



Minutes of the Special Meeting of the Board of Trustees 6/21/2018

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MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES
SOUTHERN ILLINOIS UNIVERSITY
JUNE 21, 2018

Pursuant to notice, a special meeting of the Board of Trustees of Southern Illinois University convened at 10:01 a. m., Thursday, June 21, 2018, at Southern Illinois University Edwardsville, Evergreen Hall, Multi-Purpose Room 285, Edwardsville, Illinois. The meeting was called to order by Chair Amy Sholar. The following members of the Board were physically present:

Ms. Amy Sholar, Chair
Hon. J. Phil Gilbert, Vice Chair
Mr. Joel Sambursky, Secretary
Mr. Tom Britton
Mr. Luke Jansen
Dr. Shirley Portwood
Dr. Marsha Ryan
MG (Ret) Randal E. Thomas

The following member was absent:

Mr. Sam Beard

Also present for the duration of the meeting were Dr. Randy J. Dunn, President; Dr. Randall Pembroke, Chancellor, SIUE; Dr. Jerry Kruse, Dean and Provost, SIUC School of Medicine; Mr. Luke Crater, General Counsel; and Ms. Misty Whittington, Executive Secretary of the Board. Dr. Carlo Montemagno, SIUC Chancellor, was absent.

The Executive Secretary reported and the Chair determined that a quorum was physically present.

The Chair stated that there would be a Public Questions and Comments portion available at the day's meeting.

Dr. Jonathan Pettibone, SIUE Psychology Department, spoke to the Board. He spoke of his positive experience with President Dunn while serving in the SIUE Faculty Senate and the Chancellor's Search Committee that brought Dr. Randall Pembroke to the campus. He spoke to President Dunn's leadership qualities and his willingness to consider the needs of both campuses as important to the overall health of the system. He urged the Board to retain President Dunn for the good of the system.

Dr. George Pelekanos, SIUE Mathematics and Statistics Department, spoke to the Board. He spoke of his observation of President Dunn's work and noted that Dr. Dunn was the only President who had shown genuine interest in the campus by giving equity consideration for its constant enrollment growth. He noted Dr. Dunn had put his administrative career at risk by standing behind his decision to serve the students, faculty, and staff at SIUE.

Dr. Shelley Price-Williams, SIUE Business School, spoke to the Board. She requested that the Board envision SIUE as not what it once was but what it is becoming as a premier institution in the Midwest. She challenged the Board to augment the campus innovation and success with an appropriate funding structure. Further, she spoke of her support of President Dunn.

Dr. Kathleen Chwalisz, SIUC Faculty Senate, spoke to the Board. She noted that colleagues at SIUE are doing great things and acknowledged that campus had found a champion in President Dunn; however, SIUC colleagues are also doing great things but have had the opposite experience. Dr. Chwalisz spoke to Dr. Dunn undermining campus efforts for more than a year. President Dunn's activities related to moving the School of Medicine to SIUE would harm SIUC and devastate the southern

Illinois region's healthcare system which the School of Medicine was designed to support. She spoke to SIUE sponsored opinion pieces in the *Daily Egyptian* as a false narrative portraying SIUC as not appreciating or wishing to support SIUE's success with the goal of forming conflict between the campuses to divide the system. Further, she discussed emails of President Dunn indicating his involvement to separate the SIU system. She noted it would be difficult, if not impossible for the Carbondale campus and community to trust President Dunn and his leadership, and he could not effectively lead half of the system.

Mr. Jesse Dixon, SIUE East St. Louis Center, spoke to the Board. He thanked the Board for its support of higher quality educational opportunities in East St. Louis for more than seven years. He noted its number of programs had tripled over the last four years and it now has one of the regions' most innovative career pathway programs that was recently highlighted at the National Governors Association State Workforce Directors Conference as a best practice around the country. He spoke to positive support the Center received from President Dunn, and his unique value added to the SIU system. He asked that the Board consider President Dunn's contributions to the lives of East St. Louis residents and the metro east region as a whole as it decides a path forward for the system.

Ms. Anne Hunter, SIUE Staff Senate, spoke to the Board. She spoke of treatment of the SIUE campus as a lesser campus than SIUC over the years and in most recent time when the Board did not approve the \$5.125 million reallocation to SIUE. She reported that President Dunn works for the betterment of the system as he did in the prior year when SIUE was asked to loan money from its reserve funds to SIUC, and again

when he proposed shifting a portion of the SIU allocation to SIUE as a short-term fix while a more comprehensive study took place. She spoke of the President being punished by some Board members for his actions by calling for his removal. Further, she spoke of the need for the Board to make the system equitable for all three campuses.

Mr. Ian Toberman, SIUE University Staff Senate, spoke to the Board. He reviewed recent events where SIUE had lost to include the Board's taking SIUE's student money to support SIUC, not granting the reallocation of funds to SIUE, and legislation that would have imposed fairness. He spoke to retribution of the Board against President Dunn for his support to treat SIUE fairly. Mr. Toberman questioned the Board's legitimacy and some members' alignment against the SIUE campus.

Ms. Laura Scaturro, SIUE Lovejoy Library, spoke to the Board. She expressed support of President Dunn and frustration in the delay of the reallocation process. She expressed disappointment in the Board for the attempt to remove President Dunn by using a backdoor process of calling an Executive Committee meeting instead of a full Board meeting. She noted the transparency of the President's Office is welcome, and spoke of the President's visibility on the SIUE campus.

Dr. Stephen Kerber, SIUE Lovejoy Library, spoke to the Board. He spoke of damage the Board would do to SIUC with the removal of President Dunn. He spoke of the enrollment decline at SIUC and the fear of downsizing on that campus. He expressed concern that the President was under attack because he advocated for a fair budget for SIUE. He noted that the campus does not exist to subsidize SIUC. He tendered that removing President Dunn from his position would be self-destructive to SIU.

Dr. Charles Berger, SIUE English Department, spoke to the Board. He thanked Chair Sholar for her leadership. He commented that placing President Dunn on administrative leave would be a disaster for the SIU system, generating a great deal of negative publicity. Dr. Berger reported that President Dunn was in danger of losing his job because he was doing his job by advocating for fair resource allocation for SIUE.

Mr. Matt Paris, SIUE Lovejoy Library, spoke to the Board. He spoke of a complex issue for both campuses and encouraged the Board to listen to various stakeholders to work through the issue. He noted the removal of President Dunn could be seen as a political and polarizing act. Further, he encouraged the Board to move forward and not allow President Dunn to be placed on administrative leave.

Mr. Alan Kehrer, SIUE Alumni Association Board of Directors, spoke to the Board. He spoke to the need for organizations to adapt to the needs and desires of customers, and in SIU's case, the customers are the pool of available college students and their parents. He spoke of SIUE's evolution to become the university of choice for students. He advocated for a 50/50 funding distribution split between SIUC and SIUE to meet the needs and expectations of the students.

Dr. Jeff Sabby, SIUE Faculty Senate, spoke to the Board. He reviewed comments from SIUC that it was blindsided with the reallocation item but offered that the SIUE Faculty Senate had passed a reallocation resolution at its April 20, 2017, meeting. He also noted that SIUE was blindsided with two days' notice the prior year for the loan from SIUE to SIUC and that item was passed unanimously by the Board at its May 10, 2017, meeting. Dr. Sabby spoke of his experience working with President Dunn and his

desire to bring equity to the SIUE campus. He noted that many could not go through a Freedom of Information Act request without questionable items being contained in emails.

Dr. Anthony Cheeseboro, SIUE Black Faculty and Staff Association, spoke to the Board. He spoke of his organization having a positive experience with President Dunn and that he has been very favorable of inclusion. He expressed concern about the amount of media attention regarding President Dunn's unfortunate choice of words. Dr. Cheeseboro also expressed concern about the Board's denial of funding that sends a message at best that SIUE is an institution with an inferior mission and at worst is functioning as a donor organism existing to support SIUC.

Ms. Bev George, SIUE Foundation Board of Directors, spoke to the Board. She spoke to the need to apply resources in a fair and equitable manner that benefits student constituencies. She spoke to the enrollment differences between the campuses and that a disproportionate sum of money had failed to solve SIUC's issues. She spoke to the good faith efforts of all parties when millions of dollars were loaned from SIUE to SIUC and the current challenges need to be addressed in the same spirit. Ms. George expressed her support for President Dunn and that support from the SIUE Foundation Board of Directors.

The following item was presented:

APPROVAL OF PURCHASE:
PUBLIC BROADCASTING SERVICE (PBS) STATION DUES
FOR WSIU-TV AND WUSI-TV PROGRAMMING
BROADCASTING SERVICE
CARBONDALE CAMPUS, SIUC

Summary

This matter seeks approval to pay the annual Public Broadcasting Service (PBS) dues to enable the broadcast of PBS programming on both WSIU-TV and WUSI-TV stations. The total cost is estimated at \$870,000 and will be funded by a grant from the Corporation of Public Broadcasting.

Rationale for Adoption

Since 1958, WSIU Public Broadcasting has provided programming and services to southern Illinois. In order to air the Public Broadcasting Service (PBS) programming, station dues must be paid annually. The dues are calculated by PBS based on a formula which considers non-federal financial support (NFFS), population share, and a base fee. The estimated dues for Fiscal Year 2019 beginning July 1, 2018, are \$870,000. This is an estimated cost for planning purposes. PBS states that the final bill may fluctuate slightly once they have certified each provider's NFFS.

In accordance with the Illinois Procurement Code and Board of Trustees policies, a sole source justification was submitted to the Chief Procurement Officer for review.

The payment will be funded from a grant from the Corporation of Public Broadcasting, a restricted account.

Considerations Against Adoption

Without the receipt of this grant to cover the dues, there will be no available programming to broadcast.

Resolution

BE IT RESOLVED, By the Board of Trustees of Southern Illinois University in regular meeting assembled, That:

(1) The annual dues payable to the Public Broadcasting Service (PBS), Arlington, VA, to enable the broadcast of PBS programming for WSIU-TV and WUSI-TV stations, will be paid for one year beginning July 1, 2018, at an estimated cost of \$870,000.

(2) Funding for this purchase will come from a non-appropriated restricted account, through a grant from the Corporation for Public Broadcasting to the SIUC Broadcasting Service.

(3) The President of Southern Illinois University be and is hereby authorized to take whatever action may be required in the execution of this resolution in accordance with established policies and procedures.

Vice Chair Gilbert made a motion to approve the item. The motion was duly seconded by Trustee Britton. The motion carried by the following recorded vote: aye, Mr. Tom Britton, Hon. J. Phil Gilbert, Mr. Luke Jansen, Dr. Shirley Portwood, Dr. Marsha Ryan, Mr. Joel Sambursky, Ms. Amy Sholar, Maj. Gen. Randal E. Thomas; nay, none.

The following items were presented:

AWARD OF CONTRACTS: FOUNDERS HALL RENOVATION, SIUE

Summary

This matter seeks to award contracts in the amount of \$25,344,290 for Founders Hall Renovation, part of the 21st Century Buildings Plan. The contracts for the renovation work shall be funded from the Facilities Fee.

Rationale for Adoption

On September 14, 2017, the SIU Board of Trustees provided project and budget approval in the amount of \$34,100,000 for the project Founders Hall Renovation, SIUE.

The core campus buildings on the Edwardsville campus were constructed in the 1960s and 1970s. While the buildings have been adequately maintained, the primary electrical, lighting, plumbing, window, and mechanical systems are original and the buildings were not designed to current life safety, energy, and seismic codes. The 21st Century Buildings Plan is a program that will renovate six core campus buildings in

sequential order: Founders Hall, Alumni Hall, Rendleman Hall, Dunham Hall, Peck Hall and the Lovejoy Library.

Bids received on May 31, 2018, were favorable and awarding the contracts is requested. A summary of bids received is attached for review. The renovation of Founders Hall will be funded from the Facilities Fee. The 21st Century Buildings Plan was structured to be a “pay as you go” plan so no loan is anticipated for this project. The Chancellor and the Vice Chancellor for Administration, SIUE, have recommended this matter to the President.

Considerations Against Adoption

Renovation of Founders Hall will cause a temporary inconvenience to the faculty and students who have offices and classrooms in the buildings. Directional signage will help mitigate the inconvenience and temporary offices and classrooms have been provided in other buildings.

Resolution

BE IT RESOLVED, By the Board of Trustees of Southern Illinois University in regular meeting assembled, That:

(1) The contracts to perform construction services for the Founders Hall Renovation, SIUE, be and are hereby awarded to the following:

- a) General Work \$11,785,000
River City Construction LLC, East Peoria, IL
- b) Electrical Work \$3,717,790
Guarantee Electrical Construction Co., St. Louis, MO
- c) Heating Work \$3,718,320
JEN Mechanical, Inc., Godfrey, IL
- d) Ventilation Work \$2,988,700
France Mechanical Corporation, Edwardsville, IL
- e) Fire Protection Work \$1,044,480
Boyer Fire Protection, Belleville, IL
- f) Plumbing Work \$2,090,000
Bergmann-Roscow Plumbing, Inc., Belleville, IL

(2) The President of Southern Illinois University be and is hereby authorized to take all action required in the execution of this resolution in accordance with established policies and procedures.

SOUTHERN ILLINOIS UNIVERSITY EDWARDSVILLE	
	BASE BID
GENERAL CONTRACTORS	
River City Construction LLC 101 Hoffer Lane East Peoria, IL 61611	\$ 11,785,000.00
Poettker Construction Co. 380 S. Germantown Road Breese, IL 62230	\$ 12,490,000.00
Tarlton Corporation 5500 West Park Avenue St. Louis, MO 63110	\$ 12,397,000.00
Interior Construction Services Ltd. 2930 Market Street St. Louis, MO 63103	\$ 13,878,000.00

ELECTRICAL CONTRACTORS		BASE BID
Gurantee Electrical Const. Co. 3405 Bent Avenue St. Louis, MO 63116	\$	3,717,790.00
K&F Electric, Inc. 2622 West Blvd. Belleville, IL 62221	\$	3,902,556.00
Pyramid Electrical Contractors Inc. 300 Monticello Place Fairview Heights, IL 62208	\$	4,059,000.00
PLUMBING CONTRACTOR		BASE BID
Bergmann-Roscow Plumbing Inc. 56 Empire Drive Belleville, IL 62220	\$	2,090,000.00
HEATING CONTRACTOR		BASE BID
JEN Mechanical Inc. 2813 West Delmar Avenue Godfrey, IL 62035	\$	3,718,320.00
France Mechanical Corp. PO Box 646 Edwardsville, IL 62025	\$	3,737,000.00
Rock Hill Mechanical Corp. 524 Clark Avenue Kirkwood, MO 63122	\$	4,238,833.00

VENTILATION CONTRACTOR		BASE BID
France Mechanical Corp. PO Box 646 Edwardsville, IL 62025		\$ 2,988,700.00
Hock, Inc. 512 South Breese Street Millstadt, IL 62260		\$ 3,347,160.00
Rock Hill Mechanical Corp. 524 Clark Avenue Kirkwood, MO 63122		\$ 3,510,813.00
FIRE PROTECTION CONTRACTOR		BASE BID
Boyer Fire Protection 2425 Amann Drive Belleville, IL 62220		\$ 1,044,480.00
Kane Fire Protection 170 E. Alton Avenue East Alton, IL 62024		\$ 1,150,000.00

APPROVAL OF PURCHASE: MAILING SERVICES, SIUE

Summary

This matter seeks approval for the purchase of mailing services, on an as-needed basis, for the SIUE University community. The funding will come from various departments, as needed.

Rationale for Adoption

Various SIUE departments require mailing services. A multi-year bid contract will cost less than single purchases during the same time period and the services provided meet or exceed the bid limit annually. This matter would approve an initial one-year agreement with four, one-year options to renew.

The cost of the initial one-year contract for FY19 is approximately \$200,000, and will be funded by various SIUE departments. The total value of the five-year option agreement is approximately \$1,000,000. The actual cost is dependent on the need for mailing services by the campus community. Bids were solicited for the services in accordance with the Illinois Procurement Code and one response was received.

The Chancellor and the Vice Chancellor for Administration, SIUE, have recommended this matter to the President.

Consideration Against Adoption

Funds utilized for mailing services would not be available for other university departmental operations.

Resolution

BE IT RESOLVED, By the Board of Trustees of Southern Illinois University in regular meeting assembled, That:

(1) The contract to purchase mailing services for various SIUE departments is hereby awarded to Mailing Methods, Inc., Caseyville, Illinois.

(2) The cost of \$200,000 for the initial one-year contract period with the option to renew for four, one-year periods subject to continuing need, availability of funds, and satisfactory performance for a total cost of \$1,000,000 is hereby approved.

(3) The President of Southern Illinois University be and is hereby authorized to take whatever action may be required in the execution of this resolution in accordance with established policies and procedures.

Secretary Sambursky made a motion to approve the items. The motion was duly seconded by Trustee Thomas. The motion carried by the following recorded vote: aye, Mr. Tom Britton, Hon. J. Phil Gilbert, Mr. Luke Jansen, Dr. Shirley Portwood, Dr. Marsha Ryan, Mr. Joel Sambursky, Ms. Amy Sholar, Maj. Gen. Randal E. Thomas; nay, none.

The following item was presented:

APPROVAL OF PURCHASE:
PCARD SERVICES, CARBONDALE AND EDWARDSVILLE CAMPUSES, SIU

Summary

This matter seeks approval for a five-year credit card agreement with JP Morgan Chase for the Carbondale and Edwardsville campuses.

Rationale for Adoption

JP Morgan Chase is the current vendor of the SIUC and SIUE commercial credit card services (i.e. P-Card services). This agreement allows properly trained SIU employees to use a "University credit card" to make certain limited purchases. The services included in the agreement include monthly invoicing, transaction-level detail, individual card statements, and use of the program by the University Related Organizations (URO). The award criteria included streamlined reconciliation and payment processes and a competitive revenue share program based on the amount of combined charge volume.

As the campuses work together to seek efficiencies, Purchasing officials at SIUC and SIUE collaborated on this competitively bid solicitation through the Illinois Procurement Higher Education Consortium (IPHEC). JP Morgan Chase was the only respondent to the RFP. Since this is a zero-dollar contract (i.e. no payment required), SIU will not be writing a purchase order to the vendor.

Considerations Against Adoption

Use of a credit card program inherently increases the potential for fraud. The university has implemented procedures and strong internal controls intended to reduce the risk of fraud.

Resolution

BE IT RESOLVED, By the Board of Trustees of Southern Illinois University in regular meeting assembled, That:

(1) The commercial credit card services agreement for SIUC and SIUE be and is hereby awarded to JP Morgan Chase N.A., of New York City, NY for a five-year contract.

(2) The President of Southern Illinois University is hereby authorized to take whatever action may be required in the execution of this resolution in accordance with established policies and procedures.

Secretary Sambursky made a motion to approve the item. The motion was duly seconded by Trustee Portwood. The motion carried by the following recorded vote: aye, Mr. Tom Britton, Hon. J. Phil Gilbert, Mr. Luke Jansen, Dr. Shirley Portwood, Dr. Marsha Ryan, Mr. Joel Sambursky, Ms. Amy Sholar, Maj. Gen. Randal E. Thomas; nay, none.

The following item was presented:

AUTHORIZATION TO PURSUE CAMPUS FUNDING ALLOCATION STUDY
AND ENGAGE CONSULTANT

Summary

This matter seeks approval to authorize the SIU Senior Vice President for Financial and Administrative Affairs to engage an external consultant to review the existing allocation model and develop an allocation formula for the state general (General Revenue Fund, or GRF) appropriation among the SIU campuses.

Rationale for Adoption

At its March 2018 retreat, the Board of Trustees reached consensus that an analysis should be undertaken for the possibility of rebalancing the state appropriation support for the campuses, optimally through a formula-driven approach. A new GRF allocation formula model could more accurately reflect current operational factors for each campus, including enrollment, but also take into consideration other mission-defined variables such as research, asset preservation, student success, and the like.

It is acknowledged that any funding adjustments of a magnitude involving GRF monies would likely be accommodated through a phased-in approach, allowing each institution to more gradually adjust to changes to its revenue stream and the concomitant impact on ongoing operations.

It is anticipated that the development of a new allocation model for the general appropriation—which would involve selecting the key variables to be included under a formula approach, with their respective weightings, and running various hypothetical formulas to determine the impact of each on the campuses—along with a plan for its phased implementation would be completed within the next nine months at most, such that any reallocated funding could be initiated in FY20.

Given recent concerns raised by the campuses and other constituencies and news accounts surrounding this issue, it is recommended that any consultant to be engaged for this purpose should be fully independent and without any conflict of interest or pre-existing relationship with the SIU System or its respective campuses.

Considerations Against Adoption

Any financial adjustments arising from implementation of a formula-based allocation could negatively impact a campus for some period, thus adding to other financial challenges in the present fiscal environment. This impact should be mitigated in the long-term by an ongoing review process to evaluate the continuing appropriateness of the factors recommended by the consultant so the Board can consider needed adjustments to the allocations annually depending upon changing conditions or other specific situations.

Resolution

BE IT RESOLVED, By the Board of Trustees of Southern Illinois University in special meeting assembled, That:

(1) The Senior Vice President for Financial and Administrative Affairs of Southern Illinois University is authorized to engage a consultant consistent with all requirements of Illinois Procurement Law to develop and provide an implementation plan for an allocation formula for the state general appropriation among the SIU campuses.

(2) The Senior Vice President for Financial and Administrative Affairs of Southern Illinois University be and is hereby authorized to take all action required in the execution of this resolution in accordance with established policies and procedures.

Vice Chair Gilbert made a motion to approve the item. The motion was duly seconded by Secretary Sambursky. The motion carried by the following recorded vote: aye, Mr. Tom Britton, Hon. J. Phil Gilbert, Mr. Luke Jansen, Dr. Shirley Portwood, Dr. Marsha Ryan, Mr. Joel Sambursky, Ms. Amy Sholar, Maj. Gen. Randal E. Thomas; nay, none.

At 10:40 a.m., Chair Sholar moved that the Board take a ten-minute recess and reconvene in Classroom 284 for the executive session portion of the meeting.

At 10:59 a. m., Trustee Jansen moved that the Board go into closed session for the purpose of considering pending, probable or imminent court proceedings against or on behalf of the Board; matters related to individual students; and information regarding appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body. The relevant sections of the Open Meetings Act Statute that allow for the closed session are 5 ILCS 120/2(c) (1), (10), and (11). The motion was duly seconded by Secretary Sambursky. The motion carried by the following recorded vote: aye, Mr. Tom Britton, Hon. J. Phil Gilbert, Mr. Luke Jansen, Dr. Shirley Portwood, Dr. Marsha Ryan, Mr. Joel Sambursky, Ms. Amy Sholar, Maj. Gen. Randal E. Thomas; nay, none.

At 2:35 p.m., Trustee Britton made a motion to close the executive session and reconvene the meeting in open session in the Multi-Purpose Room 285 after a ten-minute recess. The motion was duly seconded by Trustee Thomas. The motion carried via voice vote.

At 2:44 p.m., the Board resumed the meeting in open session.

The following agenda item was presented: Consideration of Release of Documents Provided Trustees Related to Recent Freedom of Information Act Requests. Chair Sholar asked if there was a motion to release to any member of the public making such a request to the University system FOIA officer, documents provided upon request to the Trustees between the dates of May 29, 2018, and June 5, 2018, by the Office of the General Counsel related to FOIA requests for documents regarding campus funding allocation/reallocation and pending legislation for the SIU system campus structure. The release would exclude private information as that term is defined by the Illinois FOIA and

responses will be provided within the time period as called for by that same statute. Trustee Britton made the motion, and the motion was duly seconded by Secretary Sambursky. The motion carried by the following recorded vote: aye, Mr. Tom Britton, Hon. J. Phil Gilbert, Mr. Luke Jansen, Dr. Shirley Portwood, Dr. Marsha Ryan, Mr. Joel Sambursky, Ms. Amy Sholar; nay, Maj. Gen. Randal E. Thomas.

The following agenda item was presented: Consideration of Administrative Leave of President.

Trustee Gilbert addressed remarks to the SIUE community. He remarked about a May 30 editorial of the *Belleville News Democrat* that stated, "Carbondale wants SIU chief gone for trying to be fair to Edwardsville campus," that he felt was untrue. He reviewed that at the March Board retreat the Board agreed without dissent on a process including engaging an outside consultant to determine a fair and equitable distribution of state funding. He said that President Dunn circumvented the process by proposing a shift of funds without consultation with the Carbondale campus to the detriment of SIUC which would have caused layoffs and potential closure of programs. Trustee Gilbert expressed agreement that the allocation formula that was recommended by the Illinois Board of Higher Education and implemented by President Dunn and previous system presidents for decades may be out of balance due to the new realities of enrollment and other factors. He recalled stating at the March Board retreat and again at the Board's May 30 meeting that he is in favor of looking at the reallocation formula but it needed to be done in a fair fashion based on a study that has clear credibility and done by an impartial body.

Trustee Gilbert spoke to information revealed in emails that would be released to the public that showed the 60/40 split of funding President Dunn referenced

was not true, and President Dunn falsely got the Edwardsville campus and the *Belleville News Democrat* thinking that the Carbondale campus was not being fair. Trustee Gilbert stated that President Dunn had since acknowledged there was not a written policy or directive designating a Carbondale and Edwardsville 60/40 funding split. Trustee Gilbert went on to say that emails showed that President Dunn colluded to dissolve the SIU system that had been in existence for decades. As President he is supposed to advocate for and support moving the system and three campuses forward, not to dissolve it. He noted that legislation to dissolve the system impacts the lives and futures of students, faculty, staff, and Civil Service workers of all the campuses. Trustee Gilbert noted that the President had a fiduciary responsibility to the Board of Trustees, and by concealing from the Board the knowledge he had regarding the proposed legislation that would dissolve the system he was in breach of that duty. Trustee Gilbert contended that President Dunn withheld vital information from the Board prior to the April meeting regarding separation legislation, which he knew was going to be filed and which was filed right after the Board vote regarding fund reallocation. Trustee Gilbert made a motion that President Dunn be placed on administrative leave for a period of 120 days to allow independent counsel to look into matters regarding the President's Office.

The motion was duly seconded by Trustee Britton.

Trustee Sambursky reported that in May he asked the Board General Counsel to provide to the Board members all correspondence between the President, his office, and the executive leadership of the Edwardsville and Carbondale campuses involving the April reallocation of state funds agenda item and the legislation that was filed immediately afterward that aimed to dissolve the SIU system. He noted the request was

intended to allow the Board to gain a better understanding of the thinking of the executive leadership across the SIU System and the process they used during the reallocation discussion. The documents suggested President Dunn, Chancellor Pembroke, and his staff provided the Board false information and withheld vital data the Board should have when making a reallocation of funds decision. The documents showed the weighting factors used by the SIUE leadership when making the case for reallocation were created by President Dunn without citing a reference point for the rationale of those factors. Trustee Sambursky recalled that the Board was united at its March retreat on the reallocation of funds issue. Board members were eager to engage an independent consultant to review the allocation model to ensure that state resources were properly and fairly allocated among its campuses. A few weeks later after the April agenda was released to the public a proposal was made for budget reallocation without the research and data that the Board agreed needed to be collected. Trustee Sambursky noted that FOIA documents showed that President Dunn stated legislation filed immediately after the April Board meeting was designed to “put the Carbondale Trustees in a tough spot regarding separation legislation.” Trustee Sambursky reviewed that FOIA documents suggested that President Dunn and his staff helped in drafting the system separation legislation that included the moving of the SIU School of Medicine to the Edwardsville campus which would jeopardize SIU Carbondale’s accreditation. Trustee Sambursky went on to say that President Dunn and his staff worked on the legislation without the direction or consent of the full Board.

Trustee Sambursky reported that President Dunn and Chair Sholar took a publicly neutral position on the separation legislation but did not seek input from Board

members for the neutral stance. He noted that during his time on the Board, it was the practice of the Chair to engage members of the Board, polling them on issues of significance in between Board meetings to provide guidance to the President. He reported that at the May 30 Board meeting the Board voted overwhelmingly for a resolution that opposed Representative Hoffman's separation legislation. Trustee Sambursky reported that documents indicated President Dunn was publicly claiming that he was neutral on the bills because the Board had not given him direction otherwise, but privately without a directive he and his staff worked with Chancellor Pembroke to craft messaging in support of the legislation before the April Board meeting. Trustee Sambursky said he supported the agenda item, President Dunn's actions were indefensible, and he could see no other path forward than placing President Dunn on administrative leave while a thorough investigation of his office is conducted immediately by outside legal counsel. He went on to say that he believed President Dunn failed in leading the campuses through the funding discussion, and if he would have followed the process his Board unanimously requested during its March meeting tensions between the campuses would not be at an all-time high. President Dunn's job is to advance and advocate for the SIU system, not to divide and work to dissolve it.

Trustee Ryan noted she had five pages of prepared remarks that she would not read because they were duplicative, but she supported the remarks of Trustee Gilbert and Trustee Sambursky in asking for the President to be put on leave.

The motion did not pass by the following recorded vote: aye, Mr. Tom Britton, Hon. J. Phil Gilbert, Dr. Marsha Ryan, Mr. Joel Sambursky; nay, Mr. Luke Jansen, Dr. Shirley Portwood, Ms. Amy Sholar, Maj. Gen. Randal E. Thomas.

Chair Sholar stated that since the item did not pass, there was not a need for the Board to consider the agenda item to appoint an acting President.

Secretary Sambursky moved that the meeting be adjourned. The motion was duly seconded by Trustee Jansen. The motion to adjourn passed unanimously by voice vote.

The meeting adjourned at 3:03 p.m.

Joel Sambursky, Secretary