewhat informal and expect to hear from you even outside the meeting if there is really an issue or if you have something to talk about. We are here to work with you, not against you. Please let your representative groups know that we look forward to having your input at our meetings.

After concluding a record setting 58 days in Springfield, I am pleased to see Ken Zehnder here this afternoon. We look forward to his report and Kathy’s reports on new legislation, budget issues and federal funding opportunities.

Last time we met, we began a new tradition. So much of our research funding is obtained through congressional support that this committee felt it appropriate to highlight one university research project that has been funded through federal earmarks at each meeting. Our congressional delegation, both Republicans and Democrats, is a huge supporter of NIU. And we continue to thank Speaker Denny Hastert, an NIU alum and our most vocal and ardent congressional supporter, who is also the recent author of a new book, “Speaker: Lessons from Forty Years in Coaching and Politics,” now available in bookstores.
Trustee Sanchez joined the meeting via teleconference at this point.

Again, I would like to welcome Dr. John Lewis, Associate Vice President for Outreach, this morning. He and his team are here this morning to tell us about the Belevidere-Boone Agricultural-Technology Initiative, a regional initiative for which Congressman Don Manzullo has obtained $1.5 million in federal funds to bolster the creation of an ag-tech related research business park off I-90 in the Belvidere area. Kathy Buettner has been working with Representative Manzullo and others in Belvidere for the last three years to help develop funding opportunities in Washington. I must say that the money we spend for our governmental affairs personnel certainly comes back to us tenfold in funding dollars and other benefits.

In addition, the Committee will conclude its discussions begun during the last meeting about enhancing enforcement changes in university audit policies.

PUBLIC COMMENT

The Chair asked Board Parliamentarian Kenneth Davidson if any members of the public had registered a written request to address the Board in accordance with state law and Board of Trustees Bylaws. Mr. Davidson noted that no timely requests had been received for public comment at that Board meeting.

UNIVERSITY REPORT

93rd GENERAL ASSEMBLY REPORT

Agenda Item 7.a.(1) – Substantive Legislation

It was an interesting coalition of caucuses, Mr. Zehnder said, and we have to acknowledge the efforts of the Republican leaders as well as Speaker Madigan for their keeping higher education on the agenda. We appreciate their support. The negotiations with the Governor ultimately were successful, and we will be expressing our appreciation to him as well. The major bill that passed was Senate Bill 3340, the budget bill. Of the substantive bills, there were some follow-ups on the Freedom of Information and Open Meetings Acts that were passed last year to make some minor adjustments to those acts. Ken Davidson and I have briefly reviewed those, and he will follow up on any implementation issues that might be needed.

House Bill 4361 was the Fire Sprinkler Dorm Act. This bill requires that fire sprinklers be installed in all dorms by the year 2013, and it has been signed by the Governor. The bill establishes a revolving fund, which requires an appropriation. Given the current fiscal condition of the State, Mr. Zehnder said, what focus that will receive remains to be seen.

Due to the active military situation and the call up of the reserves, Mr. Zehnder reported, there were several bills addressing military issues and education. House Bill 4686, the Military Service Act, changed the time frame for completing unfinished courses and providing for refunds of courses that are not completed for the military. House Bill 4491 changed the eligibility for scholarships to include those in the MIA/POW status. House Bill 3877 changes the definition of in-state students for those on active duty who are stationed in Illinois.

House Bill 3107, a faculty diversity bill, received significant attention, controversy and proposals. The Governor signed it into law this morning. It combines two existing incentive programs that are on the books for minority graduate students. The bill focuses on recruitment and placement in faculty positions for minorities. And it establishes a new board in an attempt to include faculty, university representatives and minority groups, to increase accountability.

House Resolution 845 was originally presented in the form of a bill by Representative Kevin McCarthy to require the IBHE and the Illinois Community College Board and the other entities involved to expedite a model Associate of Arts in Teaching degree to coordinate the transfer of credits from the community colleges to the universities. There was a lot of debate about this due to several implications of the bill.
So, negotiations are ongoing. There has been some progress. NIU has been very involved, and we will continue to work on that issue.

Senate Bill 1971, by Senator Welch, similar to House Bill 4744, a bill introduced by Representative McCarthy, changed the criteria for the monetary assistance program eligibility. It changed from a time frame eligibility to a credit hour eligibility. So now students will be eligible to receive MAP Grants for up to 135 hours. This will tend to accommodate more nontraditional students.

I will also briefly note some bills that we had concerns about, Mr. Zehnder said. House Bill 7177 would have required a 2.25 percent reserve from all general revenue fund appropriations. That did not pass.

House Bill 921 would have established a commission to set criteria for tenure decisions and would have also had the authority to rule on all university tenure decisions. It did not pass. Our faculty was very involved, and we appreciate their support on that issue.

House Bill 4073 would have established a commission to set criteria for tenure decisions and would have also had the authority to rule on all university tenure decisions. It did not pass.

House Bill 4141 was a bill to encourage voter registration. But it would have required university employees in the Registrar's Office to become Deputy Voter Registrars and conduct registration while applicants were coming to register for school. We thought that was a problem, Mr. Zehnder said. We discussed it with Representative Chapa LaVia, who introduced it, and she agreed to work with us to try to refine the issue and find a better mechanism to reach the ultimate goal.

The major bill was the budget bill, Senate Bill 3340. It was a long process with a decent result – level funding from 2004 for our General Revenue Fund. We also included in our base the degree completion program for Rockford with Rock Valley Community College, Mr. Zehnder reported. That added $476,000 to our base from last year. So our base for Fiscal Year 2005 is $102,274,900. There is a caveat to that. There was some concern, as in past years, that a reserve and/or rescission might be called. In discussions with the Governor and caucus leaders, the outcome was a number of memorandum that address this issue specifically, one of which you have at your places. It was crafted by staff and is very specific and well worded. In terms of state action, we are authorized to expend our funds, and we do not expect any alterations.

The capital bill did not pass out of Rules Committee, Mr. Zehnder said in conclusion. We do not expect action on any capital items until the Veto Session in November.

**Agenda Item 7.a.(2) – Fiscal Year 2005 Budget Update**

We wanted to put the budget end product in context for you, Ms. Buettner said. Table 5, which was prepared by the IBHE, shows that most of the universities got a slight adjustment upward, and that had to do with the Governor’s program called Opportunity Returns. In NIU's case, it was the $476,000 for the business degree program in Rockford that the Governor announced last summer. We went back and forth several times in the last weekend on whether or not these Opportunity Returns programs would be funded. Some budgets were drafted with them not funded and some were drafted with them funded. The end result, after a lot of discussion, was that the Opportunity Returns portion for the university was reinstated in their budget line. Those programs now are permanently in our base. They are no longer a separate grant line that we have to pursue year after year. That was an issue Ken and I raised with the Bureau of the Budget during the Governor’s budget message in February, she said. They had originally created it as a grant line in their draft budget. They moved the line into the university base, which was very helpful, because it changes the dimension and allows the hiring of tenure track faculty to meet program demand.

This is an issue I have talked about to the Committee and to the Board over the last year or so, Ms. Buettner said. Table 14 lists grant programs that have been available to the public universities and to some of the private universities. Some are very significant grant programs that have provided equipment and research dollars for many of our research programs. Unfortunately, when the Governor crafted his budget for 2005, many of these grant programs were eliminated, so I would like to give you an update on
a few of the major ones that affect Northern. The state matching grant program was eliminated in the Governor’s initial budget, but the legislature restored it. That helps our Graduate School and provides some matching funds where we need to demonstrate matching fund support to obtain federal competitive grants. The Advanced Photon Source is a program involving a five-university consortium in which NIU has enjoyed participation along with Northwestern and the University of Chicago. Basically, we split about $3 million a year up until 2004 when the budget crunch hit, and it was cut to $2.1 million. That program now has been eliminated. We have had that program for over ten years, and it means a loss of over $500,000 to Northern’s physics program research capability. So that is a significant loss to our physics program. The same thing happened with the Illinois Consortium for Accelerator Research. That was a relatively new program lead by IIT. Northern was the major public university involved in that one as well as a consortium of five other universities. It was for research at FermiLab, and this was year four of a five-year commitment to fund this program at $2.5 million. Again, that means an approximately $450,000 to $500,000 loss to our Physics Department in the high energy physics side instead of material sciences.

Engineering equipment grants were available to every private and public university and college in the state that had an engineering school. Again, they are designed to assure that the engineering schools have available the state-of-the-art equipment necessary to teach their students. They were eliminated completely as a result of the budget, and that means about $150,000 a year from our College of Engineering for the purchase of equipment. The last program I wanted to highlight that affected Northern was the Career Academy International High School. That is a program that came under Dr. Kaplan’s division. It was created by the Ryan administration and was run by Joanne Dempsey. Again, that was about $450,000 or $500,000 to Northern. Also, Northern was program coordinator for the entire state for this economics driven educational process for teaching and training high school and junior high school teachers across the state how to deliver an economics curriculum to help their students understand it better. So the elimination of that program will have an impact on thousands of high school students and thousands of teachers across the state as well, because it is not available any more. That is a snapshot of some of the unintended consequences or indirect issues affecting our budget that we will have to deal with in the coming year.

I want to thank Ken Zehnder, who was entrenched down there in Springfield, President Peters said. And Kathy and I coordinated the presidents and chancellors of all the Illinois public universities, who came together and tried to make the case that public higher education really could not be cut anymore. We drafted a letter, which we all signed, and timed it to be delivered to every member of the General Assembly at the critical moment of budget negotiations, and I would like to think that collective action had an impact. But there were also a number of other individuals, faculty, staff and annuitants and many of our Trustees, who were involved. The people who signed this memorandum of understanding deserve a lot of our support. And we need to keep them engaged, because we are going to have another tough budget year.

We are happy about having to measure our success in terms of a flat budget, the President said. We are happy about the near half million dollars to help our programs in Rockford. That being said, it is interesting the number of requests that I have received from the university community. We have so many great plans and dreams, and the nature of their requests are usually: Now that our budget is back, do you think these positions and programs can be funded? Well, the good news is, we have a flat budget. The bad news is, we still lost over $30 million, and we still are struggling. We are managing, but we are not flush by any means. Now we have to go forward and work as hard. We probably have to work twice as hard legislatively this year we did last. So thanks to the group and to the Trustees.

I just want to express my appreciation to President Peters and to Trustee Siegel. People really take notice when they see Myron in the halls of the state capitol. Trustees get legislative attention. So with the assistance of the Trustees, Steve Cunningham, faculty members and Dr. Williams, it was a unified effort that came together. I also want to note that Senator Burzynski and Representative Pritchard were extremely helpful. Lastly, I know Kathy was not able to spend as much time in Springfield this year as she normally has. But the fact that she roamed the halls for all the years that she did, just mentioning her name had a lot of impact.
STATUS OF FEDERAL ISSUES

Agenda Item 7.b.(1) – Spring 2004 Congressional Report

I will give you a recap of where Congress stands at this point, Ms. Buettner said. They are on their August recess, although they are having several hearings detailing the 9/11 Report. It has been a somewhat contentious session. There are 13 annual appropriations that fund the federal government. One of those bills has passed to date, and that was the defense appropriation for FY05, which was passed in July. We are delighted to report that Congress agreed to provide NIU with an additional $3.5 million to continue the Rapid Optimization of Commercial Knowledge (ROCK) program, which is the one that Dr. Vohra and the College of Engineering are leading in Rockford for Congressman Manzullo. So we have received a second year of funding for that program. Altogether, in two fiscal years, that program has received $5.75 million in federal support from Congress and the Department of Defense. So we are grateful for that, and we look forward to continuing to develop that program. It can be the centerpiece upon which we can really enhance and continue to build our College of Engineering. At the same time, it will help a lot of the small manufacturers in Rockford to retool and prepare to think and deal in business that is far more globally oriented. We owe a debt of gratitude to not only Congressman Manzullo, but also to Senator Fitzgerald, who supported the defense bill aggressively on the Senate side, and Senator Durbin, who was on the conference committee that actually negotiated the final bill. So, it was a bipartisan effort from the House and the Senate, and we are very grateful for their efforts.

I want to thank Kathy for her hard work, President Peters said. It is very gratifying to me that over a period of four years our federal agenda has become so well received in Washington by so many members of the legislature. Congressman Manzullo has been a pleasure to work with because when you present him with an idea, he gets excited about it. And I think he appreciates the fact that when he comes to us with an idea, we respond. We find a way, whether it is through our Governmental Studies unit, one of our colleges or outreach, we respond. And that is why he and others have confidence in NIU and are willing to work so hard. These representatives are not known as individuals who get involved in federal earmarking to a great degree. But when it is for good purpose, and it helps the district, they are right there. And I hope that continues.

The other issue that President Peters and I have spent a lot of time working on with our sister institutions across the country, Ms. Buettner said, is the Higher Education Reauthorization Act, which is a bill that underpins the entire higher educational system in the country. It is reauthorized every six years. It is very contentious. Elementary education had their reauthorization several years ago, titled “No Child Left Behind.” That was, obviously, a major bill with major implications for elementary and secondary education across the country. Higher education is now going through that process on its issues. The final piece of the House package, HR4283, is now available, Ms. Buettner said, and I have detailed it for you in your Board report. President Peters and I have met with our national associations and talked about this. I have met with many different staffers of both parties on the hill to talk about this. And, basically, our national associations have taken a position against the bill. They have a major concern that the student loan limits are not generous enough for the future. They would like to see additional Pell Grant funding authorized. Pell Grant funding is at $4,050 per student and has been for the last two years in Washington. The current authorization for Pell Grant funding is $5,800. They are not even close on the appropriations side, yet they would like to see the $5,800 increased in this round of higher education reauthorization.

Accreditation and transfer policies are, for the first time, really part of this bill. The legislation, as it is currently drafted, would basically set a very different standard for accreditation policies across the different universities and colleges. And it would give enhanced powers to accreditation boards. Also, it opens the door to what they call for-profit universities and colleges. Six years ago, Illinois opened its doors, and now, a student who goes to a school like DeVry, which is actually for profit, can collect financial aid from the state to do that. Before this legislation was passed, they could not. But there is a limited pot of financial aid dollars. In Washington, they would like to open all opportunities that are available to public and not-for-profit colleges and universities in the country, which are the vast majority, to the for-profit institutions. That gets into the distance learning issues, and University of Phoenix is an example. In the current draft, it will be slightly mitigated in favor of the distance learning providers, and that is an issue. Also, at the very end of the bill is a Sense of Congress provision on an academic bill of rights. It is not a formal legislative statement that will become public law, but it becomes a resolution in
the bill that would attempt to address what the drafters of the bill feel is an ideological bias in campus curriculums and issues. Because it is such a voluminous bill, it is a very difficult negotiating process, and this session is far from over. So, instead of trying to finish it by the end of September, when they recess for the elections, they are going to hold it over until next year. And, of course, then there will be new members of Congress and new Senators at that point. Now we actually have a sense of what the issues are going to be as discussion continues.

Agenda Item 7.b.(2) – Belvidere/Boone County New Uses Agricultural-Technology Park

Ms. Buettner asked John Lewis, Associate Vice President for Outreach, to give the Committee a brief presentation on the Belvidere/Boone Ag-Tech Park. It is my pleasure today give you an update on the Belvidere/Boone County New Uses Agricultural-Technology Park, which is an initiative that Kathy worked hard on with Representative Manzullo to help Boone County and the northern state line region of Illinois. The project really started about four years ago with some planning that Growth Dimensions did about four years ago. Boone County Growth Dimensions is an organization that was created by the Center for Governmental Studies about 15 years ago. So, the history of working with the university to develop these partnerships goes back a long way. The purpose of the Ag-Tech Park is to foster the development of new uses for grain-based agricultural products. The northern Illinois area has a fair number of row crop acreage, and if we can provide higher-value-added crops, it will help farmers increase income and support the region. It is truly a partnership. Growth Dimensions, Northern Illinois University, the City of Belvidere, Commonwealth Edison, Boone County, Darecloud Development, the Illinois Coalition and the Illinois Department of Agriculture have all come together to put this project together. It is funded with $1.5 million in earmarked federal funds from Representative Manzullo to the Small Business Administration. Northern has a contract with the City of Belvidere to provide ongoing management for the Ag-Tech Park for at least the first two years.

An executive director has been hired for the program. Dr. Steve Ink spent 18 years at Quaker Oats where he translated agricultural based science and technology into commercial ideas at Quaker Oats. He has a Ph.D. in Biochemistry from the University of Minnesota and has spent a lot of time in this agricultural technology commercialization process. And Norm Zymer has been hired as assistant director. The hope is that the project will stimulate growth of new industrial uses for agricultural commodities in Illinois. It will bridge the gap between laboratory research and commercialization, and add value to agricultural crops grown in northern Illinois. One of the first projects that has been discussed is a company in Minnesota that is seriously considering building a new plant in Belvidere. They make furniture from the waste product of ethanol – the mash that is left over after distilling corn for ethanol. The mash is made into a polymer from which furniture can be made. And they are considering building a second plant in Belvidere that will be part of this New Uses Agricultural-Tech Park. So the park has already begun attracting industry.

Outreach is very excited about the opportunity to manage this project, Mr. Lewis said, because it really ties into the university’s efforts and those of northern Illinois in creating economic development. These are the types of things that, though slow in the beginning, could really make a difference five years from now.

Agenda Item 7.c. – NIU Procedural Audit Revisions

At the March meeting, President Peters said, the Committee asked me to look into procedures which would strengthen our ability to insure that our audit findings are kept to a minimum, that there be timely response to those findings, and as much as possible, that we avoid repeat findings. And I welcome this, he said, because with a large institution that is very decentralized, where we have any number of cash operations that have to collect and then deposit money in a timely manner, it is critical that our auditing procedures are well known and followed and that we have a good corrective informational system on those issues. With that in mind, I will turn this over to our auditor, Sharon Dowen, and Kathy Buettner. Sometime back, I changed the reporting structure so that Ms. Dowen’s division, Internal Auditing, reports directly to me. That is the appropriate organizational structure for most organizations and universities.

We took Chair Siegel’s request for suggestions very seriously, Ms. Dowen said, and we are looking at this from two levels. At a higher level, we need to modify the Internal Audit Department charter. That is the
document that spells out our role and responsibilities within the university. So we have added language to that document that says “the responsibilities of supervisory personnel include notifying the Internal Audit Director when Internal Audit recommendations are not followed” so that I can take appropriate action and notify the President accordingly. There will, of course, be those situations where circumstances have changed in the department and the original recommendation is no longer applicable. But there will be those cases where it most certainly is and needs to be implemented rigorously.

The second measure we have taken is more specific to the cash deposit issues themselves, she said. As you recall, we had an external audit finding that indicated that university departments were not delivering their cash and other deposits to the Bursar’s Office in a timely manner. With a considerable amount of input from the Bursar, we have developed a system whereby when the cashier’s in the Bursar’s Office identify stale dated checks or any other indicators of late deposits, a notice will be sent from the Bursar to the department supervisor indicating what the situation is and reemphasizing the importance of timely deposits. If there is a recurrence of late deposits in the same department, a second notice will be sent. I will receive a copy of that notice and then contact the departments directly and notify President Peters accordingly. Using those two measures, we should be able to improve these situations with respect to external audit findings.

The whole university should know, President Peters said, if we have repeat audit findings, and if I am notified, these individuals will personally have to explain the situation to me. I think if the organization knows that I am taking this extremely seriously, as do the auditors and the Trustees, that we will minimize this.

I have a few comments on the language, Trustee Siegel said. In the first paragraph, I think it would be helpful to have some additional language that talks about how the notification is to occur as well as the timing. For instance, as an example, after the word “director” in the second line, if “in writing within five calendar days” was added, there would be no dispute with someone about whether they left a voice mail or e-mail and how quickly they are supposed to report. I do not know what time frame is appropriate, but it seems to me that it should direct that it be in writing, and it should direct some time frame. Also, I would suggest expanding the last line, so it would be similar to the second paragraph, to say “the President can be advised accordingly and corrective action taken” so that if there is a continued issue, the President’s Office then is authorized to take whatever corrective action is necessary. I do not know how the President feels about that either, but you do not have to respond right now.

The only other comment I would make is that if corrective action is ever taken, Trustee Siegel said, the Board Chair and whoever the Chair of LAEA is should also be notified, because if corrective action actually has to be taken, that is an audit issue. Again, I will leave that to you to discuss and work out and bring back to the full Board at its next meeting. On the second paragraph, the only comment I have is the word “stale.” The word “stale” to me, in the legal sense, means over six months old. Trustee Moser said that in banking “stale” would mean about one month. Since the word “stale” can be interpreted in different ways, Trustee Siegel said, I would rather take out the word “stale” and put in “checks dated more than so many days prior to the date of deposit.” We will confer with the Bursar on that, Ms. Dowen said, to see what the typical date range of checks is based on standard operating practice in the Bursar’s Office.

I am going to suggest that we change this, Trustee Siegel said, but suggest that you consider it. And then, when you present it to the full Board at the next meeting, you can either include, not include or modify accordingly.

I wanted to compliment John and his staff on the forthright and rather serious response and reaction that they have had to the concerns of the Board with regard to these auditing matters, Trustee Sanchez said. I really appreciate, as a Trustee, the serious and intense response that President Peters and his staff have put into this. I agree that we are taking the correct steps in the right direction and look forward to seeing that continue.

I think you are right, Chair Siegel said, and George agrees. And I think the nice thing is that we have managed to avoid the controversies that others have had. Part of it is being a little bit proactive and having good people to work with. So we will let you come back with that recommendation, Chair Siegel
said to the President, and we will move it as this Committee’s recommendation to the full Board through a modification of the Board Regulations in accordance with this audit procedure.

OTHER MATTERS

I have two items that are both good news, Ms. Buettner said. Continuing with the audit theme, I want to report to this Committee that the university’s 2003 audit, which we discussed in our March meeting, was accepted on the consent calendar at the Legislative Audit Commission meeting held on July 21, and we did not have to make a presentation and defend our audit findings. Again, that speaks to the quality of our fiscal staff here at Northern as well as the oversight of the Board and their involvement in this audit process. And for that we thank you.

The other thing I wanted to tell you, she said, is that President Peters received word recently that he has been appointed by Speaker Hastert as his designee to serve on a national commission, and we are very excited about this. It is called Abraham Lincoln’s Commission on Study Abroad, and the four leaders in Washington and the U.S. President appoint two people each. John is one of Speaker Hastert’s appointees to this commission. His first meeting is coming up, and soon he will be very active in that effort.

The purpose of Abraham Lincoln’s Commission on Study Abroad is to try and get more of our good students to study abroad, particularly in third world countries. It was a dream of Paul Simon’s. There is going to be federal action to try to support the commission. It is a 17-member commission. The Illinois members are Representative Mark Kirk, our friend from Trustee Siegel’s area, and Senator Durbin.

NEXT MEETING DATE

The next meeting date will be communicated at a later time.

ADJOURNMENT

Chair Siegel asked for a motion to adjourn. Trustee Moser so moved, seconded by Trustee Siegel. The motion was approved. The meeting was adjourned at 9:38 a.m.

Respectfully submitted,

Sharon M. Mimms
Recording Secretary