

**NORTHERN MICHIGAN UNIVERSITY  
BOARD OF TRUSTEES  
Minutes of the Special Session  
of  
Wednesday, October 17, 2018**

A special session of the Board of Trustees of Northern Michigan University was held on Wednesday, October 17, 2018 in Cohodas Hall of Northern Michigan University, Marquette, Michigan. The meeting was convened at 11:03 a.m. in the Board Room, 602 Cohodas Hall, by Chair Robert E. Mahaney.

Trustees present included:

Mr. Robert E. Mahaney, Chair  
Ms. Lisa I. Fittant<sup>1</sup>  
Ms. Alexis M. Hart<sup>1</sup>  
Mr. James K. Haveman<sup>1</sup>

Mr. Scott L. Holman  
Mr. Steven M. Mitchell, Vice Chair<sup>1\*</sup>  
Mr. Richard M. Popp<sup>1</sup>  
Ms. Tami M. Seavoy

Senior Staff and Counsel present included:

Mr. R. Gavin Leach, Vice President for Finance and Administration and Treasurer of the Board of Trustees  
Ms. Deanna Hemmila, Executive Director – Board/Government Relations  
Ms. Cathy A. Niemi, Secretary of the Board of Trustees  
Mr. Kurt McCamman, Legal Counsel<sup>1</sup>

Senior Staff absent included:

Dr. Fritz J Erickson, ex officio  
Mr. Brad Canale, Chief Executive Officer – NMU Foundation  
Dr. Kerri Schuiling, Provost and Vice President for Academic Affairs  
Dr. Steven A. VandenAvond, Vice President for Extended Learning and Community Engagement

<sup>1</sup>Participated via conference call.

**ROLL CALL**

Secretary Niemi took roll call of the Trustees and noted that all Trustees were present, with the exception of Trustee Mitchell.

Chair Mahaney said that President Erickson is excused from today's meeting as he had a previous commitment for important NMU business which conflicted with the meeting time.

**PROPOSED CHANGES TO STUDENT CODE – SECTION 2: SEXUAL MISCONDUCT LANGUAGE**

Chair Mahaney called on Trustee Hart to provide an outline of this topic as it has been discussed in the Board of Trustees Ad Hoc Policy Review Committee, which Trustee Hart chairs.

Trustee Hart said that the committee met on October 10, 2018 and based on the evolving legal environment regarding sexual misconduct, she made the following motion:

**It was moved by Trustee Hart and seconded by Trustee Haveman that the Board direct NMU administration to modify all applicable existing policies, procedures, and guidelines on an interim basis to ensure compliance with federal and Michigan law, including the recent decision in Doe v. Baum and its progeny, related to sexual misconduct prevention and response, sexual misconduct investigations, and sexual misconduct procedures. Further, that the ad hoc policy review committee be directed to review these policies and make recommendations to the full Board on further and necessary modifications as determined by the changing legal environment.**

Discussion followed:

Trustee Hart said that this interim measure will allow NMU to comply in a quick and agile manner with the recent changes in the law. She said the main point that we need to understand is that the Board's ad hoc Policy Review Committee will still maintain oversight and review suggested changes moving forward to the full Board. She said the Board wants to prevent any roadblocks in the interim to ensure that everything is up to speed and the administration can move forward.

Chair Mahaney said he agrees with Trustee Hart's comments. He has had conversations, as well as those who serve on the ad hoc committee, with the university's legal counsel, Mr. McCamman. He said there are two things that this motion provides: 1) It ensures that NMU remains compliant with the recent court decision, as well as staying compliant with state and federal law; and 2) the Board is not abandoning its oversight role as they will still be maintaining appropriate oversight with regards to reviewing these policies as they are put in place. He also said that Mr. McCamman shared with him that there is an effort underway at the state-side level to ensure that there are consistent rules and regulations at the highest order that will be implemented across all of the universities in the State to build a cohesive policy.

Being no further discussion, Chair Mahaney called for the vote.

**The motion carried unanimously (7 – 0).**

Chair Mahaney thanked the ad hoc Policy Review Committee for the work that was put into this process. Trustee Hart also thanked the NMU administration team and Mr. McCamman for their work, as well.

Trustee Popp said he appreciates all the effort that has taken place with this process. He said it is important that the response is quick and provides enough flexibility to respond because things aren't certain at this time, but there are some things that can be done right away. He said this topic should be on-going and be reviewed at all future Board meetings until everyone is comfortable that NMU is in complete compliance and has a good process moving forward.

\*Trustee Mitchell joined the meeting at this point (11:09 a.m.)

Chair Mahaney provided Trustee Mitchell with an overview of the meeting up to this point.

**ADMINISTRATIVE PROFESSIONALS UAW 2178 NEGOTIATED AGREEMENT**

Vice President Gavin Leach provided an overview of the proposed changes to the UAW 2178 negotiated agreement (Addendum #1). Vice President Leach said the agreement was ratified by the union membership by an 80 – 20% vote. Vice President Leach thanked the negotiating teams for the administration and the union for their hard work during this process.

Chair Mahaney thanked both parties for their work, as well. He said it is important and valuable to have good labor relations and it's great to get this contract signed and approved.

The following action was taken:

**It was moved by Trustee Holman and seconded by Trustee Seavoy to approve the negotiated agreement between Northern Michigan University and UAW 2178 (Administrative Professionals), covering the period from October 1, 2018 through September 30, 2021.**

Discussion followed:

Trustee Seavoy said that she appreciated getting the report that outlined the Consumer Price Index (CPI) increases over the years and liked seeing that Northern exceeded the CPI over the decades. She said she realizes that it's difficult over hard times to keep up the increases, particularly when contracts are being negotiated moving forward because you don't know what the CPI is going to be. She said that Northern is doing a really good job keeping the pay up to ensure we don't fall behind.

Trustee Mitchell congratulated both parties and said a good contract is one that both sides sign and staying ahead of the curve is terrific.

Being no further discussion, Chair Mahaney called the vote:

**The motion carried unanimously (8 – 0).**

**ADJOURNMENT**

Chair Mahaney adjourned the meeting at 11:19 a.m.

Respectfully submitted,

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Cathy A. Niemi  
Secretary of the Board of Trustees