

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES
SOUTHERN ILLINOIS UNIVERSITY
FEBRUARY 8, 2006

Pursuant to notice, a special meeting of the Board of Trustees of Southern Illinois University convened at 2:05 p.m., Thursday, February 8, 2006, in Ballroom B of the Student Center, Southern Illinois University, Carbondale, Illinois. The meeting was called to order. The following members of the Board were present:

Mr. Roger Tedrick, Chair – via teleconference
Mr. John Simmons, Secretary – via teleconference
Dr. Sam Goldman
Ms. Tequia Hicks
Dr. Keith Sanders – via teleconference
Mr. Matt Townsend – via teleconference
Mr. Steve Wigginton – via teleconference
Ms. Marquita Wiley – via teleconference

The following member of the Board was absent:

Dr. Ed Hightower, Vice-Chair

Executive Officers present were:

Dr. Glenn Poshard, President, SIU
Dr. Walter Wendler, Chancellor, SIUC
Dr. John Haller, Jr., Vice President for Academic Affairs
Dr. Duane Stucky, Vice President for Financial and
Administrative Affairs and Board Treasurer

Also present were Mr. Jerry Blakemore, General Counsel; and Ms. Misty Whittington, Executive Secretary of the Board.

The Secretary reported a quorum present.

The Chair requested that the members observe a moment of silence in honor of the passing of President James E. Walker.

The Chair asked that the Board consider a Current and Pending Matter titled “Approval of a Resolution Authorizing the President and General Counsel to Execute a Certain Consent Decree with the United States Department of Justice.” Dr. Goldman moved that the Board consider the matter. The motion was duly seconded by Mr. Wigginton, and after a voice vote the Chair declared that the motion to consider had passed unanimously. The following matter was presented:

APPROVAL OF A RESOLUTION AUTHORIZING THE PRESIDENT AND
GENERAL COUNSEL TO EXECUTE A CERTAIN CONSENT DECREE WITH
THE UNITED STATES DEPARTMENT OF JUSTICE

Summary

The United States Department of Justice (“DOJ” or “Department of Justice”) notified Southern Illinois University (“University” or “SIU”) in November that it intended to file a lawsuit against it related to three (3) fellowship programs. The Department of Justice and SIU negotiated resolution of this matter. The resolution protects all current students, avoids the cost of protracted litigation with no penalties or fines assessed against SIU, and amends the eligibility requirements of three (3) SIU-C paid fellowship programs.

The President and General Counsel are requesting Board authorization to execute the Consent Decree with the Department of Justice.

Rationale for Adoption

The Consent Decree allows SIU to avoid protracted litigation in which SIU likely would not be the prevailing party. Further, the Consent Decree avoids potential legal exposure and financial penalty and protects the students currently receiving the subject matter fellowships.

Considerations Against Adoption

Although there are strong if not overwhelming legal arguments prohibiting discrimination on the basis of race, gender, national origin, and religion, there are those who oppose any changes in programs which

either consider or provide as a primary basis selection on the basis of race, gender, and/or national origin.

Constituency Involvement

The President's Office conducted more than ten (10) group presentations on this matter at both the SIUC and SIUE campuses. Groups represented at the meetings include the SIUC Graduate Council, the Chancellors, the Provosts and Vice Chancellors, Deans, Department Heads, and the Alumni Association as well as legislators and students (including student body leadership and students currently participating in the three subject matter programs). Overall, the President's office has met with more than 400 individuals.

Resolution

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

(1) The form and substance of the proposed Consent Decree between the Board of Trustees of Southern Illinois University and the United States Justice Department is hereby approved.

(2) The President and General Counsel of Southern Illinois University be and are hereby authorized to execute such Consent Decree and take all necessary actions to comply with such Consent Decree.

Dr. Goldman moved approval of item. The motion was duly seconded by Mr. Simmons. Student Trustee opinion in regard to the motion was indicated as follows: Aye, Mr. Matt Townsend; nay, none. The motion passed by the following recorded vote: Aye, Dr. Sam Goldman, Ms. Tequia Hicks, Mr. John Simmons, Mr. Roger Tedrick, Mr. Stephen Wigginton, Ms. Marquita Wiley; nay, none.

Dr. Sanders joined the meeting.

Dr. Goldman moved that the meeting be adjourned. The motion was duly seconded by Dr. Sanders, and after a voice vote the Chair declared the motion to have passed.

The meeting adjourned at 2:16 p.m.

Misty Whittington, Executive Secretary