

**REPORT OF AN
ADVISORY VISIT**

TO

**COLLEGE OF DUPAGE
Glen Ellyn, IL**

July 21-22, 2015

Higher Learning Commission

EVALUATION TEAM

James O. Smith, Department Chair for Accounting & Office Administration, Ivy Tech
Community College of Indiana, Bloomington, IN, 47404

David Wendler, Vice President for Academics Emeritus, Martin Luther College,
Courtland, MN 56021

Sam Kerr, *former* Chief Operating Officer, National American University, Rapid City, SD
57702 (Chair)

CONTENTS

I. Context and Nature of Visit 3

II. Area(s) of Focus..... 17

I. CONTEXT AND NATURE OF VISIT

A. Purpose of Visit

This Advisory Visit to the College of DuPage was conducted July 21-22, 2015, at the direction of Higher Learning Commission President Barbara Gellman-Danley. In correspondence dated May 5, 2015, Dr. Gellman-Danley informed the College that the Advisory Visit was prompted by various media reports “indicating that the College of DuPage is currently under state and federal civil and criminal investigations related to institutional finances, ethics violations, and changes to assigned credit hours for courses offered through the Suburban Law Enforcement Academy. In addition to these investigations, media outlets, primarily the *Chicago Tribune*, have reported on these issues on multiple occasions.”

Therefore, pursuant to Commission policy on Special Monitoring (INST.F.20.010), Dr. Gellman-Danley approved the scheduling of a special monitoring visit for College of DuPage because the institution was undergoing “serious legal, financial, or ethical investigations.” As outlined in Dr. Gellman-Danley’s May 5, 2015, correspondence, the focus of this Advisory Visit was in connection with the institution’s compliance with the following Criteria for Accreditation and Core Components:

- Criterion One, Core Component 1.D, “the institution’s mission demonstrates commitment to the public good,” and specifically Core Component 1.D.2, “the institution’s educational responsibilities take primacy over other purposes, such as generating financial returns for investors, contributing to a related or parent organization, or supporting external interests,” with regard to public concerns about whether the College is appropriately dedicated to its mission and demonstrating commitment to its mission by ensuring that educational responsibilities are primary rather than secondary to supporting other interests.
- Criterion Two, Core Component 2.A, “the institution operates with integrity in its financial, academic, personnel, and auxiliary functions; it establishes and follows policies and processes for fair and ethical behavior on the part of its governing board, administration, faculty, and staff,” because it is not clear based on these reports that the College has or follows effective policies and processes to support its operations and decision-making. Because of this concern, I am also asking that the team review Assumed Practice A.1., “the institution has a conflict of interest policy that ensures that the governing board and the senior administrative personnel act in the best interest of the institution.”

- Criterion Two, Core Component 2.C, “the governing board of the institution is sufficiently autonomous to make decisions in the best interest of the institution and to assure its integrity,” and specifically Core Component 2.C.3, “the governing board preserves its independence from undue influence on the part of donors, elected officials, ownership interests, or other external parties when such influence would not be in the best interest of the institution,” because of concerns about apparent conflicts of interest and self-dealing. These allegations raise questions regarding whether the Board has sufficient autonomy to act outside the agendas of individual Board members and consistently acts in the interest of College constituents or whether the Board is influenced by other interests.
- Criterion Three, Core Component 3.A, “the institution’s degree programs are appropriate to higher education,” due to information regarding the change in assigned credit hours for a program without a concomitant change in instructional or educational program requirements.
- Criterion Four, Core Component 4.A, “the institution demonstrates responsibility for the quality of its educational programs,” related to the questions raised regarding the Suburban Law Enforcement Academy [SLEA], the changes to its program, and resulting changes to College data points such as enrollment of students based on full-time equivalency.
- Criterion Five, Core Component 5.B, “the institution’s governance and administrative structures promote effective leadership and support collaborative processes that enable the institution to fulfill its mission,” and specifically Core Component 5.B.1, “the governing board is knowledgeable about the institution; it provides oversight of the institution’s financial and academic policies and practices and meets its legal and fiduciary responsibilities,” because it is not clear that the Board and administration have provided effective leadership.

While the Advisory Visit team reviewed the above-referenced Core Components and Assumed Practice, it also was given latitude to determine whether other Core Components and Assumed Practices are implicated by the issues identified in Dr. Gellman-Danley’s correspondence or other issues the team may have identified during the visit.

B. Accreditation Status

The College of DuPage (COD) was first accredited as Lyons Township Junior College by the Commission in 1932. The accreditation of Lyons Township Junior College was transferred to COD in May of 1967.

The institution was admitted to the Academic Quality Improvement Program (AQIP) on November 20, 2000. The College participated in Strategy Forums in 2001, 2006, and 2010.

Since admission to AQIP, the institution has officially declared and attempted 14 individual Action Projects, and has provided Annual Updates of ongoing projects and received Annual Update Feedback Reports on these.

COD was one of only seven institutions initially approved by the Higher Learning Commission to pilot the AQIP-Baldrige option for reaffirmation. In May 2012, the College submitted a Baldrige-based application to Illinois Performance Excellence (ILPEX) and, as part of the pilot, used the application and feedback report in place of a Systems Portfolio. An Assurance Narrative Index was submitted to the Commission in May 2013, and the College received a Systems Appraisal Feedback Report (Baldrige Option) from the Commission on July 2, 2013.

AQIP conducted a Quality Checkup visit to the institution on May 7-9, 2014, and provided a report of the findings of the visiting team in a report dated October 27, 2014. The Institutional Actions Council (IAC) later scheduled the team's recommendation for review. However, Dr. Gellman-Danley advised the institution that while the Commission is considering the issues identified in the May 5, 2015, correspondence, the pending IAC action to reaffirm the institution's accreditation has been placed on hold.

C. Organizational Context

The College of DuPage is a public, open-door, comprehensive community College located in Glen Ellyn, IL. The College serves a diverse student body and offers a wide range of credit programs and non-credit courses and training certificates. The College is governed by a seven member Board elected by the local community college district to serve six-year terms. There is also one student trustee member who does not have voting rights on the Board. As an Illinois public community college, the College's funding is provided from a number of sources, including state and local community financial support.

The Advisory Visit was prompted by a number of recent allegations made through various media (and other sources) over a period of approximately 15 months beginning summer 2014 (and continuing through spring and summer 2015). A brief summary of some of the more salient events as reported in local and national media, many of which were based on information discovered through FOIA requests of the College's financial and other records, will provide some context for the remaining sections of this report.

President's Email

Beginning in summer 2014, media scrutiny of College of DuPage began through a series of news stories in connection with a \$20 million state construction grant. More specifically, a May 9, 2014, email from then-President Dr. Robert Breuder to the COD Board of Trustees set out actions the President intended with respect to obtaining the state grant.

Since the grant was originally to support the construction of the College's new Homeland Security Building, which had been completed without the grant, the President detailed for the Board potential "options" to obtain the grant funds for construction not yet identified. Those actions detailed in Dr. Breuder's May 9, 2014, email included the following:

- "We have been working with the Governor's Office (seemingly forever) to secure our \$20 million. Initially the money was to be used for our Homeland Security initiative. When we accomplished our Homeland agenda without state funding, we changed the focus to building demolition. With that initiative soon to be history we need an alternative."
- "I needed to identify a project that would help release our state funding. My idea: a Teaching and Learning Center. Several Board members want to weigh in on the need for such a facility. I have no problem with that; however, not being able to say how we would use the state's money (perhaps no real need) could lessen our chances to break the money loose at this time (the political moon is rising). A building that focuses on teaching and learning is politically attractive; more so than let's say a student center, PE facility, etc."
- "My having to dance around the issue of how we would use the money attenuates our ask. When I introduce Governor Quinn at commencement, I want to help our cause (getting the \$20 million released sooner rather than later) by thanking him for his commitment in front of 3,500 people. There are many voters in our District. Please keep November 4 in mind. The limited state dollars for capital projects will go somewhere in this heightened political

season. Why not College of DuPage?”

- “There is always the option of telling the Governor we want the money, will bank it until we figure out how to use it, and then build something. And is it not better to match money than to provide 100%?”
- “Bottom line: I need some room to breathe on this matter so I can enhance the likelihood we get the \$20 million, soon.”

When the May 9, 2014, email was released through a Freedom of Information Act (FOIA) request, the Governor’s office withdrew the state construction grant citing the President’s proposed actions.

Censure of Board Trustee

As shown in the video archive of the regular Board Meeting on August 21, 2014, four Board Trustees voted to censure Trustee Hamilton, who at the time served as the Vice-Chair. Among the numerous findings in Section 2 of the Board’s resolution, the Board cited in detail the Board’s various activities (and Trustee Hamilton’s activities and responses) in connection with the proposed Teaching and Learning Center.

The resolution also cited Trustee Hamilton’s “public embarrassment” of the Board and administrators “by making erroneous statements reflecting negatively against her fellow Board members and the administration in an inflammatory, insulting, discourteous and defamatory manner.”

The resolution further cited that, during the July 17, 2014, meeting, “after Chair Birt made a statement relating to Trustee Hamilton’s prior misrepresentations, Trustee Hamilton intentionally turned off her microphone to prevent her statements from being recorded and stated ‘What goes around, comes around. I will get you.’” According to the resolution, these comments were “apparently calculated to intimidate and threaten the chair.”

The single dissenting vote for the resolution came from Trustee Savage, who also made several comments during the meeting in connection with her decision to vote against the resolution. These comments included the following: “There must be an underlying sense of respect and trust for other members of the team [Board] even when we do not all agree. We can never lose sight of the fact that students are the reason we are here. A foundation of trust within the Board does not exist and little has been done to develop a collaborative working relationship or trust among Board members.”

In response to the resolution, Trustee Hamilton claimed a violation of the Illinois Open Meetings Act and stated, among other things that, "This censure represents a tremendous need for reform on this Board."

On August 22, 2014, Trustee Hamilton stated in the *Illinois Review*, "I'm looking for three other qualified individuals to run for the Board in eight months," she said. "Please tell anyone interested to contact me on my Facebook page or at www.ElectKathyHamilton.com. We can reform this Board and make it accountable to the voters."

Faculty Vote of No Confidence

Citing longer-term issues at the College dating back to 2009, the faculty issued a resolution on September 10, 2014, advising the COD Board of Trustees that the faculty lacked "confidence in the leadership of Dr. Robert L. Breuder."

The resolution provided many examples for the faculty's vote of no confidence, including the following:

- The building, decorating, and equipping of the Waterleaf Restaurant, which the faculty indicated "does not support the academic mission of the College";
- The President's attempts to secure the \$20 million dollar state construction grant;
- The extended dispute between the College and the Village of Glen Ellyn resulting in several lawsuits;
- The "culture of intimidation and threats created by the [President's] management style" leading to a significant increase in formal grievances, arbitrations, and unfair labor practice claims against the College; and
- The President's lack of commitment for shared governance.

The faculty's resolution concludes by stating that "[o]ver the past six years, the leadership of COD Faculty Association, individual faculty, and concerned retirees have spoken to the College of DuPage Board of Trustees on multiple occasions, both publically and privately, seeking to reveal and resolve these issues, yet the Board has shown little to no interest in investigating the issues..."

Radio Station Employee

Questions of financial oversight were also raised in connection with a long-time employee who served as an engineer for the College's radio station (WDCB-FM 90.9). For approximately 10 years, the College paid hundreds of thousands of dollars to the employee's private company for equipment and repairs that were not needed.

The employee also worked for another local college, Elmhurst College, and engaged in the same sort of activities. Officials at Elmhurst College notified COD when Elmhurst officials became aware that the employee also worked for COD. Despite at least one official at COD being made aware of the employee's conduct, the charges to COD for equipment and repairs continued for a long period of time. Ultimately, the employee resigned from COD and now is subject to criminal penalties.

Administrative Expenses

Additional questions of financial oversight were raised when media and watchdog group coverage began to focus on various administration expenditures, including expenses for alcohol and food at the College's fine dining establishment (the Waterleaf) for Board members and senior administrators, as well as other expenditures as mentioned below.

Hundreds of receipts obtained through FOIA requests indicate that the Board, President, and senior administrators utilized assigned "house accounts" at the Waterleaf to expense thousands of dollars in alcohol for lunches, dinners, and after-work events. These charges were separate and apart from College-sponsored community activities hosted by the College (i.e., the "Community Night" program used to engage community members in dialogue concerning how the College can better support the needs of the community).

Additional claims of financial excesses included dues for the President's private shooting club, charges for a limousine ride, purchases for bottles of wine, and global satellite phones. It appears from the Board meeting records, various interviews, and supporting evidence, that the Board approved large sums of invoices from vendors, etc., but did not have specific detail as to what many of those expenses entailed.

President's Contract

Additional controversy in connection with the current state of affairs at the College of DuPage centered on the contract "buyout" agreement for Dr. Breuder.

According to information provided during the January 28, 2015, COD Board of Trustees' special meeting, that was held to take a second vote on the Fourth Amendment to Dr. Breuder's contract, discussions with Dr. Breuder regarding his retirement started in Spring or early Summer 2014. Prior to approval of the Fourth Amendment, Dr. Breuder's contract was to provide continuous employment to 2019. The Fourth Amendment reduced the employment period through March 31, 2016, and the payout outlined in the contract amendment amounts to approximately \$762,000.00. According to the then-Board Chair Birt, the amount represented approximately eighteen months of salary and benefits.

During the January 28, 2015, Board meeting, the Board of Trustees (BOT) voted 6-1 to approve the contract amendment, with Trustee Hamilton, who at that time served as the Vice-Chair, voting against the amendment. With respect to the contract amendment, Trustee Hamilton sent her remarks in opposition to the amendment to the *Illinois Review*, a blog, self-described as the "crossroads of the conservative community," prior to the January 28, 2015, Board meeting.

In those remarks, Trustee Hamilton indicated that the buyout "stinks to high heaven. And there are only two kinds of folks about it: Those who have the guts to say it is wrong – and the silent rubber stamps, in the darkness of Breuder's drawer." Community comment (from, among others, community members, students, and faculty) during the January 28, 2015, Board meeting overwhelmingly voiced opposition to the contract amendment.

The Board's action also drew the attention of members of the state legislature, several of whom spoke in opposition to the buyout prior to and during the Board meeting. One legislator stated prior to the January 28, 2015, Board meeting that, with respect to the pending vote on the contract amendment, "If they want to play fast and loose with our tax dollars, I'm going to make sure there is a price to pay." Another legislator said during the meeting, "This Board has betrayed the public trust of this community." He went on to say that, "your entire county is against you. Please change your mind, turn this down, and let's start this process over."

April COD BOT Election

Prior to and during the negotiations in connection with the amendment to Dr. Breuder's contract, the Board was made up of a "majority" and a "minority," with then-Vice-Chair Hamilton, generally casting the lone dissenting vote. During the January 28, 2015, Board meeting, in connection with the COD Board of Trustees' vote on the fourth amendment to Dr. Breuder's contract, Trustee Hamilton stated that,

“Every voter in the College of DuPage District 502 should watch this vote very, very carefully.” The Board’s vote set in motion an active spring Board election process prior to the April election.

Of the twelve candidates for three vacant seats on the COD Board of Trustees, three candidates were part of the “Clean Slate” platform. According to the platform’s website (cleanslateforcod.com), “The Clean Slate, at ballot positions 6, 7 and 8, will reform the College of DuPage. It will end the Breuder era of corruption and institute reforms based on openness, transparency and inclusion. COD reform trustee Kathy Hamilton backs the Clean Slate. Together, Charles Bernstein, Frank Napolitano, Deanne Mazzochi and Kathy Hamilton will make a new majority on the COD Board – that will be accountable to you, all taxpayers and students.”

The Clean Slate website also reported that, "COD Trustee Kathy Hamilton, who opposed Breuder’s buyout and whose term doesn’t expire until 2019, got involved in the race by endorsing Mazzochi, Bernstein and Napolitano” and that "Hamilton said she will ‘claw back’ the Breuder deal if she and the three-candidate slate gain control of the seven-member Board."

During campaign forums, most candidates called for reform at the College, including the Clean Slate platform. All three “Clean Slate” candidates were elected. At the April 30, 2015, organizational meeting, the new “majority” on the Board voted (4-3) to have Trustee Hamilton serve as the chair.

Foundation Board Member Vendor Contracts

Construction and other projects awarded by the College to vendors either owned by or associated with COD Foundation Board members also came under media and watchdog group scrutiny. Concerns about the awarding of contracts to Foundation Board members in a non-competitive bid process arose some time ago. As far back as the December 19, 2013, Board of Trustees meeting, one Trustee questioned the propriety of such contracts and so-called “pay for play” implications.

During the July 21, 2015, Board Meeting with the visiting team, one Trustee indicated that the upcoming Illinois Auditor General’s Office “performance audit” will help determine, through an independent assessment, which contractual agreements with vendors associated with Foundation Board members, if any, were improper.

Credits for Suburban Law Enforcement Academy

The increase of credit hours given to students enrolled in the College's law enforcement training program also raised concerns.

The Illinois Law Enforcement Training and Standards Board (ILETSB) established six basic law enforcement officers' training academies, one of which in 1994 was located at the College of DuPage (COD) and is known as the Suburban Law Enforcement Academy (SLEA). The purpose of these police training academies is to train area police departments' recruits. The police departments pay the costs for these recruits (cadets) to attend these academies. ILETSB sets the tuition for SLEA and the other academies. ILETSB also establishes the non-credit curriculum with a specific number of clock hours dedicated to each of the instructional units. Units include instruction in control and arrest tactics, crisis intervention, fundamentals of investigation, police citizen relations/cultural diversity, fingerprinting, etc. The curriculum also includes "practicals" such as strength and aerobic training, firearms training, and practical scenarios that include role playing activities such as handcuffing, crimes in progress, field sobriety testing, courtroom testimony, etc. The SLEA list of instruction units with clock hours totals 496 hours with "practicals" included.

SLEA instructors apply to and are approved by the ILETSB to teach instructional units in the police academies. COD then hires these ILETSB-approved instructors. The 61 different instruction units potentially could have a different instructor for each unit. In addition to law enforcement-related experience, instructors' academic credentials range from associate degrees to the Ed.D. degree. In sum, SLEA is an ILETSB program—not a program controlled by the College of DuPage.

The College of DuPage gives 22 credits to SLEA cadets who complete the SLEA curriculum. For some time the College gave 13 college credits to SLEA cadets and this was recently increased to 22 credits. The College courses for which the cadets are given credit follow. The last three criminal justice courses listed are the additional courses given credit beginning fall 2014.

Section Name	Section Short Title	Number of Credits
PHYS 1101	Aerobic Fitness Lab I	1
PHYS 1831	Marksmanship	1
PHYS 1751	Personal Defense	1
HLTHS 1150	CPR-Basic Life Support	1
CRIMJ 1110	Police Operations & Procedures	3

CRIMJ 1120	Traffic Law & Investigation	3
CRIMJ 1152	Criminal Law	3
CRIMJ 1153	Rules of Evidence	3
CRIMJ 2150	Multiculturalism & Diversity	3
CRIMJ 2230	Criminal Investigation	3

As discussed later in this report, the amount of credit awarded, as well as the process in which the credit hours were determined, raises concerns in connection with several Criteria and Core Components.

Investment Funds

In early June 2015, two COD senior administrators (the Senior Vice President of Administration/Treasurer and the Assistant Vice President of Financial Affairs/Controller) were placed on administrative leave for failing to follow Board policies in connection with the College's investment policies. An internal audit, dated May 4, 2015, was conducted over a number of months before the administrative leave was ordered. The report indicates there were serious breaches by the College, including the fact that "the investment portfolio has several areas of non-compliance including exceeding the limits of specific types of investments that do not meet dollar, maturity or asset quality thresholds of Board Policy." In particular, the College's investments in the Illinois Metropolitan Investment (IMET) Fund, as of September 30, 2014, represented 29.2% of the College's investment portfolio. Yet, the Board's policy limits investments in local government investment pools to 5% percent of the College's portfolio.

In addition to the 5% limitation, the Board's policy also requires any local government investment pool to be rated at the time of the investment by at least two of the nationally recognized rating services. The College's two investments in such pools were both rated by only one rating service. According to the internal audit report, the College's management, when interviewed as part of the internal audit, stated that "although this requirement was not met, the Board of Trustees still approved the resolution [at their April 17, 2014, meeting] to invest in the IMET Fund." However, the resolution did not include any information on the rating agencies. Because of irregularities within the IMET Fund (defaults on certain guaranteed loans), the College's heavy investment resulted in over \$2 million in frozen assets that were potential losses to the overall portfolio.

The May 2015 internal audit report identified other irregularities, including the College's investments in mutual funds and bonds and a number of other administrative and procedural errors. The internal audit report also

contained a number of recommendations for remedial action. These recommendations ranged from divesting mutual fund investments, reviewing internal controls, establishing a verification system, obtaining missing documentation, and "preparing a quarterly report to the Board of Trustees detailing the required information in Board Policy 10-55." The internal audit report indicates that management did not respond to any of the recommendations. Finally, the internal audit report indicated that the Treasurer's Advisory Committee, provided for in Administrative Procedure 10-55, had met only twice between January 1, 2013, and May 4, 2015 (the date of the internal audit report). At the November 2014 meeting, the committee advised the Treasurer "to make sure the College is not violating the Investment Policy since it would open the College to criticism."

The administration proposed changes to the Board's investment policy that would have permitted increased investment percentages and allowed the Treasurer authority to even exceed the new thresholds to maximize returns. These policy recommendations were included in the April 16, 2015, Board packet, after the substantial investment losses became public. However, that meeting was cancelled.

Amid all the issues briefly summarized here (as well as others), state and federal investigations ensued. Multiple subpoenas were issued by various agencies. A number of these investigations continue. In addition, an Illinois Auditor General's Office audit of the College of DuPage is pending.

D. Unique Aspects of Visit

The aforementioned organizational context in connection with circumstances that put into question the ability of College of DuPage to satisfy the Criteria and Core Components identified in the Higher Learning Commission President's May 5, 2015, correspondence comprise the contents of this report.

Given the number of external criminal and other investigations related to the College, the team was not able to conduct interviews with certain employees, including the Senior Vice President of Administration/Treasurer and the Assistant Vice President of Financial Affairs/Controller, who were on administrative leave at the time of the visit. Likewise, the President, who was on FMLA at the time of the visit and who was also subject to administrative leave by Board action, was not interviewed. [See President Gellman-Danley letter dated September 8, 2015.] The team was able to conduct all other interviews as requested, and the team was given access to a large volume of documents in preparation for the visit. The interviews conducted and the

documentation provided were sufficient to evaluate the Core Components.

The visit took place on the College's main campus in Glen Ellyn. Given the nature of the visit, the team did not visit or conduct any interviews at any other College of DuPage locations. Several interviews of foundation board members were conducted by telephone after the visit.

E. Interactions with Organizational Constituencies

The team visit took place in various meeting rooms at the College's main campus in Glen Ellyn. Individuals and groups who met with the team included the following:

- Acting Interim President
- VP Planning & Institutional Effectiveness
- VP for Development/Executive Director of COD Foundation
- VP Information Technology
- Interim Chief Financial Officer (ALIX Partners)
- Interim Controller (ALIX Partners)
- VP Student Affairs
- VP Academic Affairs
- Director Legislative Relations & Special Assistant to the President
- VP Marketing & Communications
- VP Human Resources
- President, COD Foundation
- Foundation Board Members (3)
- Director, Internal Audit
- Executive Director of the Illinois Community College Board
- President of Faculty Association
- COD Curriculum Committee
- Dean of Continuing Education
- Associate Dean/Director Homeland Education Center
- Manager, Homeland Security/SLEA
- Deans
- Associate Deans
- Faculty Program Coordinators
- Faculty (54)
- Board of Trustees
- Assistant Financial Controller
- Budget Manager
- Students (16)
- SLEA Faculty
- Criminal Justice Full-Time Faculty
- General Manager, Waterleaf Restaurant
- Associate Dean, Business

Dean, Business

F. Principal Documents, Materials, and Web Pages Reviewed

The team requested the College provide a secure electronic site to house various documents the team requested prior to, during, and after the visit. Documents requested by the team (or provided to the team during the visit or by the Commission) included the following:

COD Administrative/Academic Policies Regarding Faculty Governance
CODFA Agreement
COD Board of Trustee Policies
COD Employee Guidebook
Academic Policies and Processes Related to Course Revisions
COD Guide to Curriculum
Copies of the SLEA Curriculum
Basic Police Training Curriculum
Hourly Allocation
COD Organizational Chart
Latest SLEA Program Review
The Federal Compliance Worksheet for SLEA Credit Hour Calculations
COD Credit Hour Policy
Recap of ICCBs Visit Regarding SLEA Credit Hours dated 4-27-2015
Various Media Reports
Websites Related to Trustee Election
COD BOT Conflict of Interest Policy
COD BOT Ethics Policy
COD BOT Ethics Ordinance
COD BOT Policy Re: Credits by Demonstrated Competency
COD Foundation Bylaws
COD Foundation Conflict of Interest
COD Foundation Statement of Values and Code of Ethics
IL Open Meetings Act
IL Governmental Ethics Act
Various Contracts - Foundation Members and COD
COD Internal Audits
ICCB Program Approval Manual
Alix Partners Services Contract (financial)
Employees Foundation Job Descriptions
Payroll Records for COD Employees with Foundation Duties

COD President Breuder - Contract and Benefits
COD Financial Audits (last 3 years)
COD Response Letter
COD Response to Media Stories and Related Documents
ILPEX Feedback Report (2012)
COD Quality Highlights Report-October 2014
2014 HLC Quality Checkup Report
HLC Institutional Reports/Correspondence
COD Website
COD BOT Board Agendas/Minutes
COD BOT Meeting Videos
Ethics Training Slides (11/2006)
Various Syllabi for COD Courses
Foundation Board Roster
Gift Acceptance Policy
Resumes for Various COD Faculty and Academic Administration
Institutional Outcomes Reports
SLEA Instructional Units
MOU - COD and COD Foundation
Information Related to Non-Credit Real Estate Training
SLEA Instructor Information
Auditor Annual Plans
COD Professional Development Documents
Documents Related to COD "Transition Team"
COD Investment Fund Compliance Document
Continuing Education Catalog
Continuing Education Division Course Offerings
COD Faculty Qualifications/Guidelines for Criminal Justice Faculty
Waterleaf House Account Documents
Outcomes Reports
ICCB Executive Director and Staff Member

II. AREA(S) OF FOCUS

The Areas of Focus in the team's report address the Statement of Concerns identified by the Commission's President (as listed in the May 5, 2015, correspondence to College of DuPage) as well as additional concerns identified by the team during the July 21-22, 2015, Advisory Visit.

A-1. Criterion One. Mission. The institution's mission is clear and articulated publicly; it guides the institution's operations.

Core Component 1.D. The institution's mission demonstrates commitment to the public good.

B-1. Statements of Evidence

Evidence demonstrates that further organizational attention and Commission follow-up are required.

College of DuPage (COD) has matured into a very modern campus containing assignable floor space of approximate 1.5 million square feet educating some 29,500 students as indicated in the Institutional Outcomes Mid-Year Report for Fiscal Year 2015. The team could observe the quality of its facilities, classrooms with instructors teaching students, and the necessary supporting infrastructure to ensure overall student success. The COD website posits "From our faculty through to our Board of Trustees, we understand the importance of remaining relevant on multiple levels: interpersonal, academic, civic, cultural and economic. With a steady eye on regional, national and international developments, College of DuPage fulfills its mission as an educational and economic agent of change for the residents it serves." Nonetheless, fissures in the linkages among the stakeholders of this academic community are visible. The most poignant of these observations was a quote from a COD student, recently elected by the student body as the student representative on the Board of Trustees, "Many times the discussion progresses and falls into a political or financial debate accompanied by bickering that focuses on the past and rarely the future."

A synthesis of the American Association of Community Colleges (AACC), The Association of Community College Trustees (ACCT), and the Association of Governing Boards of Colleges and Universities (AGB) suggest similar roles and responsibilities for college and university governing boards. While not a part of the HLC Criteria for Accreditation, these organizations provide research, models, and best practices that serve to guide thousands of colleges and university boards. For example, *Effective Governing Boards* published by the AGB in 2011 defined ten basic responsibilities for boards:

1. Establish, disseminate, and keep current the institution's mission;
2. Select a chief executive to lead the institution;
3. Support and periodically assess the performance of the chief executive and establish and review the chief executive's compensation;
4. Charge the chief executive with the task of leading a strategic planning process, participate in that process, approve the strategic plan, and monitor its progress;

5. Ensure the institution's fiscal integrity, preserve and protect its assets for posterity, and engage directly in fundraising and philanthropy.
6. Ensure the education quality of the institution;
7. Preserve and protect institutional autonomy and academic freedom;
8. Ensure that institutional policies and process are current and properly implemented;
9. In concert with senior administration engage regularly with the institution's major constituencies;
10. Conduct the board's business in an exemplary fashion and with appropriate transparency, adhering to the highest ethical standards; ensure the currency of board governance policies and practices; and periodically assess the performance of the board, its committees, and its members.

Effective Governing Boards suggest that a board works best when its members are "confident that (1) the president displays true leadership; (2) the board remains focused on institution's strategic priorities; (3) the board chair and the president have a good working relationship; (4) the president's cabinet is regularly welcomed into board conversations; (5) the faculty are meaningfully engaged in institutional governance; and (6) the board operates in a culture of cohesiveness, candor, transparency, and high ethical standards. Again, these guidelines provide best practices in college and university governance.

With the recent election of three new members in April 2015, there was no evidence presented of an orientation training session for the new Board members other than a tour of the campus and meeting selected stakeholders. Collaterally, there was no evidence presented that Board members participate in sustainable, structured professional development training. Further, no evidence was presented that the current Board espoused by policy or practice an overall organizing principle. While the Board appears to not traditionally organize themselves into committee structures, there exists four recently established subcommittees for budget, presidential search, audit, and a special committee for the Waterleaf Restaurant.

With the most recent April 2015 election, the Board Chair is described as a reformer with the "Clean Slate" coalition. This election shifted the voting balance for the Board from one "majority" to another with the current Board Chair now in a majority position. As discussed within this report, evidence arose that the new Board is "very hands-on" and the Board Chair characterized herself to the Acting Interim President as "the boss." Interviews with administration noted the Board is undertaking policy

formulation without appropriate administrative review to at least determine the workability of the new policies.

During the interview with the General Manager of the Waterleaf and the appropriate Dean and Associate Dean responsible for the hospitality areas, the vision was to create a destination restaurant that also served as a place for student learning. As a result of the public controversy over the Waterleaf and with the election of the new Board majority, Trustee Bernstein in particular has been actively engaged in investigating the restaurant. The General Manager indicated that he was interviewed by Trustee Bernstein in the presence of others about past operations. During the interview, it was stated that Trustee Bernstein had provided three options to the Business Dean regarding its future. The General Manager was not presented with any such options. It is clear from interviews with culinary students and the General Manager of the Waterleaf that students had access to the Waterleaf facilities on Mondays and Tuesdays but the facility was not available to students the rest of the week. Based on the interview with the General Manager and academic personnel, it does not appear that the General Manager and the academic administration were involved in a collaborative process to present options to the leadership and Trustees of the College. Rather, the evidence indicates that the Board engages in a pattern of activity that are within the purview of the administration.

In an interview with a COD Foundation Board member, the Board member suggested that the Board of Trustees chair intends to direct the Foundation Board. At a minimum, the Board member asserted that the Board of Trustees chair wants a particular Foundation Board member removed.

While the tradition of COD is to allow occasional individual faculty and program presentations to the Board of Trustees, the team notes that the Vice President of Academic Affairs has not directly given to the Board a presentation in the three years of her tenure at the College. While individual presentations of faculty and programs can be quite enlightening, there is no evidence presented that a core leader of the College – the Vice President of Academic Affairs – has presented a strategic or operational view of this important area as a whole. Of course, a key responsibility of the Board is to monitor and make reasoned decisions relative to academic programs and support services. Such a responsibility normally is carried out with direct input and analyses from the chief academic officer of the institution. A mere report reflecting various institutional outcomes does not serve as an appropriate substitution for the Board's full engagement with the chief academic officer, including discussions of academic program reviews and the assessment of student learning outcomes.

A review of past videos of Board of Trustees meetings and the interactions among Board members during the televised team interview of the Board illustrate the lack of communication and trust among Board members. Some members of the Board asserted the College entered into several professional contracts without all members being consulted appropriately. It is unclear whether Board members were unaware prior to these votes or were aware but disagreed about hiring these additional firms. Lack of transparency claims by some Board members include the hiring of Alix Partners to handle the College's financials; Schulyer, Roache & Crisham to handle litigation matters revolving around investigations by outside agencies; and Rathje & Woodward to handle other parts of the Board's internal investigations. During the team's interview of the Board, Board members' comments included "I don't feel I can trust her," "I've been trying to talk to the chair," "I think that things need to change on this Board," and "I phone her. She hangs up the phone on me." The Board chair described the Board's interactions by saying, "It's acrimony." Board members talking over one another and a general lack of civility and professionalism confirmed this during the team's interview. All Board members should be fully informed and should work harmoniously to carry out the duties the Board has in serving the public good.

C-1. Team Determination on Criterion One, Core Component 1.D:

- Core Component is met
- Core Component is met with concerns
- Core Component is not met

Summary Statement on Criterion One, Core Component 1.D:

The COD Board of Trustees would benefit from an enriched professional development program focusing on governance within higher education, duties of board members, and communication both during and outside of Board meetings. The lack of appropriate training and ongoing strife that exists among the Board members serves to impede the Board's ability to serve the public good. Further, the role of operations should be delegated to the President and College staff. Therefore, the team finds that the evidence demonstrates that further organizational attention and Commission follow-up are required.

A-2. Criterion Two. Integrity: Ethical and Responsible Conduct. The institution acts with integrity; its conduct is ethical and responsible.

Core Component 2.A: The institution operates with integrity in its financial, academic, personnel, and auxiliary functions; it establishes and follows policies and procedures for fair and ethical behavior on the part of its governing board, administration, faculty, and staff.

B-2. Statements of Evidence

Evidence is insufficient and demonstrates that Commission sanction is warranted.

Criterion Two, Core Component 2.A. addresses the integrity by which a range of academic and business functions are carried out within a higher education institution. More specifically, the Core Component provides that an institution must operate with integrity in its financial, academic, personnel, and auxiliary functions and, further, that it has established and follows policies and procedures for fair and ethical behavior on the part of its governing board, administration, faculty, and staff. In that regard, Core Component 2.A. has been implicated in many recent media reports that, in part, prompted the current Advisory Visit to the College of DuPage, including, among other things, administrative expenses, employee misconduct, administrative oversight, and investment practices.

College of DuPage recognizes the duty to establish ethical policies and procedures for its governing board, administration, faculty, and staff. Such policies are set forth in the COD BOT Policy Manual, COD Administrative Procedures Manual, and Employee Guidebook. The College also has adopted the state of Illinois ethical rules. The policies are published on the College's website. These policies include a conflict of interest policy.

However, according to information provided by the College's Human Resources Department, there is no current ethics training program for the faculty, administrators, and staff. Although all employees are required to sign and date the College of DuPage Employee Guidebook & Board Policies Acknowledgement form, there is no formal, ongoing program to train on the topic. According to the College's Human Resources Department's written reply to a team inquiry on ethics training, employees are "encouraged to read and become familiar with the board policies." As part of the annual appointment process, full-time faculty and administrators sign and date an appointment letter.

Given the importance of an institution to operate with integrity in its financial, academic, personnel, and auxiliary functions and, further, that the institution establish and follow policies and procedures for fair and ethical behavior on the part of its governing board, administration, faculty, and staff, a formal ethics training program would provide an appropriate

grounding for all internal constituents in appropriate behavior and expectations and would assist in communicating to the College's internal constituencies the importance of following (and reporting violations of) all ethical policies and procedures.

In addition, the following evidence raises concerns regarding whether College of DuPage operates with integrity and/or follows its own policies and procedures for fair and ethical behavior.

- A former long-time employee working for the College's radio station is accused, and currently is awaiting criminal prosecution, of engaging in fraudulent activity in which thousands of dollars were paid by the College to the former employee's separate business for equipment and services the College did not need. Information about the fraudulent behavior was provided some years ago to a College employee (by another local college that was also subject to the same type of behavior), who apparently did not inform any other College personnel.
- Charges for alcohol at the College's fine dining establishment, the Waterleaf, in connection with administrative and board gatherings were (as confirmed by senior administration during the team's visit) in violation of board policy and administrative procedure in most circumstances, with the exception of community meetings and gatherings. According to the College's Interim Chief Financial Officer, a number of the charges that were in violation of the College's Board Policy and Administrative Procedures were actually paid out of the College's operating account beginning some time in September 2014.
- The College of DuPage Foundation is a separate legal entity from the College of DuPage and operates under its own governing board and policies. The Foundation and College operate under a Memorandum of Understanding (MOU) dated June 22, 2009. Over the last number of years, the College entered into a number of competitive and non-competitive bids with vendors whose owners (or persons who work for the vendors) also serve on the COD Foundation Board. Questions have arisen around whether or not such activity, especially with respect to the awarding of non-competitive bids to such vendors, was proper or permitted. There is also the question of whether the awarding of such contracts avoided potential conflicts of interest or even the appearance of such conflicts of interest. Investigations by some external entities and by attorneys retained by the College are ongoing. In addition, the College itself identified one particular contract as being improper. During an interview with the internal auditor, the team

was advised that a contract with Hurricane Graphics was entered into after the contract deadline. According to the internal auditor, this contract was therefore invalid. Yet, despite knowledge of this clear violation, the contract was still accepted by the College.

- The College's internal audit report in connection with the investments of College assets indicates there were serious breaches by the College, including the fact that "the investment portfolio has several areas of non-compliance including exceeding the limits of specific types of investments that do not meet dollar, maturity or asset quality thresholds of Board Policy." In particular, the College's investments in the Illinois Metropolitan Investment (IMET) Fund, as of September 30, 2014, represented 29.2% of the College's investment portfolio. Yet, the Board's policy limits investments in local government investment pools to 5% percent of the College's portfolio. There were a number of other failings with respect to the fund investments and lack of controls over the fund investment process. As indicated previously, the College was subject to losses of over \$2 million on its investment portfolio. Further, two top administrators were placed on administrative leave and are subject to further internal and external investigations. The team was advised during several interviews with administrators that the Board was not provided full information regarding the specific investment percentages.

Moreover, other employees within the Financial Affairs office (including the Assistant Controller) received investment reports in the regular course of business (these reports clearly indicated that certain investments were beyond the Board's policy thresholds) but did not bring the matter to anyone's attention. In fact, the Assistant Controller indicated that he did not see any reason to alert anyone at the College since his supervisor, the Assistant Vice President for Financial Affairs/Controller, also received the report, even though there was access to an internal ethics telephone number to report such violation, as well as an internal auditor.

As stated earlier, while the Board received information in connection with the College's investments, the reports were not detailed enough to provide information on the specific percentage of each investment. An attempt by the administration in spring 2015 to modify the Board's policy in connection with fund investments (after the loss was incurred) was ultimately never introduced to the full Board. According to comments made by then-Chair Birt, the President and the Senior Vice President of

Administration/Treasurer recommended the policy changes but did not advise her of the current status of the investments.

- At the time of the visit, the internal auditor advised the team during an interview that he reported directly to the President. Over the last three years, there were 43 separate internal audits conducted by the internal auditor. Many of the audits were conducted pursuant to the College's audit plan. In that regard, some of the audits were conducted pursuant to state law while other audits were conducted pursuant to Board policy, as outlined in the plan. Additional audits were conducted upon reports (e.g., through the ethics hotline) of alleged illegal or unethical conduct or suspected violations of College policy or procedure. All final audit reports were provided to the President and only to the President. The internal auditor could not speak to any actions the President, or other College personnel, took as a result of the audit reports. No internal audits were conducted in relation to the alleged abuses by senior administrators at the Waterleaf restaurant. Finally, there was an internal audit of the SLEA credits but the report only stated that the Illinois Community College Board (ICCB) approved the change, which was not entirely accurate as revealed in an interview with the Executive Director of the ICCB, which is discussed further in the section addressing Core Component 3.A.

The evidence indicated that some audit reports pointing to ethical violations at the College were not acted upon. For example, the audit conducted in connection with the College's investments in certain funds recommended remedial action. When a draft of this report was sent to the Financial Affairs department for response, it was ignored for approximately 7 weeks. The internal auditor completed the report without any input from that department. The internal audit was later leaked to the local media. An internal audit was also prepared based on allegations that the current Board Chair violated College rules in connection with the April Board of Trustees' election. There was no evidence that the report was ever shared with the Board of Trustees during a board meeting.

C-2. Team Determination on Criterion Two, Core Component 2.A:

- Core Component is met
- Core Component is met with concerns
- Core Component is not met

Summary Statement on Criterion Two, Core Component 2.A:

While the College has recently proposed and adopted a number of policies ostensibly designed to tighten financial and other controls and, also, has initiated several internal investigations, it is still too early to demonstrate sufficient evidence of meeting the standards in connection with this Core Component nor is there sufficient evidence to show that such actions have resulted in moving the College forward.

Each of these circumstances, taken alone, might be determined to be the action(s) of a single individual or group of individuals; however, taken in the aggregate, the team has determined that the evidence is insufficient to demonstrate that the College follows its policies and processes to support its operations and decision-making in compliance with Core Component 2.A. and, therefore, indicates that Commission sanction is warranted.

A-3. Criterion Two. Integrity: Ethical and Responsible Conduct. The institution acts with integrity; its conduct is ethical and responsible.

Core Component 2.C. The governing board of the institution is sufficiently autonomous to make decisions in the best interest of the institution and to assure its integrity.

B-3. Statements of Evidence

Evidence demonstrates that further organizational attention and Commission follow-up are required.

Criterion Two, Core Component 2.C. speaks directly to the independence of the governing board and requires that the governing board be “sufficiently autonomous to make decisions in the best interest of the institution to assure its integrity.” The sub-components underscore areas in which autonomy can be exhibited: (1) that deliberations reflect priorities to preserve and enhance the institution; (2) that the governing board considers the interests of varied stakeholders during deliberations; (3) that the governing board preserves its independence from undue influence; and (4) that the governing board delegates institutional management to the administration and oversight of academic matters to the faculty.

A review of the Board of Trustees’ meeting agendas dating back more than a year provide evidence that the Board’s deliberations do not always appear to reflect priorities to preserve and enhance the institution and

raises questions about whether the Board's conduct is responsible in terms of its oversight of the institution.

As referenced elsewhere in this report, the newly-elected student Board Trustee, who took office during the April 30, 2015, Board organizational meeting, provided insight to the team during the Advisory Visit by sharing a portion of her written personal notes she took during a recent Board meeting. Her full note indicated "I do not believe the Board always keeps the students in their best interest. Many times the discussion progresses and falls into a political or financial debate accompanied by bickering that focuses on the past and rarely the future. This Board sometimes operates as two separate entities and I am pleased to say but disheartened that I have to be there to remind them that we are here for the students first." The Board of Trustees' meeting records, including the video record, are replete with admonitions of members from the student body, faculty, and community members regarding the dysfunctional nature in which the Board operates. Board Trustees have even used the public comment portion of the Board meetings (under the auspices of being private citizens) to carry out their various disputes (as happened during the August 13, 2015, meeting).

These statements are borne out time and time again through numerous interactions among the Board members during Board meetings in which rules of order and decorum appear to be replaced with what students, faculty, and community members have publically stated as, among other things, "bickering" and unproductive behavior. Electronic recordings of Board meetings clearly show Board Trustees talking over each other, rolling eyes, whispering, and demonstrating other negative verbal and non-verbal behavior. Despite numerous public admonishments from the College's constituencies about the Board (including community members, students, and faculty), the team saw little evidence that the Board will be able to fully function in the manner expected and needed to enhance the College without appropriate board development and relationship building. In fact, the team witnessed this ongoing dysfunction during the Board's special meeting held on July 21, 2015.

During the July 21, 2015, special board meeting, one Board Trustee said, "When the Clean Slate won [during the April 2015 election], we had an organizational meeting that was a *fait accompli* before we were ever seated. There were engagements of attorneys with letters to the chair before she had ever been elected the chair. . . We have conflicts of interest all around us. We have individuals being hired here on campus who have personal and political affiliations with various members of this board. I am very disturbed about that."

At the same meeting, another Board Trustee indicated that there is a lack of trust and a lack of rapport on the Board. She also said there is a lack of information for Board Trustees who are part of the "minority." While the current Board Chair indicated that some activities would be planned to enhance Board of Trustee relationships (e.g., a potential Board of Trustee trip to a soup kitchen), there has been no substantive attempt by the Board to engage in formalized, substantive professional development activities despite the College's membership in the Association of Community College Trustees (ACCT).

Shortly after the visit, and while the team was still interacting with the College to follow up on various team requests, the team became aware that several Board members filed Freedom of Information Act (FOIA) requests in connection with their own Board. In that regard, Trustees Birt and McGuire filed two Freedom of Information Act (FOIA) requests each on July 23 and 27, 2015, detailing a total of 24 requests including communications to attorneys, information on internal investigations, financial reports and invoices. Whether or not these requests were warranted, they serve as evidence of the serious dysfunction among the Board members.

As indicated above, during the July 21, 2015, special board meeting, the team observed a response from one Board Trustee in particular regarding her claim of the lack of information from the board leadership. This Board member cited several instances in which she felt information was not forthcoming, including financial statements, timely notice of Board issues, and agenda items. The Acting Interim President also indicated during an interview that there is an inconsistent manner in which "minority" Board members are provided information.

More recently, the Board has begun termination proceedings against the College President. Board Trustee McGuire said in an August 19, 2015, *Chicago Tribune* article that she was unaware that the August 20 Board agenda would include an item about the President's employment until told so by the *Chicago Tribune*. She stated that the Board Chair called her after the agenda was posted online. Trustee McGuire was quoted in that article saying that she had "absolutely no knowledge of the basis for this action, which is not surprising given the reluctance or outright refusal of our chair to share critical information with all members of the Board. . . It is a further testimony to the dysfunctional and unprofessional behavior of our Board leadership."

During a second interview with the Acting Interim President, the team pointed out that a discrepancy existed between what the team was told by Board Trustees during the special board meeting on July 21, 2015, and what the administration told the team earlier the first day of the visit in

connection with whether any College board orientation program was provided to the new Board members. The administration indicated that no new Board Trustee went through a formal orientation program put on by the College. This assertion was supported by the lack of any documentation asked for by the team indicating what, if any, orientation program was provided to new Board Trustees. (It should be noted that Trustee Mazzochi attended a state-run board of trustee member orientation program.) However, during the July 21, 2015, Board meeting, several new Board of Trustee members indicated that they had gone through such a program. Yet the Acting Interim President indicated during a follow-up interview that there is no Board orientation program at the College. Two new Board Trustees were provided a tour and met various department personnel. Again, no formal orientation program was provided nor does one exist at the College according to the administration. To address the inconsistency raised by the team, the Acting Interim President advised the team that the Board “said what you [the visiting team] wanted to hear” during the July 21, 2015, special board meeting.

Board members have a duty to represent all the people of the state and no particular interest, community, or constituency. In accordance with the Association of Governing Boards of Colleges and Universities (AGB), each Trustee of the Board must fully and faithfully carry out the duty of care, duty of loyalty, and duty of obedience free from any influence by inside or outside constituencies or other persons or entities, including affiliations the Board Trustees may have outside the College setting. It became apparent during the team’s visit that one concern centered around whether certain watchdog groups or others, and their apparent association with one of more members of the Board of Trustees, could be construed as “undue influence.” And further, whether the Board of Trustees could attempt any undue influence on other governing entities connected to the College.

The potential influence from outside groups was alleged by the then-President in a September 2014 newsletter. In that newsletter, the President stated that: “Trustee Hamilton has aligned herself with a political action group, ‘For the Good of Illinois’ and apparently the Tea Party. For the past several months, about two dozen supporters have attended Board meetings and severely criticized the College, members of the Board and the administration. Their emotional, inflammatory rhetoric is often laden with misrepresentations of the facts, a distortion of the truth, and uncivil.”

During the Board election process, attention paid to the Clean Slate ticket, backed publically and financially by Trustee Hamilton, enjoyed favorable coverage and support by several watchdog groups. The team also heard

assertions during various interviews that Edgar County Watchdogs and Open the Books have been Chair Hamilton's staunchest supporters. During an interview, the Acting Interim President indicated that the Board Chair is "good friends" with one of the watchdog groups. There were also comments during interviews (and during past Board of Trustee meetings) that the attorneys retained by the Board immediately following the April 2015 election represented the current Board Chair in prior matters involving the College and that these attorneys also represented one or more of the local watchdog groups in matters involving the College.

Additional information provided to the team from a Trustee indicated that "[T]here are also external groups operating just below the surface. For the Good of Illinois, the Edgar County Watchdog group, the Tri-County Tea Party, and, occasionally, a representative from America for Prosperity. They are all present at our meetings, file hundreds of FIOA requests, and speak during our two public comment portions of the meeting. How influential these groups are with the current Board leadership would have to come from Chair Hamilton."

With respect to the delegation of day-to-day management, the administration's role under the new Board of Trustees (constituted after the April 7, 2015, election and subsequent Board vote seating the new Board Chair) is questionable. In that regard, a number of internal constituencies advised the team during the visit that the Board is quite "hands on" in connection with the College's operations. For example, during a second interview on July 22, 2015, the Acting Interim President advised the team that the Board Chair is "hands on," and that the Board is "operational more than normal." He further indicated that the Board Chair is "micromanaging" the College and calls "very often" with instructions for the Acting Interim President, such as "call around and hire attorneys."

As stated earlier, the Board Chair also instructed the Acting Interim President to hire an employee to report to the Acting Interim President. According to the job description, this new temporary position at the College is called the "Assistant to the President for Institutional and Transition Affairs." The team requested a copy of the job description, which lists three duties: "participate on and provide counsel to COD transition team, work with Board of Trustees as appropriate, and other duties as assigned." Under the "experience and education," the job description simply indicates "N/A." The Acting Interim President told the team that this position was not advertised and that no interviews were conducted. In fact, the Acting Interim President was directed by the Board Chair to hire a particular individual, Chris Robling. When asked what the individual would do for the President, the team was advised that the temporary employee would work for the Board Chair. The team was also advised (during this interview and from other information provided to

the team) that this person worked with the “Clean Slate” candidates during the April 2015 Board election and also is connected with the Board Chair. A Board Trustee also questioned the employment of this individual during several Board meetings.

The Board’s recent actions on policy development and approval serve as another example of the Board’s apparent unwillingness to acknowledge the role of the administration within the governance structure of the College. In that regard, the Acting Interim President indicated that the administration had no involvement whatsoever in connection with the recent adoption of Board policy. While Board policy is certainly within the purview of the Board, the lack of administrative input and insight can be wrought with difficulties. During an interview, the Acting Interim President referenced the new Board policy in connection with the internal auditor. The College’s internal auditor reports directly to the College President. The College’s Board approves the annual internal audit plan. However, all internal audit reports are only provided to the President. The Board’s new policy would require the internal auditor to report to the Board. The administration does agree with the reporting structure under the proposed new policy but prefers that audit reports would be provided to the President and the Board. The administration did not know of the new policy recommendation until provided with the packet for a scheduled Board meeting. In fact, according to the Acting Interim President, the administration has not been notified or consulted on any new policy recommendation. Administrative involvement in policy development is a matter of course and sound practice in higher education institutions. Moreover, such a practice helps the governing board ensure that institutional policies and processes are current and can be properly implemented and supported.

Other recent policies adopted by the Board also raise questions on the respective roles of the Board and the President and administration to govern the College. The current Board Chair provided the team with a document, prior to the July 21, 2015, special board meeting, that summarized the Board’s actions since April 30, 2015, including a list of approved and pending Board policy changes. For example, Board Policy 5-15 was revised in May 2015. This policy describes the responsibilities of the Board of Trustees. The Board Chair’s comments accompanying the description of the policy change included the following: “We recognize that the College President has a very important role to play at the College of DuPage. We do not wish to marginalize that office. However, the Board of Trustees must NEVER AGAIN delegate its powers, or surrender is [sic] responsibility to govern the College President or anyone else.”

Board Policy 5-90 was also revised to provide that “The Board delegates to the President the responsibility (and the President is required) to develop, implement, propose and modify procedures as necessary to carry out the Board’s policies, rules, and actions. However, all procedures shall be subject to final Board approval, and the Board may modify or revoke any procedures at any time.” The Board’s new authority to modify or revoke an administrative procedure at any time blurs the lines between the board’s stewardship of the institution and the administration’s responsibility to carry out day-to-day oversight and management. In that regard, the administration’s expertise and resources in carrying out Board policy and effectively managing the institution is now subject to immediate revocation or modification. These policy changes appear to be in line with the current Board Chair’s statement in late May 2015 that the “administration has too much authority and the Board has less authority.”

As indicated earlier, the interview with academic personnel and the Waterleaf general manager indicated a level in involvement by a Board Trustee not normally seen within the governance structure. During an interview with academic personnel regarding the use of the Waterleaf restaurant (as well as the potential future of the facility), the team was advised that plan options for the Waterleaf were presented by Trustee Bernstein rather than from the faculty or academic administrators. In fact, the team was advised that academic personnel were not involved in creating the plan options.

During separate interviews with Foundation Board members, the team became aware of certain activities that call into question the relationship between the Foundation and the College. In a recent meeting between members of the Foundation Board executive committee, the Board Chair, and the newly hired Assistant to the President for Institutional and Transition Affairs, the Board Chair described a transition committee that will be established to review foundation activities and recommend "best practices." If such a committee were to be developed by College officials, it could create a number of issues in connection with the Foundation's independence as a 501(c)(3) entity and would appear to exist beyond the scope of the Memorandum of Understanding between the College and Foundation. According to information the team received, it was also suggested during this meeting that the Foundation Board remove one of its members from the board. While the Foundation is a separate entity, the creation of a transition committee by the College places into question the lines of authority that must necessarily exist between the two legal entities. The College's attempt to exert some form of oversight on the Foundation through this process again blurs the lines in connection with Board of Trustee stewardship. Such an action further serves to illustrate the Board’s apparent unwillingness to recognize the proper roles of governing bodies, even one that is part of a separate legal entity.

C-3. Team Determination on Criterion Two, Core Component 2.C:

- Core Component is met
- Core Component is met with concerns
- Core Component is not met

Summary Statement on Criterion Two, Core Component 2.C:

Members of governing boards of colleges and universities owe a fiduciary duty to the institution. The lack of an effective orientation program and ongoing professional development deprives board members of the knowledge and appreciation of the duties of service and, further, that the board should act in good faith and in the best interests of the institution. Among other responsibilities, governing boards must conduct the board's business in an exemplary fashion. From dysfunction in the boardroom to airing out differences in the media, that has not been the case at the College of DuPage.

Although the process to seat community college trustees is fundamentally a political process in Illinois, the primary focus of the electorate should be the placement of the most able, experienced, and deserving citizens to serve on governing boards. Reform is sometimes necessary and welcome at higher education institutions; however, such initiatives must be pursued solely in the best interests of the institution and its constituents. The Board of Trustees would be well served to engage in professional development activities that expand Trustee understanding and appreciation for the Board's duties and responsibilities, as well as its relationships with external entities.

The Board of Trustees has not yet balanced its role as a governing body against the role of the administration (and other entities tied to the College) in handling the day-to-day management of the College.

Taken together, the team finds that the evidence demonstrates that further organizational attention and Commission follow-up are required.

A-4. Criterion Three. Teaching and Learning: Quality, Resources, and Support. The institution provides high quality education, wherever and however its offerings are delivered.

Core Component 3.A: The institution's degree programs are appropriate to higher education.

B-4. Statements of Evidence**Evidence demonstrates that further organizational attention and Commission follow-up are required.**

Sometime in the summer or fall of 2014 College of DuPage administrators compared the number of credits they were giving to SLEA cadets with the number of credits given by other police training academies within the state of Illinois. Interviews and copies of emails show that the Dean of Continuing Education/Extended Learning encouraged the SLEA Director to complete a crosswalk between the SLEA instruction units and the objectives of criminal justice courses to determine if COD could give cadets credit for additional criminal justice courses. COD was already giving SLEA cadets nine criminal justice credits and four physical education credits. While news articles speculate that the motive for the Dean's directive was to increase enrollment figures, the team could not definitively confirm this.

Within the context of this issue, the team found the following. September 2014 copies of email correspondence between the Executive Vice President and the Dean of Continuing Education/Extended Learning emphasized enrollment numbers for the official enrollment report on the 10th day of the fall semester. Comments in the emails praise continuing education for the increase, specifically dual credit and "The SLEA Academy equity increase adds 6% to the total."

The SLEA Academy Director informed the team that he did not know how the academic process worked so he received help from the Associate Dean of Social and Behavioral Sciences to determine if cadets could be given credit for additional criminal justice courses. Email correspondence from the Dean of Continuing Education/Extended Learning refers to this work as the Associate Dean/Academy Director's Equity Initiative. After the Associate Dean and the Academy Director completed a crosswalk between the SLEA curriculum and criminal justice courses, they determined that SLEA cadets could receive credit for three additional criminal justice courses (nine credits). The Dean of Continuing Education/Extended Learning submitted the request for granting additional credit to the Vice President for Academic Affairs. After the Vice President for Academic Affairs' approval, the number of criminal justice credits awarded to SLEA cadets increased from 13 to 22 credits without any increase in instructional time and without any changes to the SLEA curriculum. This increase began with the fall 2014 semester.

The SLEA Director is a retired U.S. Department of Justice agent who holds a Bachelor of Arts degree in criminal justice while the Associate

Dean of Social and Behavioral Sciences holds a master's degree in experimental psychology - developmental.

Interviews with faculty and administrators revealed that in 1994 a full-time former professor of criminal justice and coordinator of the criminal justice degree program agreed to award nine criminal justice credits to police recruits in SLEA (CRIMJ 1110 Police Operations & Procedures, CRIMJ 1120 Traffic Law & Investigation, CRIMJ 1152 Criminal Law). COD could not provide any institutional paperwork of the process that was used to determine how these nine criminal justice credits match the SLEA curriculum. While documents from 1994 were difficult to locate, nonetheless this action put into motion what has now manifested into an increase in credit hours.

Clock hours devoted to the four physical education credits awarded to SLEA cadets are 30.5 for Aerobic Fitness, 48 for Marksmanship, 44 for Personal Defense, and 32 for CPR-Basic Life Support. Beginning in 1994, COD awarded SLEA students nine criminal justice credits and four physical education credits for a total of 13 college credits.

According to interviews and copies of email correspondence, before the fall 2014 semester began, the SLEA Academy Director and the Associate Dean of Social and Behavioral Sciences completed a crosswalk between the SLEA instruction units and the objectives of three additional criminal justice courses, namely, CRIMJ 1135 Gangs and Criminal Justice Law, CRIMJ 2230 Criminal Investigations, and CRIMJ 2240 Juvenile Delinquency. Through the Dean of Continuing Education/Extended Learning, the crosswalk to these criminal justice courses was sent to the Vice President for Academic Affairs who approved the awarding of these nine additional criminal justice credits without any increase in instruction or clock hours. Beginning in Fall 2014, SLEA cadets were automatically given 22 college credits, 18 in criminal justice and four in physical education. The 22 college credits represents 825 clock hours, which neither the faculty nor the administration were able to substantiate.

August and September 2014 email correspondence details administrators' communication asking for syllabi to be created in Blackboard for these SLEA-criminal justice courses and asking the SLEA Program Manager to record grades for these courses. By the middle of October 2014, administrators made the decision to change two of the criminal justice courses that would be granted credit. Gangs and Criminal Justice Law and Juvenile Delinquency were dropped and CRIMJ 1153 Rules of Evidence and CRIMJ 2150 Multiculturalism and Diversity in Criminal Justice were given credit instead. The SLEA Program Manager questioned the granting of additional credit for these courses, refused to

enter grades for these new courses, and subsequently resigned in December 2014.

An interview with the Executive Director of the Illinois Community College Board (ICCB) revealed that ICCB academic personnel reviewed the SLEA - criminal justice crosswalk for CRIMJ 1153 Rules of Evidence, CRIMJ 2150 Multiculturalism and Diversity in Criminal Justice, and CRIMJ 2230 Criminal Investigation and found it reasonable. While this was a tentative assessment of the ICCB, the team's review of the crosswalk calls that preliminary assessment into question. Following are three examples that contribute to the team questioning that assessment.

1. Police Citizen Relations/Cultural Diversity is a SLEA instruction unit that is covered in 8 clock hours with "practicals" included. It is used to justify five of 10 objectives for the CRIMJ 2150 Multiculturalism and Diversity in Criminal Justice course.
2. Crime Scene Identification is a SLEA instruction unit that is covered in 12 clock hours with "practicals" included. It is used to justify the objective, "Analyze the fundamental principles underlying evidentiary case development phases of police activity" of CRIMJ 1153 Rules of Evidence and to justify the objective, "Interpret the basic techniques of physical, chemical, and instrumental methods of evidence analysis" of CRIMJ 2230 Criminal Investigation.
3. Vehicle Stops - Racial Profiling is a SLEA instruction unit that is covered in 2 clock hours. It is used to justify the objective, "Explain, evaluate and apply important theories and policies regarding cultural diversity issues" of CRIMJ 2150 Multiculturalism and Diversity in Criminal Justice.

The ICCB Executive Director referred to the non-credit SLEA program converting to criminal justice credits as a Prior Learning Program, but cautioned that ICCB is still conducting a targeted audit. The College's Vice President for Academic Affairs likewise referred to it as Prior Learning Program credit. The College, however, does not have a Prior Learning Program policy even though some individual areas grant credit for prior learning. The Dean of Continuing Education/Extended Learning, Associate Dean/Director of the Homeland Education Center, and the SLEA Academy Director said they never thought of SLEA as prior learning, but rather as giving credits for regular courses. This lack of understanding raises concerns as to the College's ability to ensure its degree programs are appropriate for higher education and credit awarded for prior learning.

Also in the interview with the Dean of Continuing Education/Extended Learning, Associate Dean/Director of the Homeland Education Center,

and the SLEA Academy Director, the team learned that indeed the 22 credits are treated like regular courses since an additional section of each of the courses for which SLEA cadets receive credit is added and the cadets are automatically enrolled in them. Transcripts confirm that SLEA cadets are enrolled in the non-credit ILETSB SLEA program and in criminal justice and physical education courses simultaneously. While the Associate Dean/Director of the Homeland Education Center is the instructor of record for the criminal justice courses and enters students' grades, he does not teach in the SLEA program.

College of DuPage lists the number of clock hours for the SLEA program as 480. A SLEA credit worksheet provided to the team states that "cadets attend the Academy five days a week, nine hours a day for 12 weeks." These calculations equal 540 clock hours. The SLEA curriculum document that lists instruction units with clock hours for each unit totals 496 clock hours which includes four hours for course orientation and three hours for graduation rehearsal and ceremony. While the College does not claim that all of the instruction units apply to criminal justice courses or physical education courses, it does assert that completion of the SLEA curriculum warrants 22 credits.

The College of DuPage credit hour policy is stated in the Educational Programs - Instructional Policy - 25-76. Assignment of Credit Hours. It reads as follows:

College of DuPage will equate its learning experiences with semester credit hours using practices common to institutions of higher education. The lengths of academic programs shall be comparable to similar programs found in accredited institutions of higher education.

The federal Department of Education's Dear Colleague letter, GEN-11-06. March 18, 2011, defines a credit hour on Page 5 of 15 - Credit Hour. Enclosure A. Regulatory Language

In 34 CFR 600.2 of the final regulations, we defined a credit hour for Federal programs, including the Federal student financial assistance programs, as--

An amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than:

- 1. One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester or trimester hour of*

- credit, or ten to twelve weeks for one quarter hour of credit or the equivalent amount of work over a different amount of time; or*
- 2. At least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities as established by the institution, including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.*

In the case of a program subject to the clock-to-credit-hour conversion requirements, institutions must determine the credit hours to be awarded for coursework under those requirements. (See 34 CFR 668.8(k) and (1).) [An example of clock-hour conversion on page 8: The conversion of 900 clock hours to 24 semester hours is appropriate under the conversion standard of 37.5 clock hours per semester hour under 668.8(1)(1) of the October 29 regulations.]

The federal credit hour policy of 37.5 clock hours equaling one credit calls into question how the SLEA program can yield 22 credits. Whether SLEA cadets spend 480, 496, or 540 clock hours completing the ILETB curriculum and whether they might spend a few more hours studying or practicing outside of class, according to the federal definition of a credit hour, 22 credits is not justified. To earn 22 credits, 825 clock hours are required.

Because College of DuPage is enrolling SLEA cadets in criminal justice courses, they are counted as students. While currently the police forces that recruit the prospective police officers pay for all of their training in the SLEA, these “students” could be eligible for Title IV financial aid. Therefore, there is the potential for these “students” to receive federal and state financial aid for 22 credits in violation of the federal credit hour definition. The federal definition of credit hour is the standard for all of higher education. COD’s practice of awarding this number of credits for SLEA participation is not appropriate to higher education.

C-4. Team Determination on Criterion Three, Core Component 3.A:

- Core Component is met
- Core Component is met with concerns
- Core Component is not met

Summary Statement on Criterion Three, Core Component 3.A:

The charge for the team was to look in detail at the non-credit SLEA program with respect to this Core Component. In sum, College of DuPage is giving 22 college credits for the non-credit SLEA program

by simultaneously enrolling students in college courses and in the non-credit program. The crosswalk between SLEA instruction units and the objectives of the three recently added criminal justice courses does not show that adequate attention is given to the criminal justice courses' objectives. In addition, the institution made a concomitant change in credit hours without an increase in the hours of instruction and was not able to justify the number of credit hours. Likewise, the clock hours allocated to the SLEA curriculum and the credits awarded do not follow the federal definition of a credit hour. Therefore, the team concludes that the evidence demonstrates that further organizational attention and immediate Commission follow-up are required.

A-5. Criterion Four. Teaching and Learning: Evaluation and Improvement. The institution demonstrates responsibility for the quality of its educational programs, learning environments, and support services, and it evaluates their effectiveness for student learning through processes designed to promote continuous improvement.

Core Component 4.A: The institution demonstrates responsibility for the quality of its educational programs.

B-5. Statements of Evidence

Evidence demonstrates that further organizational attention and Commission follow-up are required.

Subcomponent 1 speaks to program review. College of DuPage has a thorough program review process. A schedule of review ensures that all programs are reviewed. A template is used that includes assessment methods, environmental scans, program cost, improvements since last review, and plans for future improvement. Annual updates include the status of the current Student Outcome Assessment Project that gives details on assessment measures, assessment results, use of results, and effect on program, discipline, and course.

The SLEA program review submitted to the team did not follow the normal College program review template. The areas addressed in the two-page document are Program Need, Cost-Effectiveness and Quality, Program Improvements over the Past Five Years, and Future Improvements. Administrators in the Homeland Security Training Institute completed the review. The document focuses on the financial aspects of the program. No academic assessment data or results are evident. Normally, program review involves faculty and assessment of student learning information.

Subcomponent 2 speaks to evaluating the credit a college transcripts. College of DuPage administrators did a crosswalk between the non-credit SLEA curriculum and some of its credit-bearing criminal justice courses. The College's determination was that an increase from 13 credits to 22 credits without the addition of clock hours was warranted. As discussed in 3.A., the team does not believe 22 credits are justified. While the team believes the College came to an erroneous conclusion, the College did follow an evaluation process for placing 22 credits on SLEA cadets' transcripts.

Subcomponent 4 speaks to institutions maintaining and exercising authority over the rigor of courses, expectations for student learning, etc. The SLEA Academy Director is hired by the College of DuPage. The Academy Director reports to an Associate Dean and to the Dean of Continuing Education/Extended Learning. ILETSB determines the SLEA curriculum and approves all instructors. While the College of DuPage does have quasi-supervision through the Academy Director, it does not have authority over the SLEA curriculum or complete autonomy in hiring the instructors, yet the College gives 22 college credits to the SLEA cadets simultaneously while students are enrolled in the academy.

C-5. Team Determination on Criterion Four, Core Component 4.A:

- Core Component is met
- Core Component is met with concerns
- Core Component is not met

Summary Statement on Criterion Four, Core Component 4.A:

COD has a program review process. The SLEA program is part of that process. However, administrators rather than faculty conducted the review and learning outcomes are not included for the SLEA program. To demonstrate its responsibility for the quality of its educational programs, more attention needs to be given to ensuring that SLEA cadets fulfill the College course objectives for which they are being given credit. Therefore, the team finds that the evidence demonstrates that further organizational attention and Commission follow-up are required.

A-6. Criterion Five. Resources, Planning, and Institutional Effectiveness.

The institution's resources, structures, and processes are sufficient to fulfill its mission, improve the quality of its educational offerings, and respond to future challenges and opportunities. The institution plans for the future.

Core Component 5.B. The institution's governance and administrative structures promote effective leadership and support collaborative processes that enable the institution to fulfill its mission.

B-6. Statements of Evidence

Evidence is insufficient and demonstrates that Commission sanction is warranted.

As of the July 2015 meeting, the Board had not been presented financial statements for May, June, and July 2015 presumably because of reporting changes requested by the Board Chair. In interviews with senior administrators, the team learned that the current Board Chair and Vice Chair did not "trust" the financials that were being presented to the Board and determined that no further financial reports would be presented until a complete review had been completed and changes made to the reports. In an interview with Financial Affairs staff, representatives indicated the financials were, in fact, prepared but not presented pending a review. During more than one meeting of the Board of Trustees, several Trustees have complained that the lack of financial statements have prevented the Board from providing financial oversight.

Further, as explained elsewhere in this report, investment portfolios were placed in assets contrary to Board of Trustee policy with the Board seemingly unaware of this condition. These investment transactions were contrary to policy stipulations and eluded the Board because of a lack of detail in financial reporting. Losses were estimated to have been over \$2.2 million. As discussed earlier, there were also issues raised in connection with the Board's direct involvement in matters normally delegated to the administration (i.e., the Board's meeting with academic and Waterleaf personnel regarding plans for the restaurant's space), as well as the Board's direction to hire a specific person to work with the Board. Other circumstances placing the College's governance and administrative structures into question in relation to effective leadership and oversight were discussed in connection with Core Component 2.A.

There are several College of DuPage policies and procedures that address the faculty's role in curriculum decisions, including the Contractual Agreement between the Board of Trustees of College of DuPage and College of DuPage Faculty Association IEA/NEA (2012-2015 with extension through 2017), Guide to Curriculum: Curriculum Process and Development Update – 2009, and Administrative Procedure Manual. In addition, the 2013 Assurance Narrative Index that College of DuPage submitted to the Higher Learning Commission stated that "[A]ll new and updated courses are reviewed internally by the Divisional Curriculum Committee and the College-wide Curriculum Committee before going to

the Illinois Community College Board for review and approval.” Higher Learning Commission Assumed Practice B speaks to Teaching and Learning: Quality, Resources, and Support. Specifically, Assumed Practice B.2.c. states “Faculty participate substantially in:

1. Oversight of the curriculum-its development and implementation, academic substance, currency, and relevance for internal and external constituencies;
2. Assurance of consistency in the level and quality of instruction and in the expectations of student performance;
3. Establishment of the academic qualifications for instructional personnel;
4. Analysis of data and appropriate action on assessment of student learning and program completion.”

However, during an interview, criminal justice faculty complained they were not consulted about the recent change in the number of credits for the SLEA program. These faculty members provided a history of the awarding of nine criminal justice credits as the work of administrators and one former criminal justice faculty member in 1994. At that time, the faculty disagreed with the awarding of the original nine criminal justice credits.

Moreover, SLEA instructors indicated they, too, were not involved in the recent decision to increase the criminal justice credits awarded saying they “know nothing about it.” SLEA instructors said they have not seen the criminal justice objectives or the crosswalk completed by administrators. In fact, they teach the ILETSB curriculum (discussed above in connection with Core Component 3.A.).

The Vice President for Academic Affairs stated during an interview that faculty should be involved whenever there is a change in credits such as a change from “3 to 4 credits for a course.” When asked if the faculty was involved in the decision to change the number of credits awarded from 13 to 22, she replied that they were not. When asked why she approved the change in credits, she replied that she thought the faculty were involved since the Associate Dean for Social and Behavioral Sciences brought it to her for approval.

From a broader perspective, fifty-four faculty members attended the open session with faculty. Without a dissenting voice, faculty members indicated they were upset that the administration had increased the number of criminal justice credits awarded to SLEA cadets without faculty involvement. They expressed concern that administration would repeat this action in other programs citing the Carpenter’s Apprenticeship

Program, Pharmacy Technician, Real Estate, and Massage Therapy as potential examples. Faculty also asserted the College's alternative credit peer review or Prior Learning Assessment is distorted. Administration and faculty agreed in separate interviews that COD had no consistent format for evaluating prior learning. For example, SLEA and the carpenter's union credit program were handled in different ways by College faculty and staff. Faculty also felt that a "crossover" program was going to be increased to turn more non-credit courses into awards for credit. At this point, the College maintains that only two above-referenced programs exist of this kind.

As a whole, faculty held a generally unfavorable review of the Division of Continuing Studies. Individual faculty felt that Continuing Studies were naming their non-credit programs similar to credit, accredited program in order to "confuse" students that appears to have an effect of driving down enrollments within Academic Affairs. Faculty cited examples that include medical assisting, pharmacy tech, and medical coding classes which appear in the Ed2Go portion of their catalog.

Finally, during the team's interview with the Board, it was reported to the team that the Board felt faculty relations between the College and the faculty were good. However, the faculty asserted that even with the President on administrative leave, the "next level down in the hierarchy" have not addressed concerns faculty raised in the vote of no confidence (discussed earlier in this report). In fact, the faculty complained that practices involving "bullying and corruption" continued. During the open faculty interview, the faculty as a whole felt they were the "B-team." This particular issue was noted by a visiting team in 2007. Yet, it does not appear that circumstances have improved since that time. In fact, the vote of "no confidence" indicates that matters involving the faculty continued to deteriorate. This is consistent with faculty comments regarding the lack of a true shared governance structure.

While the College has a Shared Governance Committee, Division Curriculum Committees, and College Curriculum Committees, the overall ethos of this community seemingly lacks trust. Senior administration (and particularly the Vice President for Academic Affairs) noted that faculty "owned" the College and that the faculty's primary interest were their "own benefits and money." The Acting Interim President indicated during his interview that he feels there is still a lack of trust between the faculty and administration. He further stated that the current Board of Trustees has not helped this situation because they have been consistently critical of the administration. That negativity has not served to enhance relations between the administration and faculty.

C-6. Team Determination on Criterion Five, Core Component 5.B:

- Core Component is met
- Core Component is met with concerns
- Core Component is not met

Summary Statement on Criterion Five, Core Component 5.B:

The team's overall impression is that the governing ethos that engages COD's internal constituencies is fragile. There has been an absence of financial statements actually being presented to the Board and a lack of proper oversight of the College's investment portfolio. In addition, as indicated in connection with the discussion of Core Component 2.C., the Board does not sufficiently engage with academic leaders in meaningful ways in connection with teaching and learning at the College. The governance at the College has also failed in several respects to provide leadership and oversight for the College's financial well-being (as discussed in connection with Core Component 2.A.).

Further, the institution does not uniformly employ policies and procedures to engage its internal constituencies in the institution's governance. Specifically, the College has not permitted the faculty to participate substantially in the development and implementation of curriculum. There is ample evidence of the lack of faculty engagement in the SLEA prior learning assessment process. College faculty do not have oversight of the SLEA curriculum, instruction, instructor qualifications, or assessment. There is a disconnect among the faculty who teach credit-bearing courses and the faculty who teach non-credit bearing courses in Continuing Education with their respective roles and responsibilities. Because administrators, without faculty involvement, increased the number of credits awarded to SLEA cadets from 13 to 22, the team has determined that Assumed Practice B.2.c. is not met.

Therefore, the team finds that the evidence is insufficient and demonstrates that Commission sanction is warranted.

D. Other comments

This Advisory Visit to the College of DuPage was conducted July 21-22, 2015, at the direction of Higher Learning Commission. Given the team's charge as outlined in the Commission's May 5, 2015, correspondence to the institution, the team found that Core Component 1.D. is met with concerns, Core Component 2.A. is not met, Core Component 2.C. is met with concerns, Core Component 3.A. is met with concerns, Core

Component 4.A. is met with concerns, and Core Component 5.B. is not met.