

**ILLINOIS STATE
UNIVERSITY**

**BOARD OF
TRUSTEES**

Information Item No. 2022.07/01
First Reading Adoption
of Board of Trustees
Governing Document Policy
Regarding the Establishment of
a Student Trustee Succession Plan

The Board of Trustees of Illinois State University approved the Board of Trustees Governing Document Policies with Resolution No. 97.05/12, dated May 9, 1997.

Section 20-15 of the Illinois State University Law establishes requirements for membership, terms, and vacancies for members of the Illinois State University Board of Trustees. In the event of a vacancy of one of the members appointed by the Governor, the statute provides a mechanism to make temporary appointments. The student trustee member is required to be chosen by a campus-wide student election and fulfill other eligibility requirements in order to serve for their term of one year. However, there is no provision in the statute to address a vacancy for student trustees as there is for the other Board members.

The Board of Trustees proposes to adopt the following Policy regarding the establishment of a Student Trustee Succession Plan at Illinois State University:

Membership of the Board of Trustees

There are eight voting members on the Board of Trustees, seven of whom are appointed by the Governor pursuant to membership provisions of the Illinois State University Law, 110 ILCS 675/20-15 (hereinafter referred to as "Illinois State University Law"). The eighth member is an Illinois State University student who meets the statutory eligibility criteria as provided for in the membership provisions of the Illinois State University Law specific to student trustees, and is chosen by a campus-wide election. If the student trustee position becomes vacant for any reason during the student trustee's one-year term, the student trustee candidate having received the second most votes cast in the most recent campus-wide election, if applicable and statutorily eligible, will be selected to serve as the student trustee on an interim basis until such time as a campus-wide election is conducted, provided that such election occurs no later than 180 days after the student trustee position becomes vacant.

The proposed amendment to the Bylaws would introduce a provision that would, in the event of a vacancy in the student trustee position, allow the student trustee candidate who had received the second most votes cast in the most recent campus wide election to serve on an interim basis until such time as another campus-wide election is conducted. This change would allow the Board to maintain the critical representation of the student trustee even during times when it may not be feasible to have a campus-wide election. The change would also assist the Board in maintaining sufficient members to conduct business and meet quorum requirements for sessions that occur outside of the regular semester.

**ILLINOIS STATE
UNIVERSITY**

**BOARD OF
TRUSTEES**

Information Item No. 2022.07/02
First Reading Amendment
of Board of Trustees
Governing Document Policy
Regarding Board Contractual
Authority for Intergovernmental Agreements

The Board of Trustees of Illinois State University approved the Board of Trustees Governing Document Policies with Resolution No. 97.05/12, dated May 9, 1997.

Section 5 of the Intergovernmental Cooperation Act, 5 ILCS 220/5 states that public agencies may contract with other public agencies to perform any governmental service, activity or undertaking, providing that such contract shall be approved by the governing bodies of each part to the contract. These intergovernmental agreements (“IGAs”) are commonly used for grants, leases, and other mutual aid agreements between agencies. These IGAs have commonly been signed by the President of the University or the President’s designee. The purpose of the proposed amendment is to recognize the delegation to sign these types of agreements from the Board of Trustees to the President and other university officials.

The Board of Trustees proposes to amend Section A, Chapter 2 of the Governing Document:

Delegation of Authority to President

The President of Illinois State University shall be the Chief Executive Officer of the University and is responsible to the Board for the operations of the University. The President is granted the necessary authority to carry out those responsibilities except for powers that are legislative or judicial in nature, which cannot be delegated pursuant to applicable law. The Board delegates to the President all authority:

1. Related to personnel of the University including the authority to hire and terminate individual employees of the University as provided for by Board policy.
2. To make final determinations with regard to promotions, tenure and sabbaticals for faculty and staff.
3. To approve capital projects and purchasing contracts up to and including \$500,000 per project or contract.
4. To enter into lease agreements of up to ten (10) years and up to \$100,000 per year per agreement.
5. To execute all contracts, agreements, grants, intergovernmental contracts, leases, warrants and other binding legal instruments, not otherwise requiring Board approval, presented in the name of the Board of Trustees which are necessary and appropriate to the normal operation of the institution and within the budgeted expenditures as approved by the Board of Trustees.
6. To license products and inventions of the University in accordance with University policies.
7. To speak for the University before all federal, state and local government officers, boards and agencies.

**ILLINOIS STATE
UNIVERSITY**

**BOARD OF
TRUSTEES**

Information Item No. 2022.07/03
First Reading Amendment
of Board of Trustees
Governing Document Policy
Regarding Lease Authority

The Board of Trustees of Illinois State University approved the Board of Trustees Governing Document Policies with Resolution No. 97.05/12, dated May 9, 1997.

The Illinois Procurement Code, 30 ILCS 500/40-25, authorizes leases for a period not to exceed ten years. The proposed change to the Governing Document would amend the delegation section so that the lease authority authorizes the President to enter into a lease (up to \$100k per year) for a period up to 10 years rather than 7 years. This change would align the lease period with the ten-year period authorized under the Illinois Procurement Code.

The Board of Trustees proposes to amend Section A, Chapter 2 of the Governing Document:

Delegation of Authority to President

The President of Illinois State University shall be the Chief Executive Officer of the University and is responsible to the Board for the operations of the University. The President is granted the necessary authority to carry out those responsibilities except for powers that are legislative or judicial in nature, which cannot be delegated pursuant to applicable law. The Board delegates to the President all authority:

1. Related to personnel of the University including the authority to hire and terminate individual employees of the University as provided for by Board policy.
2. To make final determinations with regard to promotions, tenure and sabbaticals for faculty and staff.
3. To approve capital projects, and purchasing contracts up to and including \$500,000 per project or contract.
4. To enter into lease agreements of up to ten (10) years and up to \$100,000 per year per agreement.
5. To execute all contracts, agreements, grants, intergovernmental contracts, leases, warrants and other binding legal instruments, not otherwise requiring Board approval, presented in the name of the Board of Trustees which are necessary and appropriate to the normal operation of the institution and within the budgeted expenditures as approved by the Board of Trustees.
6. To license products and inventions of the University in accordance with University policies.
7. To speak for the University before all federal, state and local government officers, boards and agencies.

**ILLINOIS STATE
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**BOARD OF
TRUSTEES**

Information Item No. 2022.07/04
First Reading Amendment
of Board of Trustees
Governing Document Policy
Regarding Definition of Quorum

The Board of Trustees of Illinois State University approved the Board of Trustees Governing Document Policies with Resolution No. 97.05/12, dated May 9, 1997.

The Governing Document currently requires that five voting members of the Board be physically present at the location of the meeting to establish a quorum. This requirement is based on the presumption that the Board of Trustees will always have a full membership of eight, including seven appointed trustees and one elected student trustee. When the Board of Trustees does not have a full membership of eight members, the five-member quorum requirement creates unintended challenges to the scheduling and conducting of meetings necessary for the University to operate. The Illinois State University Law does not require five members to establish a quorum and, in fact, Section 20-25 of the Illinois State University Law requires only that that “a majority of its members shall constitute a quorum.” As such, it is proposed to amend the Governing Document to align the definition of quorum with the statutory requirements.

The Board of Trustees proposes to amend Section 5 of the Governing Document:

Section 5. Quorum

A majority of the current voting members of the Board shall be a quorum to transact business. A quorum of the Board must be physically present at the location of the meeting, or as is otherwise permitted by Illinois law. If a quorum of the Board is physically present at the location of the meeting, a majority of the Board may allow a member to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.