

THE BOARD OF ILLINOIS COMMUNITY COLLEGE DISTRICT NO. 515

Eight Hundred and Twenty-Second Regular Meeting March 31, 2020

MINUTES

Mr. Marc Wiley, Chair, convened the 822nd Regular Meeting of the Board of Illinois Community College District No. 515 at 5:15 p.m., Tuesday, March 31, 2020, via Conference Call and in the Board Room of the College.

ROLL CALL:

Board Members Present via Conference Call

Mr. Marc Wiley, Chair
Dr. Ronald White, Vice Chair
Mr. Christopher Baikauskas, Secretary
Ms. Joelle Mulhearn
Mr. Jay Readey
Mr. John Stanfa
Ms. Camiella Williams

Board Members Present

Ms. Thalia Valdivia, Student Trustee

Table Participants Present via Conference Call

Dr. Terri L. Winfree, President
Ms. Jodi Pedersoli, Board Recorder
Dr. Marie Hansel, Vice President, Academic Affairs
Dr. Thomas Saban, Vice President, Finance and Administration
Mr. Craig Schmidt, Vice President, Community and Economic Development
Dr. Michael Anthony, Vice President, Student Affairs and Institutional Effectiveness
Ms. Ashley Stead, Del Galdo Law Group
Mr. Thomas Nicholas, Faculty Representative
Ms. Cheron Ricks, Support Staff Representative
Mr. Fabian Lopez, President, Student Government Association

Administrators via Conference Call

Ms. Tiffany Brewer; Ms. Carolyn Ciesla; Mr. David Cronan; Mr. Gregory Kain; Ms. Deborah Smith Havighorst; Ms. Janice Kaushal; Mr. Timothy Kosiek; Ms. Marina Krtinic; Ms. Kim Marisa Kunce; Ms. Kelly Lapetino; Dr. Debra Prendergast; Mr. Elighie Wilson

Administrators Present

Dr. Anthony Martin; Ms. Patricia Gallagher Trost

Faculty Members via Conference Call

Ms. Brianna Abate; Dr. Carol Braun; Ms. Rebecca Buckle; Ms. Danielle Coleman; Dr. Alanna Cotch; Dr. Dianne DeSousa; Dr. Patrice Eberhardt; Ms. Jennifer Eick-Magan; Mr. Anthony Gumushian; Dr. Angela Hung; Ms. Colleen Ivancic; Dr. Erica Lannan; Ms. Kathleen Karwoski; Dr. Craig Mulling; Dr. Jessica Nastal; Ms. Valerie Nicholson; Dr. Justin Pariseau; Ms. Marcianne

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Schusler; Ms. Angela Simpson; Ms. Katharine Sims-Drew; Dr. George Streeter; Ms. Dana Trunnell; Ms. Gail Szewczyk

Faculty Members Present

Dr. Maureen Grady-Perovich

Managers via Conference Call

Mr. Jay Barriga; Ms. Karla Boyd; Ms. Cindy Brncich-Drew; Ms. Alisha Clark; Dr. Gina De rosier-Cook; Ms. Mary Fitzpatrick; Ms. Alysse Hansen; Ms. Andrea Small; Ms. Cheri Taylor-Lawton; Ms. Elizabeth Zeigler

Staff Members via Conference Call

Ms. Crystal Alston; Ms. Candace Dickerson; Ms. Victoria Kral; Ms. Carina Lowe; Ms. Helen Manley; Ms. Kristin Milligan; Ms. Lisa Pickens; Ms. Beatriz Romero

Others via Conference Call

Mr. J. Atkins, Just a Dash; Mr. J. Eichberger; Ms. Erin Craven; Mr. Shawn Jackson; Mr. Scott Kalicki, Higher Education Administrator; Mr. Edward Schwarz, Olympia Fields Resident; Mr. Adam Shorter, Nourish Catering

Others Present

Mr. Kenneth Peterson, Sheppard Mullin - Bond Counsel

ORAL/WRITTEN PUBLIC COMMUNICATIONS

Public Comment – Dr. Maureen Grady-Perovich

"I would like to take this opportunity to follow-up on Mr. Jay Readey's question from the March Board Meeting, as to whether there was a violation of the Open Meetings Act. OMA defines a meeting as "any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business." If, after review by this Board it was found that there was a violation, I would hope that this Board would self-disclose to the Attorney General of the State of Illinois. If the Board did not self-disclose, by filing a Request for Review of the matter with the Public Access Counselor at the Office of the Attorney General. This needs to be done within 60 calendar days of the discovery of the violation. By THIS BOARD or by a member of the community. A Request for Review is a letter sent to the Public Access Counselor which lays out the basis for an alleged violation of OMA. The request must be made in writing, must be signed by the requester and must include a summary of the facts supporting the allegation. If, in the opinion of the Public Access Counselor, a violation is identified, the penalties can include a fine and or imprisonment for up to 30 days.

I was in attendance at the March 2020 District 515 Board Meeting and personally observed behaviors that can be considered potential issues for this Board. The use of cell phones was obvious at the last meeting. Although I do not know the contents, subject matter, or who the recipients were when these phones were in use, their use only added credence to the concerns of Mr. Readey that violations of OMA have occurred and need to be addressed.

In "Illiniospolicy.org/Good Government August, 2013 the author addresses the ruling stemming from a FOIA request filed by the local Champaign/Urbana News-Gazette newspaper that was denied by the City of Champaign. On July 16, 2013 the Appellate Court of Illinois for the Fourth District issued an opinion in City of Champaign v. Madigan, 2013 IL App (4th) 120662, that upheld the Illinois Attorney General's

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(AG) binding opinion (Public Access Opinion No. 11-006) requiring the City of Champaign to provide certain e-mails and text messages stored on public officials' private computers and electronic devices in response to a request under the Freedom of Information Act (FOIA).

Author Benjamin L. Schuster in his article "The Illinois Appellate Court Narrows Attorney General's FOIA Opinion on Communications on Elected Officials' Private Devices".(Holland & Knight Alert, July 24, 2013). Retrieved 1-31-2020 <https://www.hklaw.com/en/insights/publications/2013/07/Illinois-app>. "IMPORTANTLY, however, the Appellate Court significantly narrowed the AG's opinion, making clear that emails and text messages stored on public officials' private computers and electronic devices are "PUBLIC RECORDS" only when the communications are sent or received during a public meeting. Transparency in governing is a pretty basic concept that should be expected from any publicly elected body. "Communications between members of a public body during open meetings need to be public information. If a meeting is truly open to the public, members shouldn't be allowed to conduct parts of the meeting in private. The ruling by the Appellate Court and the decision by the City of Champaign to forgo further appeals is a victory for increased transparency in government." As a side note, the Appellate Court also ruled that "communications on the private device of a Mayor or Village President (regardless of whether sent or received during a meeting of the corporate authorities) may be subject to FOIA because, unlike individual council or board members, the Mayor or President is an officer of the municipality.

I have been a member of the Prairie State Community for over 40 years. I am a PSC graduate, I was a PSC Adjunct Instructor for 11 years, and have been a full-time TENURED Faculty member since January of 2007.

I expect that all transactions of this Board of public servants are in full compliance with the rules or laws that govern our democracy. After all, you represent the citizens of the PSC Community!

I am PSC proud and PSC strong. Thank You."

Public Comment – Ms. Thalia Valdivia, Student Trustee

"Good Afternoon PSC Board Members,

As we all know, PSC as well as every other school has become a victim to COVID-19. Due to this virus, our College Board had to make the tough decision to close the campus effective immediately, until further notice. My colleagues and I are extremely grateful to know that the College Board made this decision in order to look out for our health and safety. Since then, our campus has shifted to an online virtual campus.

For my own report, this change has been very difficult for me. As stated in the meeting before, I brought up the issues of staff members (i.e. professors) not frequently using D2L, to the attention of the board. I stated that many staff members are not technologically skilled with using D2L and may find using this tool too advanced. I also issued that there was no point in paying an immense amount for a tool that is not being enforced to be used. My response was simply that staff members have the option to whether or not to use D2L at their own desire. I want to make it noted that when I said teaching the staff to use D2L would be enforced, I was told to save my comments for after the meeting. Now, we are in the predicament where D2L is more necessary than ever. As many of you know, during the extended spring break given to students, faculty was being trained on how to use D2L as well as teaching classes virtually. They were only given a week. Well, a week has passed since, and I as a student am discontented to report that out of 3 of my classes, not one of my professors has set up an online virtual class. I truly went into this situation with a very open-mindset about online learning. However, when my professors simply post a syllabus and expect me to follow it without the lecture, it is not an online school anymore, it is just busy-work.

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However, when D2L was never enforced on professors, how can anyone blame them? These were the types of precautions I believe we should've always had in mind, before COVID-19 occurred.

As the Student Trustee of the school, I took time out of my day to reach out to as many students as I possibly could. I posted on every single one of my social media accounts that students at PSC who are currently struggling or succeeding since this transition, do not even hesitate to reach out to me. Many of my fellow students did and I am happy to report that many students were able to adjust to the change to a virtual campus. It was mentioned to me that many students found it easier to study at home, and those who did not have a laptop were loaned one from the PSC foundation. However, there are other students who also are finding this transition rather difficult because of their major. For example, I have close colleagues who are nursing students, STEM students, as well as electricians. Some majors simply just cannot be taught online. Nursing is hands on taught material. Although students cannot be here due to orders by Governor JB, we need to give them better options. A variety of students argue to me that they do not understand the concept about how they still have to pay for labs they are not attending, and textbooks they are no longer following. It is very obvious that Prairie State had no way to predict COVID-19 from occurring, however, I state again, we could have always prepared better for the worst case scenarios. Students have recently been given the option to withdraw from the class until the end of the semester, but here I am to remind you that it is not that my students want to simply withdraw from the class and save their GPA, it is that they had no other option. If they are not being properly taught, then how do we expect high grades as well as a high graduation rate? Furthermore, I address this issue simply as the Student Trustee of the school and as a student affected by the transition of COVID-19. These are the reports that need to be made about the students, and we need to find the best results to give them back. Students here like myself love Prairie State College and want to do whatever it takes to continue our academic careers. I want what is best for my students, which is why I stand here today and share their thoughts, pros n cons, and how they're coping with their new lifestyle. As many know this is no regular meeting, and our usual audience is not here with us. I had multiple students contact me asking if they were allowed to attend today's meeting. But because of the virus and safety of our students and staff, I decided to take it upon myself to speak for these students, and ask Prairie State College to find new adjustments. It is not easy, and we are learning how to cope more and more each day, but eventually we will get the satisfaction we all need. As the student trustee, I am more than happy to help brainstorm ideas for these students such as myself."

Public Comment – Ms. Lucia Garcia Gallegos, Prairie State College Student

"Hello everyone, my name is Lucia Garcia Gallegos.

I appreciate everyone's time and concern in helping everyone effected at PSC by the COVID-19 pandemic. I appreciate the faculty, staff, and members of the PSC community working as quickly and effectively possible in times like this to help each other out. I am a military veteran with disability, a full-time student, and a single parent. I am very active in clubs and activities at school. I was not prepared for something like this to happen. Like many other students similar to myself, this transition is very difficult. Before PSC college was affected by this issue there was no warning or advisory given to students. All within one week our school closed, and my daughter's school closed. I have to figure out a way to manage 4 online classes and a three year old at home. We are going on to be on week three of quarantine and I have only had two of my four professors consistently update our class on assignments, grades, and just overall communication. A week was not enough time to teach professors how to effectively use D2L. Especially when D2L has been being used for as long as it has."

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Written Comment – Dr. Craig Mulling, Professor, Sociology

“To Prairie State College Board of Trustees:

My name is Craig Mulling, resident of Homewood and member of the full-time faculty at Prairie State College since 1998. I would like to share some thoughts and concerns with the Board:

First, I want thank President Terri Winfree for her commitment to the College and support for our students. Terri, there is no one who cares more deeply about Prairie State College, its students, and all of us in the PSC community. Thank you for that. I also went to express my admiration for speaking truth to power when the College needed your voice to maintain institutional integrity. Clearly, there are risks to demonstrating that courage and I will always be proud of your willingness to do so.

Second, I want to wish VP Saban the best of luck as you take on a new role at the College. Tom, I have enjoyed getting to know you and want to be supportive of your leadership. In these trying times, we will need your courage and wise leadership as we move forward.

Next, I went to express my concern to the Board about the decisions you are faced with this evening. It is my understanding that during the last Board meeting, it was agreed upon that Pres. Winfree would be able to complete the academic year prior to her departure. I am perplexed and disappointed that this agreement has since been broken and fast-tracked for a final decision this evening. I have one student who is hospitalized with pneumonia and another whose parent died last night Is this really the time for such an abrupt change in the College leadership, when the COVID-19 pandemic is resulting in the largest mass mobilization since World War II?

Finally, I went to say something to PSC Board Chairman Marc Wiley. Marc, I respect your autonomy and the Board majority's autonomy to have final determination on the president's employment at the College. I disagree with the timing of the decision but respect your right to do so. What truly concerns me is whether the Board, under your leadership, will continue to cross the line into areas where the College personnel should have control over its own decisions, as has been noted by the past two accreditation reports from the Higher Learning Commission (In 2008 and again in 2018). I am hopeful that your leadership moving forward will and a way to respect those lines of authority. I promise to join with others to ensure the institutional integrity of Prairie State College and would like to see us both on the same side of that exchange.

Thank you for placing these comments into the public record. I hope and pray that everyone stays safe and healthy.

Craig Mulling, Ph.D.”

Written Comment – Mr. Thomas Nicholas, President, Illinois Federation of Teachers Local 3816

“Upon learning that President Winfree and the College would be parting ways at tonight's Board meeting, the full-time faculty members of the college, Illinois Federation of Teachers Local 3816, wanted to know: why? Especially, why now? We are barely entering the third week of being a "virtual college," barely into the second week of all-on line classes, still reeling from the many, many changes to our working lives and our personal lives. Why is this a good time for a leadership change at the college? It seems to us to be a terrible time to change presidents. Why could Board not reach an agreement with President Winfree so that she could at least remain until the end of the semester? We might not be back on campus even then, but at least it would be one less distraction to all of the students and employees in this midst of this turmoil. What is going on here?

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We anticipate that you may say that you are not able to tell us. You may cite confidentiality concerns, your privilege as elected trustees of the College. But without hearing a reason--some area of concern, some plausible reason for an abrupt change of leadership in a time of crisis--students, faculty, and employees will all wonder: What is going on? And what other changes are in store for us?

Dr. Winfree has been a force of stability for, I believe, 7 years in this role. We suppose it may be time for a change, and we recognize that the Board may very well have concerns with her leadership, but without a clearer explanation, we simply do not understand why now."

Bills Payable – FY2020

Dr. White moved and Ms. Mulhearn seconded that the Board of Trustees approves the FY2020 List of Bills Payable for February 2020 (including trustee and employee travel expenditures), as indicated in the enclosure.

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Readey	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.

Approval of Resignation and Separation Agreement

Mr. Baikauskas moved and Ms. Williams seconded that the Board of Trustees accepts the resignation and approves the Separation Agreement with Terri L. Winfree, Ph.D., effective March 31, 2020.

Ms. Mulhearn stated for the record: "although I oppose several of the factors of the separation. I understand the agreement is mutual and I want to support Dr. Winfree going on as much as I can. So with much regret, I do vote Aye."

Mr. Readey stated for the record: "I'm going to echo what Trustee Mulhearn said for the record, I am opposed to both the process and the content of the decisions that have been made by the board majority. But since we are arriving at a decision made by mutual agreement between the President and the Board, I will endorse for the record the final decision while reserving rights for future comment and state my objections for the record to the process and the substance of the decision. I vote Aye."

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Readey	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

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The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.

Appointment of Interim President

Mr. Stanfa moved and Ms. Williams seconded that the Board of Trustees approves the Interim President Agreement and appoints Thomas D. Saban, Ph.D. to the post of interim president, with an additional monthly stipend of \$2,584.00, effective immediately.

Mr. Readey stated for the record: "I want to be clear to Dr. Saban that I support your leadership going forward. I like you personally, and I certainly hope for the best for the College in the future during your tenure as interim with my assumption that the Board majority will approve this motion. Having said that, I will vote no. I will object for the record strenuously to both the process by which this decision has been made and the decision itself. And I will state for the record and for the public, that there has been literally no discussion of who should lead the College for this Board's consideration as we move from the resignation of the President to an interim president. And I think it is a horrible betrayal of the public trust and poor governance by this Board. I object and that is why I will vote no for this motion."

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Nay
Mr. Readey	Nay
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

The vote being seven (5) Ayes, (2) two Nays, and one (1) Advisory, the motion carried.

Appointment of Interim Vice President Academic Affairs, Dean of Faculty

Dr. White moved and Ms. Williams seconded that the Board of Trustees approves the appointment of Mr. Elighie Wilson, Dean of Liberal Arts and Social Sciences, as interim Vice President Academic Affairs, Dean of Faculty, effective July 1, 2020, with the salary determined using the salary grid developed for the vice presidents' positions.

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Readey	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.

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Bid Recommendation – Fall 2020 Credit Schedule and Fall 2020 Non-Credit Schedule

Dr. White moved and Mr. Stanfa seconded that the Board of Trustees awards the bid for the Fall 2020 course schedule to the lowest responsible bidder, Woodward Printing Services, in the amount of \$15,873 each for Credit, and \$15,837 for Non-Credit plus \$587 for an additional 4 pages (if needed), \$1,130 for an additional 8 pages (if needed) and \$160 per thousand for additional copies (if needed).

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Readey	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.

Bid Recommendation – Biology Lab Renovation Phase 1

Ms. Mulhearn moved and Dr. White seconded that the Board of Trustees approves the Biology Labs Renovation Project to the lowest responsible bidder CMM Group, Inc. in the amount of \$987,300 plus a 10% construction contingency of \$98,730 for a total construction price not to exceed \$1,086,030.

Ms. Mulhearn asked where CMM was headquartered. Mr. Kosiek replied Lansing, Illinois.

Mr. Baikauskas ask about the specifics of the renovation. Mr. Kosiek replied that the entire two biology labs will be removed down to the dry wall. They will be installing new cabinets and table spaces, as well as an epoxy flooring, LED lights and a floating ceiling.

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Readey	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.

Purchase Recommendation – Academic Technology

Dr. White moved and Mr. Baikauskas seconded that the Board of Trustees approves the purchase of technology in an amount not to exceed \$50,000 in order to quickly address student and faculty technology and connectivity needs in these unprecedented times.

Mr. Baikauskas expressed how important it is that the College have the appropriate technology available for students and faculty.

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Ms. Mulhearn inquired to what would be purchased and how they would distribute to the students with the campus being closed.

Dr. Saban and Dr. Anthony explained that the funds are for training and to purchase laptops, hotspots and other periphery devices for both students and faculty. The information regarding obtaining a laptop is posted on the website and an email was sent out to students. Students may contact the Foundation via email or students can let the faculty know and they will contact the Foundation. Ms. Helen Manley and Ms. Deborah Smith Havighorst have volunteered to work with the PSC Police to distribute items. It is very controlled and isolated. The students sign an agreement that holds them liable for any damage. Grants are the primary source of funding.

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Readey	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.

CLOSED SESSION

Ms. Williams moved and Dr. White seconded that the Board of Trustees go into closed session for "litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting." (5 ILCS 120/2(c)(11)).

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Readey	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried, and the meeting adjourned to Closed Session at 5:59 p.m.

RETURN TO OPEN SESSION:

Dr. White moved and Mr. Stanfa seconded to return to Open Session. All members present voted Aye and the meeting returned to Open Session at 6:37 p.m.

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Litigation

Dr. White moved and Mr. Baikauskas seconded that the Board of Trustees authorizes legal counsel for the College, Del Galdo Law Group, LLC, to initiate legal action in the Circuit Court of Cook County against the Higher Learning Commission (HLC) related to an ongoing fee dispute.

Upon the call of roll, the vote was as follows:

Mr. Baikauskas	Aye
Ms. Mulhearn	Aye
Mr. Readey	Aye
Mr. Stanfa	Aye
Dr. White	Aye
Mr. Wiley	Aye
Ms. Williams	Aye
Ms. Valdivia	Advisory (Aye)

The vote being seven (7) Ayes, no Nays, and one (1) Advisory, the motion carried.

ADJOURNMENT

Ms. Williams moved and Ms. Mulhearn seconded that the Board of Trustees adjourn the meeting. All members present voted Aye, and the meeting adjourned at 6:44 p.m.

Mr. Marc Wiley, Chair

Mr. Christopher Baikauskas, Secretary

Jodi Pedersoli, Board Recorder
