11-7-2008

WMU Board of Trustees Formal Session
November 7, 2008

WMU Board of Trustees

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WESTERN MICHIGAN UNIVERSITY
BOARD OF TRUSTEES
FORMAL SESSION
FRIDAY, November 7, 2008
2:15 p.m., CONFERENCE ROOM E
FORD FIELD, DETROIT

Remarks by the Chair
Remarks by the President
Remarks by the WSA President and the GSAC Chair
Acceptance of the Agenda
Approval of the Minutes – September 12 and September 24, 2008
Western Michigan University Points of Pride
*2008 B Refunding Bonds
CONSENT ITEMS (1-6)

1. Personnel Report
2. Gift Report
3. Grant Report
4. Lease Agreement – Clearwire, US LLC
5. Lease Agreement – Spindler Hall, Office of Community Correction, County of Kalamazoo
6. Faculty-Staff Indemnification Policy

Public Comments
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FORD FIELD, DETROIT

| Remarks by the Chair                              | Miller |
| Remarks by the President                         | Dunn   |
| Remarks by the WSA President and the GSAC Chair  | Danielle Harik and Brandi Pritchett |
| Acceptance of the Agenda                         | Miller |
| Approval of the Minutes – September 12 and September 24, 2008 | Miller |
| Western Michigan University Points of Pride      | Miller/Dunn |
| *2008 B Refunding Bonds                           | Rinker |

CONSENT ITEMS (1-6) | Miller |
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Public Comments
2008B Refunding Bonds

Background

On May 21, 2008, Western Michigan University converted the Series 2007 bonds into 7-day variable rate demand bonds. This step was taken to exit the auction rate market for securities which had ceased to function. These bonds are insured by FSA and have a standby bond purchase agreement with Dexia Credit Local. In addition, they carried with them a fixed rate swap with Lehman Commercial Bank as the counterparty.

On September 15, Lehman Brothers filed for bankruptcy. Filing for bankruptcy caused Lehman to default on the swap as the counterparty. If the swap is maintained, then a new counterparty must be found. FSA is now receiving closer market scrutiny because Moody’s and S&P placed the insurer on their negative watch list. On September 30, Dexia received a $9.2 billion capital injection by Belgium, France and Luxembourg. Over the weekend of October 4, the German government provided Dexia with a debt guarantee. And, as a further backdrop, the market for both variable and fixed debt totally seized without any deal flow at all which has never previously occurred. The number of banks that can provide liquidity facilities has significantly declined, pricing has become extremely expensive, and most banks have little capacity left to do more deals. There are no strong insurers left licensed to do business in Michigan.

As a result of the market conditions and the uncertainty surrounding Dexia and FSA, the 2007 Bonds totaling $43,750,000 were tendered back to Dexia because there were no buyers. They became bank bonds. By their nature, bank bonds carry a higher interest rate. For the first 60 days held by Dexia, interest is at 10%. Between the 61st and 90th day, interest will likely be prime plus 50 basis points. From the 91st day on, interest will likely be prime plus 200 basis points. If these bonds are still held by Dexia on April 9, 2009 then the university is required to redeem 10% of the outstanding principal over each of the next 10 semiannual periods, commencing April 9, 2009. It is currently very uncertain whether the market will improve to the point where these bank bonds can be remarketed to the public prior to April 9, 2009, and even if they are remarketed, they will remain subject to future tenders to Dexia.

In reviewing the options, it appears that issuing fixed refunding bonds on the basis of Western’s own credit is the best alternative. As part of this process, the swap will be terminated. Since Lehman Brothers has long served as the University’s underwriters, it was necessary to conduct a search for a new partner. CitiGroup and Merrill Lynch have been engaged to co-manage the debt offering.

We are presenting for your approval the resolution evidencing our intention to issue refunding bonds, Series 2008B. We are also asking for Trustee approval to secure our ability to have the President and Vice President for Business and Finance authorized to negotiate, execute and deliver on behalf of the Board the borrowing as recommended by legal counsel.

Recommended Action

It is recommended that the Board approve the attached Resolution authorizing the issuance and delivery of the refunding general revenue bonds, and providing for other matters relating thereto.
RESOLUTION OF THE BOARD OF TRUSTEES OF
WESTERN MICHIGAN UNIVERSITY
AUTHORIZING THE ISSUANCE OF GENERAL REVENUE REFUNDING BONDS AND
PROVIDING FOR OTHER MATTERS RELATING THERETO

WHEREAS, the Board of Trustees of Western Michigan University (the "Board") is a constitutional body corporate established pursuant to Article VIII, Section 6 of the Michigan Constitution of 1963, as amended, with general supervision of Western Michigan University (the "University") and the control and direction of all expenditures from the University’s funds; and

WHEREAS, the Board has previously issued its General Revenue Refunding Bonds, Series 2007, dated November 20, 2007 (the "Prior Bonds"); and

WHEREAS, the Prior Bonds are currently in a variable rate demand structure, and, as a result of the credit difficulties with both the bond insurer and the liquidity provider for the Prior Bonds, the market for the Prior Bonds has so deteriorated that it is necessary and appropriate to change the interest rate structure of the Prior Bonds; and

WHEREAS, in relation to the debt service on the Prior Bonds, the Board has entered into a floating-to-fixed interest rate swap transaction (the "Prior Swap Agreement") in notional amounts corresponding to the principal amount of the Prior Bonds from time to time outstanding; and

WHEREAS, it is appropriate to change the interest rate structure of the Prior Bonds to a fixed rate of interest through the issuance of General Revenue Refunding Bonds authorized hereby (the "Series 2008B Bonds"); and

WHEREAS, in the exercise of its constitutional duties, and in order to control and direct prudently expenditures from the University’s funds, the Board determines it is necessary and desirable to authorize the issuance of the Series 2008B Bonds in order to provide funds which, together with other available funds, will be used to pay the costs of refunding all or a portion of the Prior Bonds and costs incidental to the issuance of the Series 2008B Bonds and the refunding, including the costs of terminating the Prior Swap Agreement; and

WHEREAS, a trust agreement (the "2008B Trust Agreement") must be entered into by and between the Board and a trustee (the "Trustee") to be designated by the President or the Vice President for Business and Finance and Treasurer (each an "Authorized Officer"), pursuant to which the Series 2008B Bonds will be issued and secured; and

WHEREAS, it is necessary to authorize the Authorized Officers, or either of them individually, to negotiate the sale of the Series 2008B Bonds with an underwriter or group of underwriters to be selected by an Authorized Officer (collectively, the "Underwriter") and to enter into a bond purchase agreement (the "Bond Purchase Agreement") with the Underwriter setting forth the terms and conditions upon which the Underwriter will agree to purchase the Series 2008B Bonds and the interest rates thereon and the purchase price therefor; and
WHEREAS, in order to be able to market the Series 2008B Bonds, if issued, at the most opportune time, it is necessary for the Board to authorize the Authorized Officers, or either of them individually, to negotiate, execute and deliver on behalf of the Board, the 2008B Trust Agreement, the Bond Purchase Agreement and other related documents, to establish the specific terms of the Series 2008B Bonds and to accept the offer of the Underwriter to purchase the Series 2008B Bonds, all within the limitations set forth herein; and

WHEREAS, the trust indentures or agreements authorizing certain outstanding General Revenue Bonds of the Board (the "Outstanding Bonds") create certain conditions for the issuance of General Revenue Bonds on a parity basis with the Outstanding Bonds; and

WHEREAS, the Vice President for Business and Finance and Treasurer shall, on or prior to the delivery of the Series 2008B Bonds, certify that the conditions for issuing the Series 2008B Bonds, secured on a parity basis by General Revenues with the Outstanding Bonds, have been met; and

WHEREAS, the Board has full power under its constitutional authority for supervision of the University, and control and direction of expenditures from the University funds, to authorize the refunding of the Prior Bonds through the issuance of the Series 2008B Bonds, and to pledge General Revenues (as hereinafter defined) for payment of the Series 2008B Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WESTERN MICHIGAN UNIVERSITY, AS FOLLOWS:

1. The Board hereby authorizes the issuance, execution and delivery of the Series 2008B Bonds in one or more series, to be designated GENERAL REVENUE REFUNDING BONDS, SERIES 2008B, with appropriate additional or alternative series designations, if any, in the aggregate original principal amount to be established by an Authorized Officer, but not to exceed the principal amount necessary to refund any or all of the Prior Bonds, including the costs incidental to the issuance of the Series 2008B Bonds and the refunding of the Prior Bonds, as described below. The Series 2008B Bonds shall be dated as of the date or dates established by an Authorized Officer, and shall be issued for the purpose of providing funds which, together with other available funds, will be used to pay the costs of refunding any or all of the Prior Bonds, including costs of terminating the Prior Swap Agreement, and costs related to the issuance of the Series 2008B Bonds and the refunding, as deemed appropriate by an Authorized Officer. The Series 2008B Bonds shall be serial bonds, or term bonds which may be subject to redemption requirements, or both, as shall be established by an Authorized Officer, but the first maturity shall be no earlier than January 1, 2009 and the last maturity shall be no later than December 31, 2027. The Series 2008B Bonds shall bear interest at stated fixed rates for the respective maturities thereof as shall be established by an Authorized Officer, but the highest yield (computed using the stated coupon and the stated original offering price) for any maturity shall not exceed 7.5% per annum. The Series 2008B Bonds may be subject to redemption or call for purchase prior to maturity at the times and prices and in the manner as shall be established by an Authorized Officer, but no redemption premium shall exceed 3% of the principal amount being redeemed, unless the redemption price is based on a "make whole" formula, in which case
no redemption premium shall exceed 12% of the principal amount being redeemed. Interest on
the Series 2008B Bonds shall be payable at such times as shall be specified by an Authorized
Officer. The Series 2008B Bonds shall be issued in fully registered form in denominations, shall
be payable as to principal and interest in the manner, shall be subject to transfer and exchange,
and shall be executed and authenticated, all as shall be provided in the 2008B Trust Agreement.
The Series 2008B Bonds shall be sold to the Underwriter pursuant to the Bond Purchase
Agreement for a price to be established by an Authorized Officer (but the Underwriter’s
discount, exclusive of original issue discount, shall not exceed 1.25% of the principal amount
thereof) plus accrued interest, if any, from the dated date of the Series 2008B Bonds to the date
of delivery thereof.

2. Either of the Authorized Officers is hereby authorized and directed to select all or
a portion of the Prior Bonds to be refunded with the proceeds of the Series 2008B Bonds to
accomplish the purposes of this resolution, and to fund, if deemed appropriate, a portion of the
costs of the refunding from available funds of the University and the balance of such costs from
the proceeds of the Series 2008B Bonds, and to proceed with the refunding.

3. In connection with the issuance of the Series 2008B Bonds, either of the
Authorized Officers may, on behalf of and as the act of the Board, terminate the Prior Swap
Agreement, and any fees or up-front payments in connection with the termination of the Prior
Swap Agreement may be paid from the proceeds of the Series 2008B Bonds, or from available
funds of the University.

4. The Series 2008B Bonds shall be limited and not general obligations of the Board
payable from and secured, on a parity basis with the Outstanding Bonds, by a lien on the General
Revenues (as shall be defined in the 2008B Trust Agreement in a manner generally consistent
with the definition thereof contained in the trust indentures or agreements securing the
Outstanding Bonds) and moneys, securities or other investments from time to time on deposit in
certain funds created pursuant to the 2008B Trust Agreement. The lien on General Revenues
shall be on a parity basis with the liens on General Revenues securing previously issued
outstanding bonds and notes of the Board.

No recourse shall be had for the payment of the principal amount of or interest or
premium on the Series 2008B Bonds, or any claim based thereon against the State of Michigan,
or any officer or agent thereof or of the Board or the University, as individuals, either directly or
indirectly, nor shall the Series 2008B Bonds and interest and premium, if any, with respect
thereto, become a lien on or be secured by any property, real, personal or mixed of the State of
Michigan or the Board, other than General Revenues and the moneys from time to time on deposit in
certain funds established by the 2008B Trust Agreement.

Any pledge of General Revenues, and funds specified in the 2008B Trust Agreement
shall be valid and binding from the date of the issuance and delivery of the Series 2008B Bonds
or such agreements, and all moneys or properties subject thereto which are thereafter received
shall immediately be subject to the lien of the pledge without physical delivery or further act.
The lien of said pledge shall be valid and binding against all parties (other than the holders of
any other bonds, notes or obligations secured by a parity first lien on General Revenues) having
a claim in tort, contract or otherwise against the Board, irrespective of whether such parties have notice of the lien.

5. The right is reserved to issue additional bonds, notes or other obligations payable from and secured on a parity basis with the Series 2008B Bonds, the Outstanding Bonds and other obligations of the Board so secured, from the General Revenues, upon compliance with the terms and conditions as shall be set forth in the 2008B Trust Agreement and the trust indentures and agreements pursuant to which the Outstanding Bonds were issued.

6. Either Authorized Officer is hereby authorized and directed, in the name and on behalf of the Board, and as its corporate act and deed, to select the Trustee, and to negotiate, execute and deliver the 2008B Trust Agreement. The 2008B Trust Agreement may contain such covenants on behalf of the Board and terms as such officers deem appropriate, including, but not limited to, covenants with respect to the establishment of General Revenues at levels expressed as a percentage of debt service on the Series 2008B Bonds or all General Revenue Bonds, and with respect to the issuance of additional bonds, notes or other obligations payable from and secured by General Revenues.

7. Either Authorized Officer is hereby authorized and directed, in the name and on behalf of the Board and as its corporate act and deed, to select the Underwriter and to negotiate, execute and deliver the Bond Purchase Agreement with the Underwriter setting forth the terms of the Series 2008B Bonds and the sale thereof, all within the limitations set forth herein.

8. Either Authorized Officer is hereby authorized, empowered and directed, in the name and on behalf of the Board, and as its corporate act and deed, to execute the Series 2008B Bonds by placing his or her facsimile or manual signature thereon, and to deliver the Series 2008B Bonds to the Underwriter in exchange for the purchase price thereof, as provided in the Bond Purchase Agreement.

9. Either Authorized Officer is hereby authorized to cause the preparation of a Preliminary Official Statements and an Official Statements with respect to the issuance of the Series 2008B Bonds, and to execute and deliver the Official Statements. The Underwriter is authorized to circulate and use, in accordance with applicable law, the Preliminary Official Statements and the Official Statements in connection with the offering, marketing and sale of the Series 2008B Bonds.

10. The President, the Vice President for Business and Finance and Treasurer, the Secretary of the Board, the Associate Vice President for Business and Finance, the General Counsel or any Associate or Assistant General Counsel, and all other appropriate officers of the Board or the University are, and each one of them individually is, hereby authorized to perform all acts and deeds and to execute and deliver for and on behalf of the Board all instruments and documents required by this resolution, the 2008B Trust Agreement, the Bond Purchase Agreement, or necessary, expedient and proper in connection with the issuance, sale and delivery of the Series 2008B Bonds, as contemplated hereby and in connection with the ongoing administration of the debt program authorized hereby, including, if deemed appropriate, an escrow deposit agreement or agreements with an escrow agent to be designated by an Authorized
Officer. Each Authorized Officer is hereby authorized to designate and empower the escrow agent or the Underwriter to subscribe for United States Treasury Obligations, State and Local Government Series, on behalf of the Board, as may be necessary in connection with any refunding authorized hereby. Any reference to an officer of the Board or the University herein shall include any interim or acting officer appointed by the Board. Any action at any time required or appropriate under the 2008B Trust Agreement, the Bond Purchase Agreement or other instrument related to the Series 2008B Bonds may be taken by and on behalf of the Board by an Authorized Officer.

11. In accordance with the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission, the Board may be required in connection with the issuance of the Series 2008B Bonds to enter into a Continuing Disclosure Undertaking for the benefit of the holders and beneficial owners of the Series 2008B Bonds. Either Authorized Officer is authorized to cause to be prepared and to execute and deliver, on behalf of the Board, a Continuing Disclosure Undertaking.

12. All resolutions or parts of resolutions or other proceedings of the Board in conflict herewith be and the same are hereby repealed insofar as such conflict exists.
I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Trustees of Western Michigan University at a regular meeting held on November __, 2008 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with applicable law, and that the minutes of said meeting were kept and will be or have been made available as required by applicable law.

I further certify as follows:

1. Present at the meeting were the following Board members:

   

   Absent from the meeting were the following Board members:

   

2. The following members of the Board voted for the adoption of the Resolution:

   

   The following members of the Board voted against adoption of the Resolution:

   

RESOLUTION DECLARED ADOPTED.

Betty A. Kocher, Secretary
Board of Trustees of Western Michigan University
PERSONNEL REPORT

ACADEMIC

Appointments - With Tenure
Sharon Carlson, Associate Professor, University Libraries, effective October 15, 2008.

Jeff Terpstra, Associate Professor, Department of Statistics, effective December 15, 2008.

Reappointments - Term
Timothy Broadwater, Faculty Specialist I, Aviation Sciences, effective July 1, 2008 through June 30, 2009.

Scott Kosten, Instructor, Department of Statistics, effective September 2, 2008 through August 9, 2009.

Dennis McCrumb, Assistant Professor, Department of Educational Leadership, Research and Technology, effective August 11, 2008 through August 9, 2009.

Appointments - Term
Jason Beaudin, Instructor, Department of English, effective September 2, 2008 through August 9, 2009.

Shamika Hall, Assistant Professor, University Counseling and Testing Center, effective October 27, 2008 through August 9, 2009.

Michelle House, Assistant Professor, Department of English, effective September 2, 2008 through August 9, 2009.

David Hughes, Instructor, Department of History, effective August 11, 2008 through August 9, 2009.

Margaret Hunter, Faculty Specialist I, Department of Occupational Therapy, effective September 2, 2008 through August 9, 2009.

Toby Kahn-Loftus, Assistant Professor, Department of English, effective September 2, 2008 through August 9, 2009.

Philip Kaldon, Faculty Specialist I, Department of Physics, effective September 2, 2008 through August 9, 2009.

Zahida Luqmani, Instructor, Department of Marketing, effective August 25, 2008 through August 9, 2009.
Appointment - Grant
Jerry Lewis Emde, Instructor, Department of Mathematics, effective October 6, 2008 through April 19, 2009.

Reappointment - Adjunct
Prentiss Jones, Adjunct Assistant Professor, Department of Physician Assistant, effective spring 2009 through fall 2011.

Resignations
Mozhdeh Bruss, Associate Professor, Department of Family and Consumer Sciences, effective December 31, 2008.

Mohsen Guizani, Professor, Department of Computer Science, effective August 10, 2008.

Retirements with Emeriti Status
Josephine Barry-Davis, Associate Professor, Department of Teaching, Learning, and Educational Studies, Associate Professor Emerita, effective April 19, 2009.

Annette Skellenger, Associate Professor, Department of Blindness and Low Vision Studies, Associate Professor Emerita, effective April 25, 2009.

Change in Retirement Date Only
Richard Cooper, Professor, Department of Occupational Therapy, Professor Emeritus, effective April 18, 2010.

Promotions
Betty Parker, Professor, Department of Marketing, effective August 11, 2008.

Mark St. Martin, Assistant Professor, University Counseling and Testing Center, effective December 17, 2007.

Professional Development Leaves
Jeffrey Angles, Assistant Professor, Department of Foreign Languages, effective September 8, 2009 through May 4, 2010.

David Montgomery, Faculty Specialist II, School of Music, effective January 5, 2009 through April 27, 2009.

Retirements
Sandra Bastian, Coordinator Media Equipment, Office of Information Technology, effective October 31, 2008.

Georgia Bryan, Associate Registrar, Registrar Office, effective October 15, 2008.

Ronald Canard, Supervisor Maintenance Services, Plant Maintenance, effective September 30, 2008.


Dale Latulippe, Faculty Specialist II, Department of Blindness and Low Vision Studies, effective December 14, 2008.

Daisy Lipsey, Manager, Accounts Receivable, effective December 31, 2008.

Gail MacNellis, Office Coordinator, College of Fine Arts, effective March 31, 2009.

Maria Da Silva McGurn, Academic Advisor, College of Arts and Sciences Advising, effective December 31, 2008.
Western Michigan University  
Board of Trustees  

Agenda Item No. 2  
November 7, 2008

GIFT REPORT

Background

This report includes activity for the months of August and September. The year-to-date total gifts, pledges and deferred commitments for the current period ending September 30, 2008 was $5,238,718. Information regarding major gifts for August and September is provided.

Recommended Motion

It is recommended that this gift report including activity for the months of August and September be approved.
# Western Michigan University Foundation Gift Report

## WMU Foundation Gifts:

<table>
<thead>
<tr>
<th></th>
<th>August 2008</th>
<th>Year-to-date 2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$469,613</td>
<td>$1,388,831</td>
</tr>
<tr>
<td>Deferred (CRT's &amp; Gift Annuities @ Fair Market Value)</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Non-Cash</td>
<td>$7,337</td>
<td>$61,852</td>
</tr>
<tr>
<td><strong>Subtotal - Gifts Received by WMU Foundation</strong></td>
<td>$476,950</td>
<td>$1,450,683</td>
</tr>
<tr>
<td>Paper Technology Foundation Gifts</td>
<td>$26,600</td>
<td>$26,600</td>
</tr>
</tbody>
</table>

## Total Gifts

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Gifts</strong></td>
<td>$503,550</td>
</tr>
<tr>
<td><strong>Total Pledges &amp; Deferred Commitments</strong></td>
<td>$1,477,283</td>
</tr>
<tr>
<td><strong>Total Gifts, Pledges &amp; Deferred Commitments</strong></td>
<td>$1,067,514</td>
</tr>
</tbody>
</table>

## Total Gifts Received (Year to Date)

<table>
<thead>
<tr>
<th>Gift Level</th>
<th>Amount Received</th>
<th>Number of Donors</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1 M +</td>
<td>$ -</td>
<td>-</td>
</tr>
<tr>
<td>$100K to $1 M</td>
<td>$715,611</td>
<td>3</td>
</tr>
<tr>
<td>$25K to $100K</td>
<td>$70,000</td>
<td>2</td>
</tr>
<tr>
<td>$10K to $25K</td>
<td>$149,227</td>
<td>11</td>
</tr>
<tr>
<td>$1 to $10K</td>
<td>$542,445</td>
<td>3,354</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,477,283</td>
<td>3,370</td>
</tr>
</tbody>
</table>
# Western Michigan University Foundation Gift Report

## WMU Foundation Gifts:

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<th>Category</th>
<th>September 2008</th>
<th>Year-to-date 2008-09</th>
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</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$904,937</td>
<td>$2,293,768</td>
</tr>
<tr>
<td>Deferred (CRTs &amp; Gift Annuities @ Fair Market Value)</td>
<td>$250,000</td>
<td>$250,000</td>
</tr>
<tr>
<td>Non-Cash</td>
<td>$21,958</td>
<td>$83,810</td>
</tr>
<tr>
<td><strong>Subtotal-Gifts Received by WMU Foundation</strong></td>
<td>$1,176,895</td>
<td>$2,627,578</td>
</tr>
<tr>
<td>Paper Technology Foundation Gifts</td>
<td>$48,500</td>
<td>$75,100</td>
</tr>
<tr>
<td><strong>Total Gifts</strong></td>
<td>$1,225,395</td>
<td>$2,702,678</td>
</tr>
</tbody>
</table>

## Pledges & Deferred Commitments (WMU Fdn. & Paper Tech. Fdn.)

<table>
<thead>
<tr>
<th>Category</th>
<th>September 2008</th>
<th>Year-to-date 2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pledges</td>
<td>$486,110</td>
<td>$1,381,040</td>
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<tr>
<td>Deferred (Bequests &amp; Life Insurance)</td>
<td>$675,000</td>
<td>$1,155,000</td>
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<tr>
<td><strong>Total Pledges &amp; Deferred Commitments</strong></td>
<td>$1,161,110</td>
<td>$2,536,040</td>
</tr>
</tbody>
</table>

## Total Gifts, Pledges & Deferred Commitments

- **Total Gifts, Pledges & Deferred Commitments**: $2,386,505
- **Year-to-Date**: $5,238,718

## Total Gifts Received (Year to Date)

- **$1 M +**: -
- **$100K to $1M, $1,268,306**
- **$10K to $25K, $232,794**
- **$25K to $100K, $280,350**
- **$1 to $10K, $921,228**

## Year-to-Date

<table>
<thead>
<tr>
<th>Gift Level</th>
<th>Amount Received</th>
<th>Number of Donors</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1 M +</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>$100K to $1M</td>
<td>$1,268,306</td>
<td>5</td>
</tr>
<tr>
<td>$25K to $100K</td>
<td>$280,350</td>
<td>6</td>
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<td>$10K to $25K</td>
<td>$232,794</td>
<td>15</td>
</tr>
<tr>
<td>$1 to $10K</td>
<td>$921,228</td>
<td>5,482</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$2,702,678</td>
<td>5,508</td>
</tr>
</tbody>
</table>
GIFTS & PLEDGES $10,000 AND OVER
August & September 2008

New Gifts August:

Eaton Corporation $15,000 Sunrayce Project
Frank P. Macartney Foundation 11,500 Frank P. Macartney Foundation Aviation Scholarship
State Farm Mutual Automobile Insurance Co. 20,000 State Farm Internships
3,000 State Farm Executive on Loan Fund
4,000 State Farm Minority Scholarship
7,000 State Farm Term Professorship of Financial Services
6,000 College of Education Scholarship

New Gifts September:

Mrs. Jacqueline Erickson $10,000 Dr. Robert L. Erickson Endowment Fund
Frederic W. Sammons Family Foundation 10,000 Department of Occupational Therapy

New Pledges August:

Anonymous Donor $43,500 Medallion Scholarship
Huntington National Bank 52,000 Mike Gary Athletic Fund
JQK, LLC 49,175 Mike Gary Athletic Fund
Anonymous Donor 25,000 Unrestricted
Mr. and Mrs. C. MacKenzie Waldorf 10,000 Gary Fund for Football
Harold Zeigler Auto Group 25,000 Gary Fund for Football

New Pledges September:

Dennis W. Archer Foundation $55,000 Dennis W. Archer Foundation Scholarship
Mr. Robert J. Bobb 50,000 Gary Fund for football
Anonymous 25,000 M. Jamie Jeremy Endowed Medallion Scholarship
Consumers Power Foundation 50,000 MGRRE Development Fund
John E. Fetzer Institute 170,649 Rhea Yeager Fetzer Music Scholarship Program
Mrs. Anne C. Linsdau-Hoeppner 20,000 Anne Linsdau Presidential/School Scholar Award
Anonymous 25,000 M. Jamie Jeremy Endowed Medallion Scholarship
Western Michigan University
Board of Trustees

Agenda Item 3
November 7, 2008

Grant Report

Background

The grant report for the month of September 2008 indicates a total of $4,258,824.93 in externally funded awards. The year-to-date total is $16,730,113.53.

September 2008

Awards by Category

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instruction</td>
<td>0.00</td>
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<tr>
<td>Research</td>
<td>3,314,735.70</td>
</tr>
<tr>
<td>Public Service</td>
<td>610,884.23</td>
</tr>
<tr>
<td>Academic Support</td>
<td>47,900.00</td>
</tr>
<tr>
<td>Student Services</td>
<td>285,305.00</td>
</tr>
<tr>
<td>Institutional Support</td>
<td>0.00</td>
</tr>
<tr>
<td>Operations and Maintenance of Plant</td>
<td>0.00</td>
</tr>
<tr>
<td>Scholarships and Fellowships</td>
<td>0.00</td>
</tr>
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</table>

Total for September 2008 $4,258,824.93


Recommended Motion

It is recommended that the grant report for September 2008 be approved.
### Research

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>SPONSOR</th>
<th>DIRECTOR</th>
<th>AMOUNT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>To develop synoptic weather forecasting and web-based information delivery systems for managing crop disease risk in multiple regions of the U.S. (New)</td>
<td>U.S. Department of Agriculture</td>
<td>Dr. Kathleen M Baker Geography</td>
<td>$1,161,632.00</td>
<td>9/23/2008</td>
</tr>
<tr>
<td>To assess the effects of implementing a seatbelt interlock in a vehicle fleet while demonstrating that technology can help achieve a higher seatbelt use rate (New)</td>
<td>U.S. Department of Transportation</td>
<td>Dr. Ron Van Houten Psychology</td>
<td>$582,306.00</td>
<td>9/19/2008</td>
</tr>
<tr>
<td>To reform child welfare service delivery in the state of Michigan by infusing trauma informed welfare practice that is culturally competent, evidence based and responsive to children's needs, particularly needs related to traumatic stress (New)</td>
<td>U.S. Department of Health and Human Services</td>
<td>Dr. James A Henry School of Social Work</td>
<td>$300,723.00</td>
<td>9/23/2008</td>
</tr>
<tr>
<td>To develop and apply a travel demand analysis model using the Transportation Analysis and Simulation System (TRANSIMS) in investigating impacts of highway construction projects in the Detroit metropolitan area (New)</td>
<td>U.S. Department of Transportation</td>
<td>Dr. Jun-Seok Oh Dr. Hubo Cai Civil and Construction Engineering</td>
<td>$299,360.00</td>
<td>9/9/2008</td>
</tr>
<tr>
<td>To examine geologic knowledge and problem-solving behavior among undergraduates, graduate students and professional geoscientists (New)</td>
<td>National Science Foundation</td>
<td>Dr. Heather L. Petcovic Mallinson Institute for Science Studies</td>
<td>$186,953.00</td>
<td>9/26/2008</td>
</tr>
<tr>
<td>To support organizing a panel to recommend how to design a study to evaluate the efficacy of motorcycle rider education programs (Supplemental)</td>
<td>National Highway Traffic Safety Administration</td>
<td>Dr. Ron Van Houten Psychology</td>
<td>$181,937.00</td>
<td>9/9/2008</td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>SPONSOR</td>
<td>DIRECTOR</td>
<td>AMOUNT</td>
<td>DATE</td>
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<tr>
<td>----------------------------------------------------------------------------</td>
<td>----------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------------</td>
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</tr>
<tr>
<td>Research</td>
<td></td>
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</tr>
</tbody>
</table>
| To use university research experiences to increase the number of underrepresented minority community college students to enter biomedical or behavioral research careers (Non-Competing Continuation) | U.S. Department of Health and Human Services | Dr. Gyula Ficsor  
Dr. Brian C Tripp  
Dr. Sherine O Obare  
Chemistry | $164,357.00 | 9/3/2008 |
| To determine the possibility of modifying and sustaining motorist compliance to the pedestrian yield the right of ways laws at intersections by increasing enforcement and providing substantial publicity about the program (New) | U.S. Department of Transportation | Dr. Ron Van Houten  
Psychology | $100,000.00 | 9/10/2008 |
| To create diagnostic tools to assess resiliency and retail opportunity in a rural community and develop related educational modules (New) | Iowa State University | Dr. Barbara J Frazier  
Family and Consumer Sciences | $75,921.00 | 9/29/2008 |
| To implement a carbon sequestration modeling study (Renewal)               | NTH Consultants, LTD | Dr. David A Barnes  
Geosciences | $43,956.70 | 9/4/2008 |
| To carry out x-ray studies in collaboration with three other universities on the newly discovered supersolid state which occurs in solid helium at low temperatures (New) | National Science Foundation | Dr. Clement Burns  
Physics | $31,460.00 | 9/17/2008 |
| To develop two modules focusing on food safety to be added to existing www.wichealth.org project (New) | U.S. Department of Agriculture | Dr. Robert J Bensley  
Health, Physical Education and Recreation | $30,000.00 | 9/22/2008 |
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>SPONSOR</th>
<th>DIRECTOR</th>
<th>AMOUNT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Research</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To provide internal evaluation services and evaluation technical assistance,</td>
<td>Grand Valley State University</td>
<td>Dr. Mark Janness</td>
<td>$30,000.00</td>
<td>9/23/2008</td>
</tr>
<tr>
<td>including document review, instrument development, data collection,</td>
<td></td>
<td>Mallinson Institute for Science Studies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>reporting and consultation (New)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>To develop a diabetes education program for underserved southwest Michigan</td>
<td>Blue Cross Blue Shield of Michigan</td>
<td>Dr. Amy B Curtis</td>
<td>$24,976.00</td>
<td>9/23/2008</td>
</tr>
<tr>
<td>populations (New)</td>
<td>Foundation</td>
<td>Physician Assistant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To determine the effectiveness of Trinity Health's collaborative efforts in</td>
<td>Integrated Health Partners</td>
<td>Dr. Chris L Coryn</td>
<td>$24,614.00</td>
<td>9/30/2008</td>
</tr>
<tr>
<td>the form of the Chronic Care Model in improving health outcomes for persons</td>
<td></td>
<td>The Evaluation Center</td>
<td></td>
<td></td>
</tr>
<tr>
<td>having chronic health conditions (New)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To improve the understanding of the influence of increased metal and nutrient</td>
<td>National Science Foundation</td>
<td>Dr. Carla M Koretsky</td>
<td>$18,100.00</td>
<td>9/9/2008</td>
</tr>
<tr>
<td>loading in coastal and inland wetland areas for development of ecosystem</td>
<td></td>
<td>Geosciences</td>
<td></td>
<td></td>
</tr>
<tr>
<td>management strategies (Supplemental)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>To implement phase three of a carbon sequestration modeling study (Renewal)</td>
<td>NTH Consultants, LTD</td>
<td>Dr. David A Barnes</td>
<td>$10,500.00</td>
<td>9/10/2008</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geosciences</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To evaluate the effects of the Diversity Awareness and Leadership Training</td>
<td>Adventure Centre, The</td>
<td>Ms. Stephanie D Evergreen</td>
<td>$10,440.00</td>
<td>9/26/2008</td>
</tr>
<tr>
<td>program on youth participants by using evaluative activities and</td>
<td></td>
<td>The Evaluation Center</td>
<td></td>
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<tr>
<td>documenting accomplishments and disseminating critical findings based on</td>
<td></td>
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<tr>
<td>project activities (New)</td>
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</table>
### Western Michigan University
**Grants Awarded**
**September 2008**

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>SPONSOR</th>
<th>DIRECTOR</th>
<th>AMOUNT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Research</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To provide secondary analysis of data set on essential public health services and the partnerships between public and private health care providers (New)</td>
<td>University of Kentucky</td>
<td>Dr. Amy B Curtis, Physician Assistant</td>
<td>$10,000.00</td>
<td>9/23/2008</td>
</tr>
<tr>
<td>To support the transfer of petroleum technology to domestic oil and gas producers (Non-Competing Continuation)</td>
<td>Petroleum Technology Transfer Council</td>
<td>Dr. William B Harrison III, Geosciences</td>
<td>$5,000.00</td>
<td>9/30/2008</td>
</tr>
<tr>
<td>To develop cost-effective methodologies for ground water assessment and exploration in Sinal (Supplemental)</td>
<td>U.S. Department of Agriculture</td>
<td>Dr. Adam Milewski, Geosciences</td>
<td>$2,500.00</td>
<td>9/8/2008</td>
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<td><strong>TOTAL RESEARCH</strong></td>
<td></td>
<td></td>
<td>$3,314,735.70</td>
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<tr>
<td><strong>Public Service</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To provide daily living, communication, behavior control, and social skill services to developmentally disabled adults (Supplemental)</td>
<td>Kalamazoo Community Mental Health Services</td>
<td>Dr. Carol Sundberg, Center for Disability Services</td>
<td>$379,567.23</td>
<td>9/30/2008</td>
</tr>
<tr>
<td>To provide a comprehensive parent support program and extend the reduced child care tuition rates to Pell eligible parents of preschoolers (Non-Competing Continuation)</td>
<td>U.S. Department of Education</td>
<td>Dr. Regena Falls Nelson, Teaching, Learning and Educational Studies, Ms. Kathryn Mohney, The Children's Place</td>
<td>$117,937.00</td>
<td>9/8/2008</td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>SPONSOR</td>
<td>DIRECTOR</td>
<td>AMOUNT</td>
<td>DATE</td>
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<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td><strong>Public Service</strong></td>
<td></td>
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</tr>
</tbody>
</table>
| To support early college awareness and preparation activities through comprehensive mentoring, counseling, outreach and academic support services (Non-Competing Continuation) | Michigan Department of Labor and Economic Growth    | Dr. Erika Ann Carr  
Division of Multicultural Affairs                                                                                                                                                     | $81,880.00 | 9/10/2008 |
| To digitalize Kalamazoo County surveyor records (Renewal)                   | Kalamazoo County                                    | Dr. David G Dickason  
W.E. Upjohn Center for Geography Change                                                                                                                                                   | $12,500.00 | 9/18/2008 |
| To recruit high school teachers and students to participate in the Keystone Center's Youth Policy Summit and to serve as liaison between the Keystone Science School and the WMU conference and housing conferences (New) | Keystone Center                                     | Dr. G Michael Grammer  
Geosciences                                                                                                                                                                                  | $7,000.00 | 9/3/2008  |
| To support the participation, success, and engagement of twelve Seita Scholars (former foster youths) admitted at WMU which will serve to educate about the challenges former foster youth face when entering college (New) | Michigan Campus Compact                            | Dr. Yvonne Unrau  
School of Social Work                                                                                                                                                                      | $6,000.00 | 9/26/2008 |
| To support the Werner Sichel Lecture-Seminar Series "The Economics of Natural and Un-natural Disasters" (New) | The W.E. Upjohn Institute for Employment Research   | Dr. William S Kern  
Economics                                                                                                                                                                                    | $6,000.00 | 9/23/2008 |
| **TOTAL PUBLIC SERVICE**                                                     |                                                     |                                                                                                                                         | $610,884.23 |           |
Western Michigan University
Grants Awarded
September 2008

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>SPONSOR</th>
<th>DIRECTOR</th>
<th>AMOUNT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Academic Support</strong></td>
<td>Michigan Department of Labor and Economic</td>
<td>Ms. Jodie G Palmer Teaching, Learning and</td>
<td>$47,900.00</td>
<td>9/9/2008</td>
</tr>
<tr>
<td>To provide an academic and</td>
<td>Growth</td>
<td>Educational Studies</td>
<td></td>
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<tr>
<td>social support program for</td>
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<tr>
<td>education students; increasing</td>
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<tr>
<td>graduation rates of teacher</td>
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</tr>
<tr>
<td>candidates (Renewal)</td>
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<tr>
<td><strong>TOTAL ACADEMIC SUPPORT</strong></td>
<td></td>
<td></td>
<td>$47,900.00</td>
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</tr>
<tr>
<td><strong>Student Services</strong></td>
<td>U.S. Department of Education</td>
<td>Mr. Richard G McMullen Jr Academic Skills</td>
<td>$285,305.00</td>
<td>9/4/2008</td>
</tr>
<tr>
<td>To provide low-income, first-</td>
<td></td>
<td>Center</td>
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<tr>
<td>generation WMU undergraduates</td>
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<tr>
<td>with academic and co-curr-</td>
<td></td>
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<tr>
<td>curricular support, along</td>
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<tr>
<td>with leadership opportunities</td>
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<tr>
<td>to enhance retention and</td>
<td></td>
<td></td>
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<tr>
<td>graduation rates (Non-</td>
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</tr>
<tr>
<td>Competing Continuation)</td>
<td></td>
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<tr>
<td><strong>TOTAL STUDENT SERVICES</strong></td>
<td></td>
<td></td>
<td>$285,305.00</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL GRANTS AWARDED TO</strong></td>
<td></td>
<td></td>
<td>$4,258,824.93</td>
<td></td>
</tr>
<tr>
<td><strong>WESTERN MICHIGAN UNIVERSITY</strong></td>
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</tbody>
</table>
LEASE AGREEMENT – Clearwire, US LLC

Background

The Administration is requesting authorization from the Board of Trustees to enter into a lease agreement with Clearwire, US LLC for a space 7 ft. by 7 ft. located on the ground at the southeast corner of West Hall and to attach antennas on all four sides on the roof of the building on campus. The initial lease agreement, effective February 1, 2009 or sooner if construction begins prior to February, is for a five-year term starting with a monthly payment of $1,500 and increasing by three (3) percent annually. The lease includes four additional options to renew for five years each. The University has also included exit language within the lease agreement that would allow for any unanticipated future uses for West Hall.

Clearwire, US LLC is a wireless internet provider looking to cover the Kalamazoo area and offering services to the entire community.

Recommended Motion

It is recommended that the Board of Trustees authorize the treasurer or assistant treasurer to enter into a lease agreement with Clearwire, US LLC for an initial five-year period with four (4) additional five-year extensions to locate wireless internet equipment on the ground near, and on the roof of West Hall.
Spindler Hall Lease – Office of Community Correction – County of Kalamazoo

Background

The Office of Community Corrections of Kalamazoo County (OCC) has leased space in Spindler Hall from the University for the past nine years. OCC’s current lease expires December 31, 2008. It is the wish of OCC as well as the Administration to continue this relationship for at least the next two years. The parties have negotiated terms of a formal arrangement for the space.

The lease involves approximately 5,000 square feet and will run from January 1, 2009 through December 31, 2011. The base annual rent for the first year will be $28,056, and will increase in the second year by 5%.

It is the Administration’s recommendation that the Board of Trustees approve the proposed lease extension.

Recommended Motion

It is recommended that the Board authorize the treasurer or assistant treasurer to enter into a lease for a two-year period with Kalamazoo County for space within Spindler Hall as described above.
Faculty-Staff Indemnification Policy

Background

Part of the University’s planning for how to better protect students, faculty and staff from potential violence involves requiring frank communication with regards to perceived risks. One of the roadblocks to achieving frank communication is the uncertainty employees may have about protections they would receive when doing the right thing.

The attached presidential policy addresses the responsibility that those with knowledge of potentially harmful situations communicate that information to the appropriate parties. It also addresses the protection the University will provide those who disclose such information. It is important that all employees be made aware of both the requirement to disclose, and the protections that are in place.

Recommended Motion

This is an information item requiring no formal action on the part of the Board of Trustees.
Indemnification for Reports of Threats/Threatening Behavior

The safety and security of all persons and property in the University community are a paramount concern of the University. University faculty, staff, and students are an important part of the University's effort to provide a safe and secure environment. In furtherance of that goal, the University Employee Handbook provides that:

University employees are responsible to notify the Department of Public Safety or . . . Human Resources of any threats they have witnessed or received, or any behavior they have witnessed which they regard as threatening or violent, when the threat or behavior is job-related, or might be carried out on University property, or is connected to University employment.

In addition, the Student Code documents the University's commitment to and the importance of students in ensuring student safety and security.

The University reaffirms in this policy that faculty, staff, and students are expected to report behavior or statements that would lead them to believe an individual poses a threat to themselves, other persons, or property on the University campus.

The University will defend, hold harmless, and indemnify faculty and staff from civil liability who make a report in good faith to the appropriate University office that an individual made or poses an imminent threat. A threat is defined as a spoken, written or symbolic expression of intent to do harm or act out violently against oneself, other persons, property on University campuses or University property. Situations involving students, employees and/or community members on campus that require immediate intervention should be addressed to the Department of Public Safety at 911 or 387-5555. Reports regarding students should be made to the Division of Student Affairs using the Student Concern Form found at http://www.studentworld.wmich.edu/health.html. Reports regarding employees should be made to Human Resources at 387-3620.

Note: This Presidential Policy is adopted November 7, 2008 pursuant to Article V of the Western Michigan University Board of Trustees Bylaws which provides that the president may issue policies regarding indemnification of university employees.