WMU Board of Trustees Meetings

11-6-2019

WMU Board of Trustees Formal Session November 6, 2019

WMU Board of Trustees

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Western Michigan University
BOARD OF TRUSTEES

Wednesday, November 6, 2019
Closed Informal Session – 9:00 AM
Formal Session – 11:00 AM, Heritage Hall Ballroom

1. Acceptance of the Agenda – Bolger
2. Approval of the Minutes (September 11, 2019 Meeting) – Bolger
3. Remarks by the Chair – Bolger
4. Remarks by the President – Montgomery
5. Comments by the Faculty Senate President – Gershon
6. Comments by the Western Student Association President – Smith
7. Comments by the Graduate Student Association President – Morris
8. Moving the World Forward through Automation Research – Kinzy
9. Public Comments Regarding Action Items – Schuemann

Action Items – Bolger

10. Amendment of Documents for Asylum Lake Preserve – Van Der Kley
11. WMU Apartment Rates 2020/2021 – Anderson
12. Residency Policy for Admissions and/or Tuition and Fees Purposes – Van Der Kley
13. Graduate Tuition Rates Strategy – Van Der Kley
14. Consent Items – Bolger
   A. Curriculum Proposals
   B. Personnel Report
   C. Research and Innovation Quarterly Report
   D. WMU Audit Report
15. General Public Comments – Schuemann

Supplemental and supporting agenda materials can be viewed at: http://www.wmich.edu/trustees
Proposed Meeting Minutes

September 11, 2019

The Board of Trustees (BOT) Formal Session was called to order by Chair Bolger at 11:12 AM on Wednesday, September 11, 2019. The meeting was held in the Bernhard Center Rooms 157-159. Presiding were Chair Bolger, Vice Chair Chen-Zhang, and Trustees Behen, Edgerton, Kitchens, Penn, and Rinvelt.

A motion to accept the September 11, 2019 BOT agenda was made by Trustee Penn, with a second from Trustee Kitchens. The motion passed unanimously.

A motion to accept the minutes as exhibited from the June 26, 2019 BOT meeting was made by Trustee Rinvelt, with a second by Trustee Penn. The motion passed unanimously.

Remarks were provided by Chair Bolger – Attachment A followed by remarks from President Montgomery – Attachment B.

Faculty Senate President R. Gershon and Graduate Student Association (GSA) President C. Morris and Vice President C. Herhold provided comments regarding their respective areas and their ongoing activities and initiatives relating to shared governance, promoting student involvement, and academic enrichment. See Attachment C for remarks by Faculty Senate President R. Gershon.

President Montgomery introduced General Counsel C. Craig who presented with L. Gomez on the Title IX Process Review.

There was no indicated public interest in providing commentary regarding any Action Item.

As Action Items, Vice President for Diversity and Inclusion C. McCorkle recommended Adoption of a Land Acknowledgement Statement for WMU. A motion to accept the Adoption of a Land Acknowledgement Statement for WMU was made by Trustee Rinvelt with a second by Vice Chair Chen-Zhang. The motion passed unanimously. Guest representatives for the area Tribes shared their appreciation and presented WMU with a gift to commemorate the occasion.

Associate General Counsel J. Swartz next proposed the Conflict of Interest Policy for the Board of Trustees and Senior Administrative Officials. A motion to accept the Conflict of Interest Policy for the Board of Trustees and Senior Administrative Officials was made by Trustee Kitchens with a second by Trustee Rinvelt. The motion passed unanimously.
Associate VP for Business and Finance P. Van Walbeck next proposed the WMU Foundation Investment Committee Oversight of Defined Contribution Plan. A motion to accept the WMU Foundation Investment Committee Oversight of Defined Contribution Plan was made by Trustee Rinvelt with a second by Trustee Kitchens. The motion passed unanimously.

The next action item was presented by Associate VP for Business and Finance P. Van Walbeck next who proposed the Sale of Parcel in WMU BTR Park 2 to Lapeer Development, LLC. A motion to accept the Sale of Parcel in WMU BTR Park 2 to Lapeer Development, LLC was made by Trustee Penn with a second by Trustee Edgerton. The motion passed unanimously with an abstention from Trustee Kitchens.

Associate VP for Business and Finance P. Van Walbeck next proposed the Revised Operating Cash Investment Policy Statement. A motion to accept the Revised Operating Cash Investment Policy Statement was made by Trustee Edgerton with a second by Trustee Penn. The motion passed unanimously.

Director of Planning and Capital Projects D. Dakin next recommended the State Capital Outlay Priority List. A motion to accept the State Capital Outlay Priority List was made by Trustee Kitchens, with a second by Trustee Behen, and passed unanimously.

A motion to approve the Consent Items was made by Trustee Kitchens, with a second from Trustee Edgerton. The BOT unanimously approved the following Consent Items as exhibited: Personnel Report; Research and Innovation Quarterly Report; University Policy Review and Approval; Multiple Liquor License Applications; Operating Cash Investment Performance Report; and the Annuity and Life Income Funds Performance Report.

C. Weideman, S. Chamberlin, A. Bennett, and C. Mapps each provided commentary during General Public Comments.

The BOT meeting ended at 12:58PM following a motion to adjourn by Trustee Penn, a second by Vice Chair Chen-Zhang, and unanimous approval.

Respectfully submitted,

Kahler B. Schuemann
Secretary to the Board of Trustees
Western Michigan University
Good morning and welcome.

With the beginning of a new academic year it is an exciting time here at Western.

Our students and dedicated faculty and staff create so much excitement and positive energy on our campus. And on a day like today, we are reminded how special and enduring our University community is to the future of our global society.

Before we begin our formal meeting, I'd like us to take a moment to pause in reflection on the significance of September 11th. In 2001, many of our incoming first-year students had just entered the world and those in the upper classes were toddlers. Yet, along with the rest of our nation, these young adults have been significantly impacted by the events of that day 18 years ago.

It is incumbent upon all of us to remember the sacrifices and acts of bravery of September 11th and to recommit ourselves to standing in solidarity against any and all forms of hate and violence that exist in our world today. Please join with me in a moment of silence to remember those who have been the victims of violence. Thank you.

We are very proud that our students, faculty and staff reflect a strong dedication to service. From the many health careers that are launched here, to those who treat individuals struggling with mental and physical health challenges, to those students who organized the 9/11 Silent Climb this morning, and especially to our veterans who have come to Western to continue their education after having served our country, our great university is filled with bright and talented individuals who consistently demonstrate all that is so positive about our community.

The future is bright ... Thanks to you all.

Now let's reflect on some of the topics your Board has been addressing.

Fall enrollment:
Our fall enrollment numbers have not been as we had hoped for, but they are close to our budgetary projections. Despite these challenges, we are working to boost both enrollment and retention through various innovative measures. We will continue to monitor our recruitment
efforts with the goal of ensuring that Western stays healthy, viable and an attractive beacon of higher education for our students.

**State budget:**
The state budget has not been enacted. In our university budget, that was approved in June, the state appropriation projection comprises roughly 27% of our Western’s total general fund budget. We are prepared to respond to the final state appropriations package when it is passed in a manner that protects the future of this great institution while enabling us to continue providing the highest level of education for our students as well as to conduct key and cutting-edge research.

**Title IX review:**
As we have mentioned before, your Board takes its responsibility of ensuring our students’ safety and security as an absolute top priority. To this end, we will be assessing the Title IX review that has been conducted and determining the best plan of action for us to take to ensure the safety of our student and employees.

**Land Acknowledgment Statement:**
Dr. Candy McCorkle, vice president for diversity and inclusion, and Rebecca Huntley, a higher education and student affairs graduate student, will be presenting Western’s land acknowledgment statement to the board. This statement recognizes the university’s location on lands historically occupied by the Ojibwe (O-JIB-way), Odawa (O-DOW-ah) and Pottawatomi (Pot-OH-wat-ah-me) nations.

We are pleased and honored to have tribal representatives with us here today and look forward to formally introducing them as we learn more about this important statement. At this time, I would like to invite Western Michigan University President Edward Montgomery to add his welcome and comments to this morning’s assembly.
Thank you, Chairman Bolger and welcome, everyone.

- We are surrounded by the hustle and bustle of a new academic year and everything that brings.

- I hope that you’ve had a chance to take a closer look at our changing landscape and noticed the considerable activity on our Hilltop Village area. This is the southernmost portion of our main campus—what we had called the south neighborhood. You might miss seeing McCracken Hall...or you might not. Either way, we have some exciting new developments on the horizon—literally.

- Yesterday we celebrated placement of the final upper level beam on the new Arcadia Flats structure in a “topping out” ceremony. It was a very heady experience signing the last beam and watching it rise into its final location on the top level of this building that represents a new vision for student living.

- The Arcadia Flats project will provide residences for upper-level undergraduates and grad students. It was conceived and envisioned for the 21st century learner. It will be a model for the kind of residential experience that our students and prospective students have told us that they are looking for. Students will find plenty of spaces for working together, or working on their own, in a place that promotes inclusivity and healthy, sustainable living. We’ll be welcoming its first residents a year from now.

- In a separate ceremony yesterday, we marked the groundbreaking for the new Student Center—a beautiful facility that will welcome our learners with services and support offices, plus plenty of open spaces, dining and retail options, and lounges for studying or casual gatherings. Phase one of this project—the first two floors of student services and resources—will be completed two years from now and the final phase—the expansive third-floor dining facility—opens in Fall 2022.

- These structures are part of a larger, long-term plan that will revitalize our campus and help position us as an innovative, learner-centered institution.

- We can report a new addition to our leadership team. Kara Wood is joining us as the new associate vice president for community partnerships. Ms. Wood is an alumna who earned her master’s degree in public administration, and she is returning to her alma
mater from Grand Rapids, where she was the city’s managing director of economic development services. She will join our governmental relations team in a cabinet-level role charged with advancing corporate engagement in such areas as research, economic development and talent development.

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Points of Pride

- *Washington Monthly* magazine just released its 15th annual College Guide and Rankings. These are college rankings that look at institutions of all sizes and divisions that as Washington Monthly says, “serve the best interests of the country as a whole—including those that enroll and graduate students of modest means.”

- I’m happy to say that WMU was the top MAC school in the category of graduate performance and it was second among Michigan’s public universities. When it comes to graduate earnings, we are the highest-ranked public institution in Michigan and number two for the MAC schools. Let that sink in. What those numbers say about us is that WMU offers opportunity for anyone who wants it. Anyone. It doesn’t matter where you start—if you are willing to put in the effort, to stick with it, your degree can take you as far as you want.

- And now, it’s possible to find out how far you can take a Doctor of Physical Therapy degree from WMU. We have the nation’s newest DPT program—it just gained pre-accreditation status from the Commission on Accreditation in Physical Therapy Education and the first cohort of 30 students began their studies this summer.

This program is unique because it’s 30 months long, enabling students to complete their studies and their clinical work faster than other programs with less debt.

Congratulations to Dr. Stacie Fruth and the entire Department of Physical Therapy on launching this innovative new degree.

- We talk about how Broncos are prepared for anything and how they are determined to take on any challenge. An interdisciplinary team from the College of Health and Human Services is proving that by taking on one of our nation’s biggest challenges—the opioid
crisis. Dr. Ann Chapleau, associate professor of occupational therapy, Dr. Jennifer Harrison, associate professor of social work, and Dr. Bridget Weller, assistant professor of social work, have received a $1.35 million Health Resources and Services Administration grant to develop a program to enhance interdisciplinary education for social work and occupational therapy students and to expand the number of professionals who serve rural and medically underserved communities. This goes right to the heart of what we do best—we give students an excellent education along with opportunities to apply what they are learning to real-world problems.

- I’m looking forward to seeing many of you next week at our Fall Convocation and State of the University address. This event will take place at the Bernard Center North Ballroom on Friday, Sept. 20 at 11 a.m. We’ll all have the chance to applaud the very deserving faculty award winners who will be announced, and I’ll share my state of the university address with those assembled.
ATTACHMENT C

REMARKS TO WMU BOARD OF TRUSTEES
September 11, 2019
Richard A. Gershon

*See Attached Slide Deck
Western Michigan University
Board of Trustees
September 11, 2019

Richard A. Gershon, President
Western Michigan University Faculty Senate

Faculty Senate Executive Board

John Jellies, Vice President pro tempore
Osama Abudayyeh, Director
Decker Hains, Director
Marilyn Kritzman, Director
William Rantz, Director
C. Dennis Simpson, Director
Sarah Summy, Director
WMU Essential Studies

- The WMU Essential Studies program provides Western Michigan University undergraduate students with an integrated curriculum designed around a University-wide set of Essential Studies Learning Outcomes which enhance the quality of the undergraduate experience.

- WMU Essential Studies, under the administrative direction of Mervyn Elliott, continued its work in the development and implementation of this major University-wide initiative.

- These efforts were greatly assisted by Sarah Summy who served as Chair of the WMU Essential Studies Executive Advisory Committee and Decker Hains who serves as Chair of the WMU Essential Studies Course Review and Approval Subcommittee.
WMU Essential Studies

- Phase One: student learning outcomes developed (2015-16)
- Phase Two: structure and design (2016-17)
- Phase Three: logistics (2017-18)
  - student guidelines
  - course guidelines
  - outcomes and rubrics
- Phase Four: course submission and review (2019-20)
  - 338 courses approved
  - 128 courses invited to resubmit
  - overall curriculum review (i.e. Curriculum Map)
- Phase Five: pilot (2019-20)
  - review of courses
  - Reverse curriculum mapping
- Phase Six: program launch (fall 2020)
Ad-Hoc Committee for Interdisciplinary Academic Study

- In April 2019, the Faculty Senate Executive Board established the formation of an ad-hoc committee to examine the current practices of interdisciplinary academic study at WMU and evaluate both opportunities and challenges going forward.
- This committee will be charged with understanding the different types of interdisciplinary academic programs that currently exist at WMU. The committee will also be asked to provide a set of recommended strategies with the goal of helping to advance interdisciplinary academic study at WMU.
- The committee has been selected and will be meeting later this month for its first meeting.
WMU Honorary Degree Policy

The Office of the Vice President for Academic Affairs in cooperation with the Faculty Senate is undertaking a major revision of the University’s current Honorary Degree policy.

The purpose of awarding an Honorary Degree is to recognize persons of exceptional scholarly, artistic, professional, or humanitarian achievement who exemplify the mission of Western Michigan University and whose career or lifetime accomplishments serve as models of University ideals and aspirations for its students, faculty, staff, and alumni.

This proposal has been submitted for your review.
WMU Honorary Degree Policy

The following represents four suggested categories of Honorary degrees.

- Doctor of Humane Letters, honoris causa (L.H.D.), given to persons with outstanding achievement in the humanities.
- Doctor of Science, honoris causa (Sc.D.), given to persons with outstanding contributions to and service in the sciences.
- Doctor of Letters, honoris causa (Litt.D.), given to outstanding scholars in specific disciplines, exclusive of the sciences and humanities.
- Doctor of Laws, honoris causa (L.L.D.), given to persons with outstanding service to humankind at large, to learning, and/or institutions benefiting the public.

Nominations will be solicited annually by the Honorary Degree Scholastic Committee Chair in collaboration with the President's Chief of Staff. A call for nominations will be announced at the start of the academic year in September.
Undergraduate Studies Council

- The USC, under the direction of Chairperson Bruce Ferrin, was asked to address a number of council charges in addition to its regular work to review undergraduate curriculum proposals.
- During the 2018-2019 academic year, the USC reviewed 49 curriculum proposals.

Graduate Studies Council

- The GSC, under the direction of Chairperson Louann Bierlein Palmer, was asked to address a number of council charges in addition to its regular work to review graduate curriculum proposals. During the 2018-2019 academic year, the GSC reviewed 29 curriculum proposals.

In the coming year, both USC and GSC will be asked to consider best practices and recommend procedures to award academic credit for professional/industry experience for non-traditional students.
WMU Faculty Senate Council Charges

• Academic and Information Technology Council
  – Serve as a consultative body on security policies; continue to evaluate data security and existing policies related to mobile devices.
  – Work with Student Information Team to have "preferred name" used in Banner.

• Campus Planning and Finance Council
  – Work with the Office of the Provost and Vice President for Academic Affairs with respect to University College and the role of faculty in the advising process.
  – Work with the Office of the Vice President for University Advancement and report on the planned capital campaign, as it relates to the role of faculty towards that initiative.
WMU Faculty Senate Council Charges

**International Education Council**
- Develop and recommend best practices for ensuring that international students at WMU are made to feel welcome and directly connect with U.S. based students in real and meaningful ways.
- Collaborate with the Office of Institutional Equity in the development of the Global Engagement Pathway in the WMU Signature Program.
- Continue to develop best practices for advancing shared classroom instruction and collaborative projects between multiple university sites including WMU.

**Research Policies Council**
- Recommend best practices to communicate research and creative activities and highlighting the accomplishment in research and creative activity by faculty and share them with the office of Marketing and Strategic Communications.
- Conduct annual review of the state of research ethics and policies and procedures in collaboration with the Office of the Vice President for Research.
- Work towards the development of a more comprehensive policy approach to intellectual property matters.
Thank you.
PROPOSAL: Amendment of Documents for Asylum Lake Preserve

Background

On April 16, 2004, the Board of Trustees approved the Declaration of Conservation Restrictions and The Asylum Lake Preserve Management Framework which were intended to preserve the Asylum Lake property as open space to be used for passive recreational purposes, and to establish the Asylum Lake Preserve Policy and Management Council to oversee the use and protection of the property.

The agreements established a Policy and Management Council of the Asylum Lake Preserve, which adopted Bylaws as authorized by the Framework (collectively, the “Asylum Lake Agreements”). Over time and as the Preserve has been improved for its stated purpose, certain changes were needed to the Asylum Lake Agreements, that may be summarized as follows:

**Framework:**
- Provide term limitations for Council members of five (5) two-year terms.
- Update cross-references to current WMU departments, schools and officials
- Change the composition of certain committees

**Restated Bylaws:**
- Allow for Ad Hoc Committees
- Restate the indemnification of Council and committee members
- Add flexibility for future changes

**Declaration:**
- Adopt the revised Framework
- Allow for paved parking lots
- Allow boats to be used as needed for research/education

It is recommended the Board approve the attached First Amendment to Declaration of Conservation Restrictions, The Asylum Lake Preserve Management Framework (as amended), and the Restated Bylaws.

**Recommended Action**

The Board approves the First Amendment to the Declaration of Conservation Restrictions, The Asylum Lake Preserve Management Framework (as amended), and the Restated Bylaws of the Policy and Management Council of the Asylum Lake Preserve, and authorizes recording the Amendment in the Kalamazoo County Records.

The Board authorizes and directs the President, Treasurer or Assistant Treasurer (the “Authorized Officers”) to finalize and to negotiate and execute the above referenced documents and any other amendments, restrictions, bylaws, agreements or documents, and to take such other actions, necessary or convenient to effectuate and complete the transactions contemplated herein, with such modifications as they or anyone of them may approve as reasonable or necessary.
FIRST AMENDMENT TO DECLARATION OF CONSERVATION RESTRICTIONS

THIS FIRST AMENDMENT TO DECLARATION OF CONSERVATION RESTRICTIONS (the “Amendment”) is dated as of November 6, 2019, and is made by the BOARD OF TRUSTEES OF WESTERN MICHIGAN UNIVERSITY, a Michigan constitutional body corporate (“WMU”).

Background


WMU now desires to amend the Declaration in the manner provided herein.

Amendment

NOW, THEREFORE, the Declaration is hereby amended as follows:


2. Restrictions on Use. The Restrictions on Use set forth in Section 3 of the Declaration are amended as follows:

   (a) Roads, paths and parking lots may be paved as approved by the Policy and Management Council or as otherwise required by any federal, state or local law, regulation, ordinance or order, or to protect the health, safety and well-being of the public users of the Preserve.

   (b) Boats may be used on the Preserve as needed for any research or education activities approved by the Policy and Management Council.

3. Miscellaneous. In the event of a conflict or inconsistency between this Amendment and any other terms of the Declaration, the terms of this Amendment shall govern. Except as amended herein, all other terms of the Declaration shall continue in full force and effect. The terms of this Amendment may only be modified by a writing executed by WMU. The Background set forth above is, by this reference, incorporated into the text of this Amendment as if fully set forth herein. Initially capitalized terms used but not defined in this Amendment, but defined in the Declaration, shall have the meanings given to them in the Declaration.

SIGNATURES AND NOTARIAL ACKNOWLEDGEMENT ON FOLLOWING PAGE
IN WITNESS WHEREOF, WMU has executed this instrument as of the date set forth above.

THE BOARD OF TRUSTEES OF WESTERN MICHIGAN UNIVERSITY, a Michigan constitutional body corporate

By: ________________________________

STATE OF MICHIGAN )
 )
COUNTY OF KALAMAZOO )

The foregoing instrument was acknowledged before me this ___ day of ________________, 2019, by ________________ the _________ of the Board of Trustees of Western Michigan University, a Michigan constitutional body corporate, on behalf of the University.

____________________, Notary Public
Kalamazoo County, Michigan
Acting in __________ County, Michigan
My Commission expires: __________

THIS INSTRUMENT DRAFTED BY AND WHEN RECORDED RETURN TO:
Steven M. Stankewicz, Esq.
Miller, Canfield, Paddock and Stone PLC
277 South Rose Street, Suite 5000
Kalamazoo, Michigan 49007
(269) 381-7030
EXHIBIT “A”
FRAMEWORK
THE ASYLUM LAKE PRESERVE MANAGEMENT FRAMEWORK [Revised November 2019]

I. Documents Establishing the Basic Purposes and Legal Setting for the Asylum Lake Preserve (“Preserve”): The following documents establish the basic purposes and legal setting for managing the Preserve (available at the WMU Asylum Lake web site and the WMU Archives and Regional History Collections). The management bodies established by Section V shall be guided by them and by the Conservation Purposes (Section II), the Kalamazoo Nature Center Study (Section III), and the Management Goals (Section IV).

* P.A. 316 of 1975 as amended by P.A. 272 of 1976;
* The City of Kalamazoo Proposal of November 30, 1998 to WMU, entitled “WMU and Kalamazoo: A Partnership”;
* The letter from WMU President Elson S. Floyd to the Mayor of Kalamazoo, dated February 5, 1999;
* The joint WMU/City of Kalamazoo letter of October 27, 1999 to the Kalamazoo Foundation;

II. Statement of the Conservation Purposes of the Asylum Lake Preserve. The Conservation Purposes, approved by the Asylum Lake Focus Group, Fall 1999, are intended to provide a framework for the development and implementation of more specific plans and policies for the management and use of the Preserve. These purposes are to be viewed as interdependent and a balance among them shall be sought in all plans, policies, and actions.

1. Promote Ecosystem Integrity and Natural Aesthetics. Maintain the Asylum Lake Preserve as green space and wildlife habitat. Policies should be adopted that promote ecosystem integrity and natural aesthetics. Selected landscape features such as woodlands, old fields, wetlands and lakes should be protected from further degradation and enhanced through carefully considered restorative action. Objectives include converting land formerly used for agriculture to prairie and converting portions of old fields to oak savanna. Special attention should be given to water quality in Asylum Lake and protection of the Asylum Lake watershed.

2. Ensure Passive Recreation. Such activities should not have a detrimental impact on the landscape and should not entail significant infrastructure development. Passive recreational activities are defined as those which create opportunities for a high degree of interaction with the natural environment. Appropriate activities include hiking, wildlife watching, cross-country skiing and running. Inappropriate activities include competitive sports and any form of mechanical recreation.
3. **Support Research and Education.** The Asylum Lake Preserve should be used to support and enhance the academic programs of WMU by providing a site for field studies, research, and community outreach. Such activities should be conducted in a manner that is consistent with and furthers the above-described Conservation Purposes.

**III. Kalamazoo Nature Center Study.** This study, titled “Western Michigan University: Asylum Lake Property - Historical Uses and Land Cover, Natural Features Inventory, and Habitat Enhancement Recommendations” and submitted by the Kalamazoo Nature Center, February 2002, offers a useful description of the existing conditions at the Preserve. Additional documents and reports describing or updating existing knowledge of the historical or current condition of the natural resources on the property will be posted on the Asylum Lake website (www.wmich.edu/asylumlake) as they become available.

**IV. Management Goals.** The management bodies established under Section V shall ensure that all activities carried out on the Preserve conform with the provisions of the Declaration of Conservation Restrictions. These bodies also shall be guided in their deliberations and actions by the following Management Goals:

1. To seek the effective pursuit of the Conservation Purposes.

2. To ensure that activities carried out on the Preserve shall be consistent with the goals of seeking to reduce and reverse environmental degradation and ensure passive recreation.

3. To ensure that all educational, research, and restoration activities carried out on the Preserve have followed “The Educational, Research, and Restoration Activities Protocol for the Asylum Lake Preserve” (“Protocol”) approved by the Provost [date].

**V. The Policy and Management Council.** The Policy and Management Council (“Council”) shall oversee and manage the Preserve. The Council shall also interpret and apply the “Restrictions on Use” and “Exceptions and Rights Reserved by WMU” contained in the Declaration of Conservation Restrictions.

The Council shall be a self-sustaining body which is responsible to the WMU Vice President for Business and Finance. It shall have a majority of its members from WMU. It shall meet at least twice a year with meetings open to the public. Special meetings may be called by any three members with at least two weeks’ notice.

**Powers and Duties:**

1) To ensure that the provisions of the Declaration of Conservation Restrictions are faithfully observed and that the Conservation Purposes and Management Goals are effectively pursued by developing a procedure for regular oversight of the Preserve.
2) To make, review, or amend an overall management plan for the Preserve. A basic management plan and accompanying policies shall be developed and adopted within one year of the Council’s first meeting. At least every five years, the Council shall formally review the current management plan to identify needed changes and/or improvements.

3) To approve, amend, or reject other plans and/or proposals for use of the property. Such plans and/or proposals may come from WMU, the Council or its committees, public agencies, or governmental bodies.

4) To prepare for the Vice President of Business and Finance an annual financial report and budget request for the Preserve based on:
   a) funds available for distribution from the Asylum Lake Preservation Fund;
   b) existing and projected funding from WMU; and
   c) existing and projected grants and donations.

5) To receive, discuss, and make recommendations on disputes over existing or proposed land use, operational, and/or financial matters related to the Preserve.

6) At least annually, to discuss as a Council the events, activities, and/or proposals affecting the Preserve that have occurred and to review in general the past year and the expectations for the coming year.

7) To develop By-laws defining the procedures of the Council, its standing committees, and procedures for the establishment of any additional committees.

8) In carrying out any of the above powers and duties, the Council may, with reasonable public notice, conduct a public hearing to obtain community views and suggestions.

Members: The Policy and Management Council shall be a self-sustaining body. It shall include eight members from WMU and six members from community groups having an environmental focus and Kalamazoo neighborhood associations registered with the City of Kalamazoo. Each member shall have one vote. Terms of individual voting members shall be two years (renewable for four additional terms). In such cases where a suitable replacement cannot be made after five consecutive terms, or where the expertise of a member is considered essential to the function of the Council, additional terms may be approved by the Vice President for Business and Finance, upon recommendation of the Council. Before the Council is first constituted, the Vice President for Business and Finance or a designee shall identify which seven shall have a term of one year in order to establish a rotation; the seven one-year-term members must be composed of four WMU representatives and three community representatives.
Changes in the size of this Council shall occur only after a favorable vote by 3/4 of the members and any change shall not decrease the percent of representatives for the community below 40%. At least every four years and using procedures spelled out in its By-laws, the Council shall review the size of the Council as well as the community and neighborhood organizations and University units represented. Changes to the list of units and organizations below shall require a 3/4 vote of the members of the Council. Each of the following University units shall designate one of its members to the Council:

- The WMU Campus Planning and Finance Council
- The WMU College of Arts and Sciences
- The WMU Institute of the Environment and Sustainability
- The WMU Facilities Management (Natural Areas Manager as Ex Officio non-voting member)
- The WMU Vice President for Business and Finance

In addition, the Vice President for Business and Finance shall appoint four at-large members from the University to serve on the Council. The four at-large members shall be selected from a list of individuals (faculty, staff, and emeriti) who have expressed in writing their interest in serving on the Council (See Section IX).

Each of the following community organizations shall appoint one of its members to the Council:

- The Asylum Lake Preservation Association
- The Environmental Concerns Committee of the City of Kalamazoo
- The Kalamazoo Environmental Council
- The Oakland Drive/Winchell Neighborhood Association
- Neighborhood Association of Parkview Hills
- The Parkwyn Village Neighborhood Association

Each university unit and community organization may appoint an alternate to attend and vote in the member’s absence.

In addition, to the above eight members from WMU, the Natural Areas Manager (WMU Facilities Management) shall be a non-voting ex-officio member.

If any of these University units or community organizations cease to exist, prior to their dissolution or as soon thereafter as possible, the Council shall modify the membership composition as required by this document.

VI. Standing Committees of the Policy and Management Council:

1. The Research and Education Committee. Meets as needed.
Powers: Solicit and/or receive proposals for research, educational, and/or restoration uses of the Preserve; establish a Review Panel to approve or reject research, educational and restoration proposals; develop annual and longer-term research, education, and restoration plans and/or guidelines; and, for these purposes, receive and disburse funds from the Council, WMU, or other grants or donations.

Duties:
* Review all past, current, and proposed university and community educational, research, and restoration activities and grants involving the Preserve for consistency with Sections II, III, and IV, and existing management plans and/or policies.
* Oversee the work of the Review Panel in implementing the Protocol.
* Coordinate and balance existing and proposed research, educational, restoration, and recreational uses within the Preserve.
* Make policy recommendations to the Council, including periodic updates of the Protocol.
* Prepare an annual report for the Council.

Members: Four voting Committee members, including one from the Institute of the Environment and Sustainability, one from the Campus Planning and Finance Council, and two selected by the Council. Non-voting advisers may be invited to attend meetings as needed or appropriate.

2. The Operations Committee. Meets as needed.

Powers and Duties: Develop operational procedures and rules to carry out any management and/or use plans/policies adopted by the Council; work with the Research and Education Committee to ensure operational coordination between those carrying out approved projects, the WMU Facilities Management, and any other relevant WMU units; oversee operations and enforcement; prepare an annual report for the Council on needs and problems.

Members: Four voting Committee members, including one from the WMU Facilities Management, one from the Institute of the Environment and Sustainability and two selected by the Council. Non-voting advisers can be invited to attend meetings as needed or appropriate.

VII. Administrative Support. WMU Facilities Management shall provide administrative and logistical support for the Policy and Management Council and its committees and shall serve as a communications channel between the Council and the WMU administration. Such support shall include financial record-keeping and reporting, secretarial help, and maintenance of the website.
VIII. Amendments: Amendments to this Management Framework shall require a vote of three quarters of the members of the Policy and Management Council as well as the approval of the Vice President for Business and Finance.

IX. Activation: This Management Framework shall be activated once the Declaration of Conservation Restrictions has been adopted by the WMU Board of Trustees. The office of the Vice President for Business and Finance shall send copies of this document to each of the community and university units listed in Section V above and ask them to designate their representative to the Policy and Management Council. Also, all WMU faculty, staff, and emeriti shall be invited to consider applying for at-large membership on the Council. To be considered, those interested shall explain their interest in writing to the Vice President. Once the designations have been received, the three at-large members have been appointed, the seven one-year-term members identified (see Section V), and reasonable public notice has been given, the Vice President for Business and Finance or a designee shall convene and chair the initial meetings of the Policy and Management Council until By-laws are adopted and a chair selected.

[On April 16, 2004, the WMU Board of Trustees adopted The Declaration of Conservation Restrictions activating this Management Framework and amended November. 6, 2019.]
RESTATED BY-LAWS OF THE POLICY AND MANAGEMENT COUNCIL OF THE ASYLUM LAKE PRESERVE  
(November 2019)  

Article I - Purpose  

The Policy and Management Council of the Asylum Lake Preserve (the “Council”) was created by the Declaration of Conservation Restrictions (the “Declaration”) and the Asylum Lake Preserve Management Framework (the “Framework”) adopted by the Board of Trustees of Western Michigan University (the “University”) at its meeting on April 16, 2004. The Council’s purpose is to ensure that the provisions of the Declaration of Conservation Restrictions are faithfully observed and that the Conservation Purposes and Management Goals set forth in the Framework are effectively pursued by developing a procedure for regular oversight of the Asylum Lake Property (the Preserve), and to carry out such other powers and duties as set forth in the Framework.

Article II - Relationship  

The Council was created by action of the Board of Trustees of Western Michigan University as set forth in the Declaration and Framework. The Council shall operate pursuant to the terms and provisions of the Declaration and Framework as a self-sustaining body which is responsible to the Vice President for Business and Finance of Western Michigan University (“VP for Business and Finance”).

Article III – Membership & Meetings  

3.1. The members of the Council shall be determined as set forth in the Framework.

3.2 Meetings:  

The Council shall meet at least twice a year, but may do so more often upon call of the Chair and with a notice of at least two weeks.

3.3 Special Meetings:  

1. The Chair may call a special meeting of the Council.

2. Any three members may call a special meeting, providing that there is at least a notice of two weeks.

3. If members of the Council petition the Chair to call a meeting, the Chair shall call a meeting within a reasonable time and as soon as practicable for the purpose for which the meeting was requested. If a meeting is not called, the Chair shall state in writing why the request was denied and provide said statement within a reasonable time of the request.
3.4 Notice of All Meetings:

1. The Chair shall be responsible for arranging the date, time, and location of all meetings.

2. Notice of each meeting shall be the responsibility of Chair who may delegate this task to a member.

3. Notice for any meeting shall be at least two weeks prior to said meeting.

4. Notice may be provided as deemed reasonable by the Chair, including by email. Notice is intended to give those most affected by upcoming actions/votes notice of the intended action and an opportunity to be heard. Notice may be satisfied by placing an announcement in the Kalamazoo Gazette or other local news outlet, on the WMU Events page, on the ALP website or on social media.

3.5 Conduct of All Meetings:

1. All meetings shall be open to the public. Citizens shall be permitted to speak at the meeting during a designated comment period and prior to all formal votes, not including procedural decisions for conducting the meeting. Public comments shall be limited to (5) five minutes unless extended by the Chairperson.

3.6 Order of Business at All Meetings:

1. Call to order
2. Roll call
3. Adoption of agenda
4. Approval of minutes
5. Communications and announcements
6. Old business
7. New business
8. Project or special committee reports
9. Miscellaneous public comments
10. Miscellaneous board / staff comments
11. Adjournment

3.7 Quorum:

A quorum for the Council or any of its committees shall be a majority of the Council membership or committee membership.

3.8 Manner of Acting:

A quorum is needed to conduct the business of the Council and its committees.
3.9 **Manner of Voting:**

Unless otherwise specified, a majority of a quorum is necessary for a motion to pass.

**Article IV – Committees**

4.1 The Committees and their composition, duties and powers are set forth in the Framework.

4.2 **Standing Committees:**

1. Research and Education Committee
   
a. The composition, powers and duties of the Research and Education Committee are set forth in the Framework.

2. Operations Committee
   
a. The composition, powers and duties of the Operations Committee are set forth in the Framework

4.3 **Ad Hoc Committees:**

1. The Council may appoint Ad Hoc Committees for specialized tasks, including but not limited to, public relations, interpretive signage and trail design.

**Article V – Officers**

5.1 **Titles:**

The officers of the Council shall be a Chair, a Vice Chair, a Secretary, and any other officers as may from time to time be prescribed by the Council.

5.2 **Resignation, Removal, and Vacancy:**

Any officer may resign at any time from office by giving written notice thereof to the Chair or the Secretary. Any officer may be removed for good cause upon a majority vote of the Members.

5.3 **Chair:**

Subject only to the Members, the Chair shall supervise and control the management of the Council. The Chair shall preside at all meetings when possible. The Chair or designee shall communicate to the VP for Business and Finance all proposed projects.

5.4 **Vice Chair:**

The Vice Chair shall exercise the powers of the Chair in the event of the Chair’s absence or inability to perform. The Vice Chair shall also have such powers and duties as may be prescribed by the Council.
5.5 Secretary:

The Secretary shall keep accurate records of all meetings of the Council. The Secretary shall keep a record of the names and addresses of all members of the Council. The Secretary shall perform all other duties incident to the office of Secretary. The Secretary may, with the approval of the Council, appoint a person from outside the Council to take notes for use in preparing the minutes at any meetings of the Council.

5.6 Term:

Each Officer shall serve a two-year term and may be reappointed indefinitely as long as the Officer is a member. Officers shall be elected in the fall of odd-numbered years.

Article VI – Duties

6.1 Accountability:

The Council is not accountable for any money, so no Treasurer is appointed. Money for management, restoration and other activities is available from the Asylum Lake Preserve Fund held by the Kalamazoo Community Foundation. Requests for use of this money are made by the VP for Business and Finance.

6.2 Reports:

1. The Council shall prepare for the VP for Business and Finance an annual financial report and budget request for the Preserve based on:

   a. Funds available for distribution from the Asylum Lake Preservation Fund at the Kalamazoo Community Foundation;
   b. Existing and projected funding from the University; and
   c. Existing and projected grants and donations.

2. The Council shall prepare an Annual Report that describes the general status of the Preserve, the status of Council plans and policies, as well as major events, activities, and/or proposals affecting the Preserve.

3. The Council shall make, review, or amend an overall management plan for the Preserve. A basic management plan and accompanying policies shall be developed and adopted within one year of the Council’s first meeting. At least every five years, the Council shall formally review the current management plan to identify needed changes and/or improvements.

4. The Council shall approve, amend, or reject other plans and/or proposals for use of the Preserve. Such plans and/or proposals may come from the University, the Council or its committees, public agencies, or governmental bodies.

5. The Council shall receive, discuss, and make recommendations on disputes over existing or proposed land use, operational, and/or financial matters related to the Preserve.
Article VII - Indemnification

1. Except as otherwise provided by law, and subject to the limitations set forth in this Article, and as further clarified/limited in the Bylaws of Western Michigan University Board of Trustees and in this Article, the University agrees to provide a legal defense for each member of the Council or one of its committees (a “Council/Committee member”) and to hold such Council/Committee member harmless, from those claims, liabilities, losses, damages and costs (excluding any settlement costs unless agreed to in writing by the University) arising out of a decision, act and/or omission made by that Council/Committee member within the scope of his/her duties or service as a Council/Committee member, provided that such decision, act or omission was in good faith and in a manner he/she reasonably believed to be in compliance with the laws, these Bylaws and not opposed to the best interests of the Council or the University.

2. In any case in which a Council/Committee member seeks a legal defense or to be indemnified and/or held harmless as described above, the Council/Committee member must:

   a. notify the University’s General Counsel in writing within twenty-one (21) calendar days after receiving or being served with any claim, action or lawsuit, and include information and materials regarding such matter;

   b. afford the University the opportunity to defend such claim and control the litigation, any settlement and other disposition of the claim, action or lawsuit; and

   c. fully cooperate in connection with such defense, litigation, settlement or disposition.

The Council/Committee member shall have the right, but not the obligation, to hire his/her own attorney to represent the Council/Committee member at his/her own cost and expense, provided such attorney shall not control the defense or disposition of any claim, action or any litigation or settlement.

3. Notwithstanding the above, the University shall have no obligation to provide a legal defense or to indemnify or hold the Council/Committee member harmless as to those matters:

   a. which the University has determined to have exceeded the scope of a Council/Committee member’s duties or service, or are contrary to University policies, rules, regulations or instructions;

   b. where the actions of the Council/Committee member have violated the law or constitute acts of misconduct or gross negligence; or

   c. which are not covered by the University’s liability insurance policy, as determined by the insurance company that issued the policy, and its determination shall be final and binding on the Council/Committee member.

4. The rights stated in this Article shall be the sole rights granted to a Council/Committee member and these rights supersede all rights to indemnification provided in the Michigan Nonprofit
Corporation Act (“MNCA”), the Bylaws of the Board of Trustees or under Michigan law. The Council shall not indemnify a Council/Committee member under any circumstances, and a Council/Committee member shall not bring a claim against the Council for indemnification under the MNCA.

The provisions of this Article are intended to replace and supplement the requirements for mandatory indemnification set forth under Section 563 of the MNCA

**Article VIII - Compensation**

Council members and alternates serve in a volunteer capacity and are not compensated for attending regular or special meetings. Council members and alternates will not receive mileage for attending regular or special meetings.

**Article IX – Fiscal Year**

The Council’s fiscal year will be that of the University. The University’s fiscal year is July 1 to June 30th of each year.

**Article X- Amendments**

10.1 Changes in Council Size or Membership:

   1. Changes in the size and makeup of the Council are provided for in the Framework.

   2. If it becomes necessary to replace a department/organization, the Council shall give consideration to the recommendation of the department/organization that is disbanding.

10.2 Review of the Council:

   1. At least every four years, the Council shall review the size of the Council as well as the community and neighborhood organizations and University units composing the Council.

   2. Recommendations to revise these By-laws may be proposed at a Council meeting. Any vote on changes will not occur until the subsequent meeting so organizations and units can gather input from their member organizations/units. A subsequent meeting at which a vote is to be taken shall not occur sooner than two weeks from the meeting at which the requested change was announced. Notwithstanding the foregoing, revisions to the Bylaws must be approved by the VP for Business and Finance and the University Board of Trustees prior to becoming effective for the Council.

   3. Votes to changes of these By-laws shall be enacted in public.

**Article XI – Parliamentary Authority**

Roberts Rules of Order, Revised, shall govern the Council in all cases not addressed by these by-
laws.

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PROPOSAL: WMU Apartment Rates 2020/2021

Background

All on-campus housing options continue to support and assist WMU in recruitment, retention, and student success efforts. Apartment complexes are operating at 95% occupancy for the fall 2019 semester. It is important to provide a rate structure at this time so students can appropriately plan for next year’s housing needs.

Our newest housing complex, Arcadia Flats, will open fall 2020. Serving as the inaugural build for the Hilltop Village, Arcadia Flats will help set the tone for this area of campus as well as refresh the visual appeal from the Stadium Drive corridor. Architecturally and visually appealing, Arcadia Flats has been envisioned to offer a combination of living styles that complement the existing on campus housing options. The new complex will have a positive impact on residential life and will reflect the needs of students today and into the future.

Students living at Arcadia Flats, Western View, and the WMU Apartments benefit from the convenience of on campus living, including easy access to classes, events, and services. Except as otherwise noted, approval is being sought for standard, unfurnished units. Furnished and expanded units may also be available, depending on the housing option selected. The recommended rates for all complexes include water/sewer services, trash removal, and security features. The Arcadia Flats and WMU Apartments rates include all utilities; and the Arcadia Flats and Western View rates include laundry.

Recommended Rates – Per Resident:

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<tbody>
<tr>
<td></td>
<td></td>
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<tr>
<td>Arcadia Flats</td>
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<td>Loft (includes furnishings)</td>
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<tr>
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Recommended Action It is recommended the administration be authorized to implement the Arcadia Flats, Western View, and WMU Apartments rates for 2020/21, effective fall 2020.
PROPOSAL: Residency Policy for Admissions and/or Tuition and Fees Purposes

Background

The Residency Policy outlines Michigan residency requirements. The current Residency Policy was approved at the January 24, 2017 Board meeting. The proposed interim amendment we are bringing forward to you today is dependent upon Board approval being received on the proposal to set the graduate tuition rate equal to 1.5 times the resident rate.

The proposed revised language provides that those graduate students enrolled prior to Summer II 2020 would retain the current opportunities to apply for residency. In other words, there is no change for graduate students who were admitted under the current residency policy. The revised policy also includes language that graduate students who are admitted and enrolled Summer II 2020 or after will retain the residency status determined at the time of admission throughout their enrollment at Western Michigan University. At such time that there are no longer graduate students who enrolled prior to Summer II 2020, the residency policy will be modified to eliminate this language since it will no longer be applicable.

The approach being proposed for graduate student is consistent to the residency process put in place for undergraduate students when the non-resident tuition rate was reset to 1.25 of the resident rate. Those undergraduate students who were admitted and enrolled prior to the change were grandfathered under the then current residency policy. Newly admitted undergraduate students had residency determined at the time of admission and enrollment. This policy change was effective for undergraduate students enrolled Spring 2017 or earlier. At the time there are no longer non-resident undergraduate students enrolled who joined us prior to the Spring 2017 semester, then this language will also no longer be applicable and will be removed from the policy.

Recommended Action

It is recommended the Board of Trustees approves the interim amendment to the Residency Policy as well as approves the removal of the grandfathering language for both graduate and undergraduate students when it is no longer applicable. This interim amendment becomes effective with this approval.
Western Michigan University
Residency Policy – for Admissions and/or Tuition and Fees Purposes

The governing board at each university in Michigan has the authority to establish a residency policy for admissions and/or tuition and fee purposes. Therefore, residency policies will vary between institutions and are independent of those used by the State to determine residency for purposes such as income and property tax liability, driving and voting.

Any Western Michigan University undergraduate student who has been admitted as a degree seeking student and began enrollment as of the Spring 2017 semester or earlier, may apply for in-state resident status for any semester/session in which they are enrolled in on-campus courses by completing a residency application in accordance with University procedure.

Any Western Michigan University undergraduate student who has been admitted as a degree seeking student and began enrollment effective with the Summer I 2017 semester or later, will have their residency status determined at the time of admission and it will remain the same throughout the student’s enrollment at Western Michigan University.

Any Western Michigan University graduate student who has been admitted effective prior to the Summer II 2020 semester and began enrollment prior to Summer II 2020 may apply for in-state resident status for any semester/sessions in which they are enrolled in on-campus courses by completing a residency application in accordance with university procedure.

For Western Michigan University graduate students, admitted and enrolled effective with the Summer II 2020 semester or later, residency status is determined at the time of admission and it will remain the same throughout the student’s enrollment at Western Michigan University.

Since a student normally comes to Western Michigan University for the primary purpose of attending the University rather than to establish a domicile in Michigan, one who enrolls in the University as a non-resident shall continue to be deemed a non-resident. For those students eligible to appeal for resident status, the student must demonstrate that his/her previous domicile has been abandoned and a Michigan domicile established.

Domicile is defined as the place where an individual’s true, fixed and permanent home and principle establishment is and to which the individual returns whenever absent from the University. Twelve consecutive months of physical presence immediately preceding the first day of classes is a strong indicator of domicile.

A. Residence of Student

A student may be considered domiciled in Michigan if the student is in continuous physical presence in this state for one year (12 consecutive months) immediately preceding the first day of classes of the term for which resident status is sought and intends to make Michigan his/her permanent home and has no domicile elsewhere. The year of continuous presence is never the only criterion used for determining in-state residency status and, by itself, will not qualify a student for residency status for tuition paying purposes at Western.
B. Residence of Parents

The domicile of a dependent student is presumed to be the same as that of the student’s parents. Regardless of whether the parent is the student’s custodial parent, a dependent student with one or both parents domiciled in Michigan, according to Western’s Residency Policy, is presumed to be eligible for resident status as long as the student has not taken steps to establish a domicile outside of Michigan or any other action inconsistent with maintaining a domicile in Michigan.

The domicile of a dependent student’s legal guardian(s) has the same evidentiary effect as that of a dependent student’s parent(s), and references to parents in this policy shall include legal guardians, only when the student is the dependent of the legal guardian, and such guardianship has been established due to complete incapacity or death of the student’s natural parent(s). A parent’s inability to provide funds necessary to support a college education does not qualify as complete incapacity.

A dependent student who is living in Michigan and who is, according to Western’s Residency Policy, permanently domiciled in Michigan would maintain resident status if the parents leave Michigan provided: (1) the student has completed at least the junior year of high school prior to the parent’s departure; (2) the student remains in Michigan, enrolled as a full-time student in high school or an institution of higher education and (3) the student has not taken steps to establish a domicile outside Michigan or any other action inconsistent with maintaining a domicile in Michigan.

C. Residence of Spouse

The residence of a student who otherwise would be classified as a non-resident will follow that of his/her spouse if the spouse qualifies as a resident for tuition-paying purposes.

D. Michigan High School Enrollment and Graduation

A Michigan high school graduate who completes his/her senior year at a Michigan high school, remains physically present in Michigan immediately following high school graduation to the first day of classes of the term in which the student is enrolled in on campus courses, and provides the required State of Michigan tax documents of parent(s) or guardian(s) (for dependent student) or student (if independent) qualifies as a resident student for tuition and fee purposes at Western.

E. In-state Tuition for Military and Dependents

Western Michigan University will grant in-state tuition to all individuals who are eligible for VA educational benefits.

Western Michigan University will also grant in-state tuition to all individuals who are not eligible for VA educational benefits but have honorably served or are serving in the Reserve or Active Components of the US Armed Forces.
Western Michigan University will additionally grant in-state tuition to dependents of those individuals who have honorably served or are serving in the Reserve or Active Components of the US Armed Forces, but would otherwise not be eligible for VA educational benefits. For this purpose, a child is a dependent as defined by IRS income tax regulations. This term also includes a spouse, widow or widower of a service member or veteran who has honorably served.

**F. Individuals Holding Visas**

International students attending on a student visa of F1, J1, or M1 and H (work) visas are in Michigan on a temporary basis. By definition, these students are not able to establish a permanent domicile in Michigan and should not apply for Michigan resident tuition unless they qualify for residency under another provision of this policy such as residence of spouse.

Persons entitled to reside permanently in the United States may be eligible to obtain resident status. These individuals must still prove that they have established a Michigan domicile as defined in this policy. Currently, individuals will qualify under this classification only if they hold and can provide one of the following 1) a fully processed Permanent Resident Alien Card or passport stamp verifying final approval by the filing deadline established for the applicable term 2) an I-94 card with “Refugee” designation; or 3) an A, E (primary), G or I visa.

**G. Migrant Worker (Seasonal/Agricultural Employment)**

If an independent student, or the parent of a dependent student, has been employed as a migrant worker in Michigan for a minimum of two (2) months each year for three (3) of the five (5) years prior to the date of the proposed in-state classification or for a minimum of three (3) months each year for two (2) of the five (5) years prior to the date of the proposed in-state classification, the student shall be classified as a resident. Proof and verification of employment is required. A migrant worker in Michigan is defined as one who travels to Michigan to pursue agricultural or related industry employment.

**H. In-State Tuition Rates Required by Law**

Western Michigan University will comply with all state and federal laws that require a student to be classified as a Michigan resident for the purpose of tuition and fees.

**I. Misrepresentation and Falsification of Information**

Students who provide false or misleading information or who intentionally omit relevant information on their admissions application or the residency application or any other document relevant to residency eligibility may be subject to disciplinary and/or legal measures. Decisions made based upon misrepresented or falsified information may be revoked.
J. Appeal Process

Any student may appeal the decision on their residency application by following the prescribed appeal process. Failure to comply with the procedure shall constitute a waiver of all claims to reclassification or rebates for the applicable semester/session. The student will receive a written response on the appeal request. The decision on the residency appeal shall be the final recourse within the University.

K. Required Documentation

A student must provide the following documentation when applying for residency.

- A copy of their valid Michigan driver’s license and a copy of the Michigan driver’s license of the person(s) upon whom the applicant is basing the claim to resident eligibility.
- Verification of U.S. citizenship or of visa status if the applicant was born outside of the United States. This verification may be based upon information already provided by the student to the University through the admission process.
- Any other documentation requested by the University that is deemed necessary to support the applicant’s claim to residency eligibility.

When applicable, applicants claiming in-state residency will be asked to provide documentation verifying the 12-month consecutive domicile requirement of Western’s policy. Types of documentation that may be requested include proof of employment, proof of Michigan personal income taxes being withheld, copies of recent Michigan and federal tax returns and W2 or 1099 forms, and enrollment verification at a Michigan school, if applicable. Additional documentation may also be requested. The application procedure for residency specifies additional detail on the nature of documentation that is required. In addition, the documentation provided must apply to the person(s) upon whom the applicant is basing the claim to resident eligibility.

L. Initial Residency Classification

A student enrolling at Western for the first time shall be classified as a resident or non-resident for tuition paying purposes. The student is responsible for reading the Residency Policy and to register under the proper residency classification. Admissions reviews the residency classification at the time of application. If an application does not denote residency status, a status of non-resident will be assigned. If an applicant indicates Michigan residency on the admissions application and Admissions questions this status then the applicant will be classified as a non-resident. Additionally, if an applicant previously attended Western as a non-resident and reapplies for admission, he/she will be classified as a non-resident at the time of readmission. Questions raised regarding a student’s Michigan residency do not necessarily mean that the student will be ineligible for in-state residency. It simply means that the student’s circumstance must be documented by completing an application for a change in residency status.
M. Establishing a Michigan Domicile

The circumstances and activities described in sections A through H above may demonstrate Michigan domicile, though not conclusive or exhaustive, they may lend support to a claim of eligibility for resident status.

The following circumstances, standing alone, shall not constitute sufficient evidence of domicile to effect classification of a student as a resident under these regulations; however, they do provide some supporting evidence.

- A Michigan’s driver license
- Enrollment in a Michigan educational institution
- Michigan employment
- Payment of Michigan income or property taxes
- Ownership of property in Michigan
- 12-month lease in Michigan
- Presence of relative(s) in Michigan (other than parent(s) for dependent student)

N. Administration of the Policy

The Office of the Vice President for Business and Finance will administer this policy and is authorized to establish procedures to effectuate and interpret the Residency Policy. The Vice President and Associate Vice President for Business and Finance may grant residency status based upon the use of professional judgment in applying this policy.
PROPOSAL: GRADUATE TUITION RATES STRATEGY

Background

The University continues to evaluate the effectiveness of tuition rate strategies and has completed a comprehensive review of graduate tuition rates and graduate tuition assessment rules. Guiding principles for this review process include:

Simplify tuition rate structure and tuition assessment rules

WMU has historically charged different graduate tuition rates based on residency status as well as type of course and location the course is offered. As students have required greater flexibility in course offerings, many of them take advantage of the multiple course opportunities provided to them. For this reason, WMU’s students can be enrolled in main campus courses, courses held at our regional sites, and also taking online classes. With the multiple tuition rate structure, it is not always easy for a student to understand total tuition and fees that will be incurred. With rate and assessment simplification, transparency is increased.

Tuition rate adjustments are mindful of financial impact to students

Graduate tuition rates were also reviewed for market competitiveness. It was recognized that the main campus graduate non-resident rate is no longer competitive when considering its ratio to the main campus graduate student resident rate. The non-resident graduate rate is also no longer competitive when compared to peer institutions competing for the same student populations. It is being recommended that the graduate non-resident tuition ratio to resident tuition be adjusted downward.

WMU strives to be transparent when assessing both tuition and fees. We are also evolving to a simpler rate structure that is easy for the student to better understand the costs of education. We also need to remain competitive as we continue to recruit and retain our students. These goals are important to us as we are dedicated to being a school of choice.

The following graduate tuition rate strategies and tuition assessment rules are recommended effective Summer II 2020 to better align the non-resident tuition rate with peer institutions, the relationship between resident and non-resident rates, and to satisfy the guiding principles:

• Adjust the main campus ratio of non-resident graduate student rate to 1.5 times the resident graduate student rate. Residency status is determined at time of application and will persist throughout the student’s experience at WMU.
• Align regional site non-resident graduate tuition rates to main campus tuition rates. Resident graduate tuition rates are currently aligned regardless of physical location of where the class is offered.
• Assess graduate tuition rates by students’ primary campus of registration versus course location. Main campus rates will apply for all courses taken if a student is admitted as and remains a main campus student. Regional site rates will be applicable if the student is admitted by Extended University Programs in a program that is associated with a regional site and maintains this affiliation. The online rate will apply if the student is admitted to and continues with an online program.
• The enrollment fee and student assessed fees will be determined by the total registered credit hours for the students’ primary campus of registration.

Recommended Action

It is recommended that effective with the Summer II 2020 session, the Board of Trustees approve the proposed graduate tuition rate strategies and tuition assessment rules.
PROPOSAL:  Bachelor of Science in Speech Pathology and Audiology

Background

The Undergraduate Studies Council of the Faculty Senate has approved changing the name of the B.S. in Speech Pathology and Audiology to the B.S. in Speech, Language and Hearing Sciences. The official department name made this change in 2016 and this proposal will result in the department and program having the same name as it did prior to 2016. In addition, this change addresses concerns of the faculty that the current name of the major is outdated and doesn’t emphasis to students the hearing science component of the program.

Recommended Action

Change the name of the B.S. in Speech Pathology and Audiology to the B.S. in Speech, Language and Hearing Sciences.
PROPOSAL: Student Planned Curriculum

Background

The Undergraduate Studies Council of the Faculty Senate has approved the deletion of the B.A./B.S. in Student Planned Curriculum. This program was originally designed for students with a standing of junior or higher so they could design a program reflective of their interest and passion if that was not met within the existing university curricula. Since Summer II of 2013, only three students have taken advantage of this opportunity, and none since the fall term of 2015. Students now seeking a path to degree completion choose and/or are advised to enroll in the University Studies program.

Recommended Action

Delete the B.A./B.S. in Student Planned Curriculum.
PROPOSAL: Business Mobile and Development Minor

Background

The Undergraduate Studies Council of the Faculty Senate has approved the deletion of the Business Mobile Development minor. There has never been a student enrolled in the minor and the future possibility of having a significant number of students in the minor is extremely low.

Recommended Action

Delete the Business Mobile Development minor.
PROPOSAL: Department of Geography

Background

The Executive Board of the Faculty Senate has approved changing the name of the Department of Geography to the Department of Geography, Environment and Tourism. The addition of the terms environment and tourism better represent the programs in the department and research of the faculty. Also, recent data from the American Association of Geographers show that more than 50% of the 195 geography units in the United States have names using multiple words to better define the activities of the department. Locally, MSU, CMU and NMU all have the term “environment” in their departmental titles and MSU has attributed an increase in enrollment to the addition of that term to the title. The faculty feel that the name change is needed in order to compete for undergraduate and graduate students in the future.

Recommended Action

Change the name of the Department of Geography to the Department of Geography, Environment and Tourism.
PROPOSAL: Master of Arts in Speech Pathology and Audiology

Background

The Graduate Studies Council of the Faculty Senate has approved changing the name of the Master of Arts in Speech Pathology and Audiology to the Master of Arts in Speech-Language Pathology. This change is the result of faculty conversations regarding the content of the program. There is no audiology coursework in the program and the proposed title reflects the terminology currently used in the discipline and profession.

Recommended Action

Change the name of the Master of Arts in Speech Pathology and Audiology to the Master of Arts in Speech-Language Pathology.
PROPOSAL: Personnel Report

ACADEMIC

Appointments – Administrative
Susan Pozo; Acting Director; Institute of Intercultural and Anthropological Studies; effective September 1, 2019 through June 30, 2020.

Ann Veeck; Acting Chair; Department of Marketing; effective January 1, 2020 through May 14, 2020.

Appointments – Tenured
Jonathan Baker; Associate Professor; Department of Psychology; effective January 1, 2020.

Appointments – Term
Melinda Holohan; Faculty Specialist I – Professional Specialist; Department of Family and Consumer Sciences; effective August 15, 2019 through June 30, 2020.

Promotion
William Beasley; Assistant Professor; Department of Economics; effective August 15, 2019.

Change in Department Affiliation
Bret Wagner; Associate Professor; from the Department of Management to the Department of Marketing; effective August 15, 2019.

Faculty Retirements with Emeriti Status
Maria Perez-Stable; Professor Emerita of University Libraries; University Libraries; effective December 31, 2019.

Jack Ruhl; Professor Emeritus of Accountancy; Department of Accountancy; effective December 31, 2019.

Delores Walcott; Professor Emerita of Interdisciplinary Health Programs; School of Interdisciplinary Health Programs; effective April 29, 2022.

Faculty Resignations
Jonathan Baker; Faculty Specialist I – Clinical Specialist; Department of Psychology; effective December 31, 2019.
NON-ACADEMIC

**Administrative Appointments**

Katie John; Associate Vice President for Government Relations; Office of Government Relations; effective October 1, 2019.

Kara Wood; Associate Vice President for Community Partnerships; Office of Government Relations; effective October 7, 2019.

**Retirements**

Melinda Bagnall; Coordinator, Exhibitions; Frostic School of Art; effective November 16, 2019.

Lois Campbell; Custodian; Facilities Management – Building Custodial and Support; effective November 1, 2019.

Julie Carroll; Assistant Director, Corporate Reporting/Taxation; Associate Vice President for Finance; effective October 1, 2019.

Terri Hageman; Skilled Trades Helper; Facilities Management – Maintenance Service; effective October 1, 2019.

Robert Johnson; Security Administrator; Office of Information Technology; effective October 16, 2019.

Timothy Mader; Millwright/Maintenance Mechanic; Facilities Management – Maintenance Service; effective October 1, 2019.

Thomas Penar; Appliance Repairperson; Facilities Management – Building Custodial and Support; effective October 9, 2019.

Nancy Pyne; Head Baker; Bernhard Center Dining Services; effective December 1, 2019.

Julie Scott; Systems Specialist; Office of Information Technology; effective November 1, 2019.

Cindy Walton; Custodian; Facilities Management – Building Custodial and Support; effective October 1, 2019.
Research and sponsored program awards and expenditure numbers for the first Quarter of 2020

AWARDS:
University wide, total award dollars were $15,524,289.92 up 24.24% over Q1 19.
The number of awards increased by 24.24% from 66 to 82 awards.

EXPENDITURES:
University wide expenditures were $9,234,111.99 up 20.92%, however, the Facilities and Administrative (F & A) recovery rate is 14.7%, down from 18.04% in Q1 19 and resulting in a very small (1.5%) increase in F & A recovery for Q1 20.

SUBMISSIONS:
University wide submissions in dollars were down 12.57% for Q1 20 however the number of submission was 96, up 3% over same time last year. This is not uncommon when the number of awards increase and faculty focus their efforts on starting new projects.

INNOVATION:
The new Monroe-Brown Entrepreneurship fund at WMU has made its first awards to provide mandatory cost share to support applications to Michigan Economic Development Authority MTRAC program. If awarded each grant would provide $225,000 to enhance WMU technologies: Massood Atashbar and Daryl Lawson; $15K - Development of wearable electrodes for healing diabetic foot ulcer and Karim Essani; $20K - Immuno-Oncolytic Virotherapy of Triple Negative Breast Cancer using Engineered Tanapoxvirus

The fund has recieved 5 applications from faculty with WMU owned Intellectual Property for the new $75,000 Startup Launch Fund Grant to be awarded this month.

The WMU Technology Development grants for 2019-2020 to be awarded this month are increased to $25,000 with additional support from this fund.
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