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Governors State University Board of Trustees Governing Policies

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**GOVERNORS STATE UNIVERSITY
BOARD OF TRUSTEES**

GOVERNING POLICIES

Issued October 4, 1996, Amended December 11, 2009 and February 15, 2013

ARTICLE I. POLICY-MAKING AUTHORITY

SECTION 1. POWERS AND DUTIES

As stated in its Bylaws, the Board of Trustees of Governors State University [the "Board"] is created by the State of Illinois and, under its laws, shall have all of the powers and duties specified in 110 ILCS 670/15-1 *et seq.* to operate, manage, control, and maintain Governors State University. The ultimate authority for the University is vested solely in the Board.

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 President. 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 of the Board of Trustees, 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.

SECTION 2. POLICY DECISIONS

Pursuant with its powers and duties as stated in its Bylaws, and with the recommendation of the President, and the advice of other officially constituted University constituencies, the Board shall undertake policy-making decisions in areas such as, but not limited to, the following:

1. Consideration of proposals of the President, faculty, staff, and students presented in accordance with established Board procedures.
2. 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.
3. Review and approval of educational goals and purposes, including statements of the University's mission and scope.
4. Evaluation of the President and her or his execution of Board policies and regulations by its employees.
5. Development of a Code of Ethics for Board members.
6. Consideration, approval or disapproval of other matters requiring action by the Board

ARTICLE II. UNIVERSITY GOVERNANCE

SECTION 1. THE PRESIDENT

As stated in the Bylaws, the President is the chief executive officer of the University. The President is responsible to the Board 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 general policies 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 such constituencies as are appropriate.

SECTION 2. EMPLOYEES

Personnel practices shall ensure freedom from discrimination on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, handicap, 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 shall develop an affirmative action plan and report annually to the Board on progress toward achieving the goals stated in the plan.

SECTION 3. ACADEMIC FREEDOM AND RESPONSIBILITY

A. Academic Freedom

As members of the community, the faculty have rights and obligations. When they speak or write as citizens, they are free from institutional censorship or discipline, but their special positions in the community impose obligations which should be evaluated in the light of responsibilities to their disciplines, to their students, to their profession and to the University. Engaged in a profession that depends upon freedom for its health and integrity, faculty have an obligation to promote conditions of free inquiry. The protections of academic freedom together with academic responsibility apply to all persons associated with the University who exercise teaching and/or other professional responsibilities. Governors State University shall operate under the following principles of academic freedom and responsibility. The primary purpose of this statement is to promote public understanding and support of academic freedom and tenure, and to outline agreed-upon procedures to assure them at Governors State University. Academic freedom is essential to the mission of the University and applies to teaching, research, and service. 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 in learning. It carries with it duties correlative with rights and responsibilities.

1. The faculty member is entitled to full freedom in research and the publication of results.
2. The faculty member is entitled to freedom in the classroom in discussing his/her discipline.
3. The college or University faculty member is a member of a learned profession, and an officer of an educational institution. When she/he speaks or writes as a citizen, she/he shall be free

from institutional censorship or discipline as related to the scope of his/her teaching, research, and service.

4. University faculty shall not be retaliated against on the basis of political activity, political party membership, union activity, religious affiliation, gender, age, race, disability, sexual orientation or gender identity.

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 individual rights to express differing opinions, as well as to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression both on and off campus. Students are entitled to an atmosphere conducive to learning and to evenhanded 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 role in society. Evaluation of students and the award of credit must be based on the professional judgment of academic performance and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, personal beliefs, or other protected status. Faculty are curriculum experts for their disciplines and are responsible for maintaining program integrity, excellence and quality. Faculty need administrative support of their efforts. This is especially critical when determining the ratio of full to part-time faculty for specific programs. Faculty are responsible for creating a learning atmosphere (both cognitive and emotional). Faculty are responsible for staying current in their discipline. Technological advances need to be accessible to faculty so that they may apply it to their respective disciplines. Access for the faculty is important because it leads to utilization by the students and the community as a whole. Members of the GSU community agree that there shall be moments of disagreement and recognize that disagreement and civility can co-exist.

SECTION 4. 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 shall participate in the decision-making process of the University in the following areas:

1. University curriculum.
2. Basic policies with regard to resource allocation, 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.

SECTION 5. 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, handicap, or sexual orientation. Current state and federal legal definitions of the above prohibited bases of discrimination shall be followed, when applicable. 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 6. 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 Chairperson will be responsible for managing and directing the process of selecting a President and will make recommendations to the Board concerning the qualifications, experience, and characteristics to be sought in a President.
2. The Chairperson will make recommendations to the Board concerning the composition and function of any search committee and the terms and conditions of employment of any consultants used in the process of selecting a President.
3. Unless otherwise directed by the Board, the Chairperson will transmit the names of all Presidential candidates, and such other information as is requested, to the Board.
4. Unless otherwise directed by the Board, the Chairperson will submit to the Board a final group of no more than six candidates for the position of President.
5. The Board will be provided an opportunity to interview the final candidates for the position of President.
6. The Chairperson will recommend to the Board the appointment and terms and conditions of employment of the President. 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 shall be reviewed annually by the Board at a time designated by the Board. The Board shall share the results of the annual review with the President.
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 or at the direction of the Board.

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 Chairperson of such requests. The President shall report such requests with recommendations for action to the Board. Board action on the proposal shall not be taken 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 University staff, 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 the University.

ARTICLE V. USE OF SEARCH FIRMS IN HIRING

The Governors State University Board of Trustees approves the adoption of a Board Policy regarding the use of search firms as prescribed by Public Act 97-0814 (110 ILCS 670/15-175) enacted July 16, 2012.

The University may employ an external search firm to assist with the search and recruitment of the President and other employees of the University.

1. **Presidential Searches:** The Board of Trustees will authorize the hiring of an external search firm to assist with the search and recruitment of the President of the University.
2. **Other Positions:** Whenever sufficient reasons exist that justify the use of a firm with specific expertise, and upon review and approval by the President, the University may use an external search firm for other positions. The

President shall communicate all such decisions to the Board in writing.

The hiring department in conjunction with Human Resources must make this request in writing. Such requests must establish that there is a justifiable need for guidance from an individual or firm with specific expertise in the field of hiring. Criteria that may be used in any decision about the use of an external search firm may include:

- a) Nature and scope of the position and the search;
- b) Availability of University resources and talent to meet the University's goals for the search;
- c) An external search firm's expertise in such matters as:
 - i. Developing and enhancing the quality of the candidates' pool;
 - ii. Recruiting and screening potential candidates;
 - iii. Coordinating search and recruitment logistics;
 - iv. The specific field or profession relevant to the search;
- d) Potential for minimizing potential conflicts of interest;
- e) Values of perspectives external to the University for the search; and
- f) Any other factors that the President may consider to be relevant to a specific search.

Governors State University