

WESTERN MICHIGAN UNIVERSITY BOARD OF TRUSTEES  
ANNUAL FORMAL SESSION  
FRIDAY, JANUARY 24, 2003

The annual formal session of the Western Michigan University Board of Trustees was called to order by Vice Chair Klohs at 11 a.m. on Friday, January 24, 2003, in the Connable Board Room, Bernhard Center.

Board members present: Trustee Aseritis, Trustee DeNooyer, Trustee Holden, Trustee Klohs, Trustee Martin, Trustee Pero and Interim President Litynski (ex officio). Absent: Trustee Anthony and Trustee Miller.

Remarks by the Vice Chair. Vice Chair Klohs welcomed Trustee Martin to the Board, thanked Dr. Litynski for agreeing to serve as interim president, and said she was looking forward to working with both of them. (President Floyd resigned from the University, effective January 5, 2003, to accept the presidency of the University of Missouri system.) Vice Chair Klohs spoke of the service of Trustee Dick Chormann and outgoing Board Chair, Trustee Dick St. John, whose terms ended December 31, 2002. (Emeritus trustee recommendations were approved for both later in the meeting.) She reported on the presidential search indicating that the presidential search advisory committee, headed by Dick St. John, includes wide representation from the University's varied constituencies. She spoke of remarkable public approval of the alliance between the Thomas M. Cooley Law School and the WMU Graduate Center-Downtown in Grand Rapids. She noted the naming of Kristin Koetsier, Bronco women's basketball player, as the 2002 recipient of the V Foundation's Comback of the Year Award. Trustee Klohs spoke of the many varied performances and lecture series presentations scheduled for the next few months.

Remarks by the Interim President. Dr. Litynski stated that he is looking forward to his work as interim president and thanked the trustees for the opportunity to serve in this capacity. He spoke of his commitment to the mission and goals of the University and reported on some of the activities he has been involved since assuming the interim position. Dr. Litynski noted developments taking place since the last Board meeting—Pharmacia donating the intellectual property rights for a portfolio of during patents to the University; announcement of another corporate partner at the BTR Park, Structure Tec, an advanced engineering enterprise; and the official end of the Martin Luther King celebration, with special thanks to the MLK committee and the Northside Ministerial Alliance. He also spoke of the accomplishments of University students, faculty and staff.

Acceptance of the Agenda. The agenda was accepted as presented following a motion by Trustee Pero, supported by Trustee Aseritis.

Approval of the Minutes of the December 13, 2002 Regular Meeting. The minutes of the December regular meeting were approved following a motion by Trustee Holden, supported by Trustee DeNooyer.

Election of Officers. (As provided for the Board bylaws, officers are elected for one-year terms at the annual formal session.) As moved by Trustee Aseritis, supported by Trustee Martin, the following officers were elected for 2003—Trustee Klohs, chair; Trustee Anthony, vice chair; Betty Kocher, secretary; Robert Beam, treasurer and assistant secretary; and Lowell Rinker, assistant treasurer.

Recommendation re Trustee Emeritus Richard Chormann. On a motion by Trustee Pero, supported by Trustee Aseritis, the following resolution was approved:

#### RESOLUTION

WHEREAS, Richard F. Chormann has provided dedicated and faithful service to Western Michigan University and the people of Michigan as a member of the University's governing board since 1994; and

WHEREAS, he has served the Board of Trustees as vice chair and as a committee chair with insight, candor and wisdom, and played an integral part in the presidential search process that resulted in the 1998 appointment of Dr. Elson S. Floyd as the University's sixth president, all the while bringing to those tasks his keen business acumen, extensive community engagement and heartfelt commitment to the University; and

WHEREAS, as both an alumnus and a trustee, he has and will continue to bring recognition to the University through his many professional achievements and community service contributions,

NOW THEREFORE BE IT RESOLVED, that the Western Michigan University Board of Trustees wholeheartedly and appreciatively grants the honorary title of Trustee Emeritus to Richard F. Chormann, with all the rights and privileges appertaining thereto, in recognition of his devotion, dedication and service to the University.

Recommendation re Trustee Emeritus Richard St. John. Following a motion by Trustee DeNooyer, supported by Trustee Holden, the resolution was approved:

### RESOLUTION

WHEREAS, Richard Y. St. John has provided dedicated and faithful service to Western Michigan University and the people of Michigan as a member of the University's governing board since 1987; and

WHEREAS, he has served the Board of Trustees as a chair, vice chair and committee chair with grace and wisdom and played a part in the presidential search process that resulted in the 1998 appointment of Dr. Elson S. Floyd as the University's sixth president, and agreed to lead the University's effort to identify its next president; and

WHEREAS, as a trustee, he has presided over such major University events as the announcement of a Michigan economic development SmartZone located at the University, the awarding of honorary degrees and the announcement of major gifts, grants and contracts; and

WHEREAS, he has brought great recognition to the University through his many professional accomplishments and volunteer activities, including serving on many community organizations and oversight boards;

NOW THEREFORE BE IT RESOLVED, that the Western Michigan University Board of Trustees wholeheartedly and appreciatively grants the honorary title of Trustee Emeritus to Richard Y. St. John, with all the rights and privileges appertaining thereto, in recognition of his devotion, dedication and service to the University.

Recommendation re Presidential Position Specification. On a motion by Trustee Pero, supported by Trustee DeNooyer, the presidential position specification (attachment) was approved. The recommendation includes specific position criteria, key institutional issues for which the new president must develop strategies, and a description of the personal qualities the successful candidate should bring to the presidency. Approval of the specification is the next step in the presidential search process.

Authorization to Confer Degrees. After a motion by Trustee Aseritis, supported by Trustee Holden, the President was authorized to confer degrees at the 2003 commencement ceremonies (April 26, June 28 and December 13) as recommended by the Faculty.

#### Academic and Student Affairs Committee Recommendations

Grant Report. Following a motion by Trustee DeNooyer, supported by Trustee Aseritis, the grant report for November and December 2002 was approved.

Personnel Report. The personnel report was approved on a motion by Trustee DeNooyer, supported by Trustee Martin.

#### Administrative Appointments

Michael Barcelona, Professor and Interim Chair, Department of Chemistry, effective October 28, 2002.

Elise Jorgens, Interim Provost and Vice President for Academic Affairs, effective January 6, 2003.

#### Administrative Return to Faculty

J. Donald Nelson, Professor, Department of Computer Science, effective January 6, 2003.

Elizabeth Whitten, Associate Professor, Department of Educational Studies, effective June 30, 2003.

#### Return to Faculty

Fred Dobney, Professor, Department of History, effective January 6, 2003.

#### Appointments - Tenure Track

Micha Espinosa, Assistant Professor, Department of Theatre, effective August 4, 2003.

Shaila Rao, Instructor, Department of Educational Studies, effective December 9, 2002.

#### Appointment – Term

Warren Lacefield, Assistant Professor, Department of Educational Studies, effective December 9, 2002 through August 4, 2004.

Reappointments - Adjunct

Vince Faust, Adjunct Associate Professor, Department of Theatre, effective February 1, 2003 through January 31, 2006.

Jay Unwin, Adjunct Associate Professor, Department of Paper and Printing Science and Engineering, effective February 1, 2003 through January 31, 2006.

Appointment - Adjunct

Richard Van Enk, Adjunct Assistant Professor, Department of Biological Sciences, effective February 1, 2003 through 31, 2006.

Retirement with Emeritus Status

Gary Chartrand, Professor, Department of Mathematic, Professor Emeritus, effective August 12, 2006.

Chair Sabbatical Leaves

Alan Kehew, Chair, Department of Geosciences, effective August 4, 2003 through April 11, 2004.

Elizabeth Whitten, Chair, Department of Educational Studies, effective August 4, 2003 through April 11, 2004.

Professional Development Leaves

Dimiter Angelov, Assistant Professor, Department of History, effective August 4, 2003 through July 31, 2005.

Peter Blicke, Associate Professor, Department of Foreign Languages and Literatures, effective August 4, 2003 through August 2, 2004.

Neil Pinney, Associate Professor, Department of Political Science, effective December 9, 2002 through December 7, 2003.

Karen Wicklund, Associate Professor, School of Music, effective August 4, 2003 through August 2, 2004.

## **NON-ACADEMIC**

### Retirements

Steven T. Berger, Coordinator, Aviation Compliance and Logistics, College of Aviation, effective February 28, 2003.

Dennis R. Fleck, Facility Technician, Department of Telecommunications, effective February 2, 2003.

Linda M. Lamb, Administrative Assistant, Extended University Programs, effective February 14, 2003.

Departmental Name Change – Department of Paper and Printing Science and Engineering to the Department of Paper Engineering, Chemical Engineering and Imaging. On a motion by Trustee DeNooyer, supported by Trustee Holden, the departmental name change, effective July 1, 2003, was approved. As indicated the name change better reflects the full spectrum of the department's programs and curricula, including chemical engineering, the department's newest curriculum. It was also noted that the word "imaging" better reflects the high-tech aspect of the industry and the University's program.

Reconfiguration of the Department of Foreign Languages and Literatures and the Department of Asian and Middle Eastern Languages and the Renaming of the Resulting New Departments as the Department of Spanish and the Department of Foreign Languages. Following a motion by Trustee DeNooyer, supported by Trustee Pero, the reconfiguration and renaming as indicated above, effective July 1, 2003, was approved. It was indicated that the reorganization will result in two departments of more equal and manageable size, better able to assist all of the language sections in their teaching, research and service missions.

### Budget and Finance Committee Commendations

Gift Report. On a motion by Trustee Holden, supported by Trustee Aseritis, the gift report for November and December 2002 was approved.

Appointment of External Auditor. The Board of Trustees, following a motion by Trustee Holden, supported by Trustee Martin, approved the reappointment of Plante & Moran to audit the University's financial statements for the 2002/2003 fiscal year.

Lease Agreement. On a 6-0 roll call vote, following a motion by Trustee Holden, supported by Trustee Aseritis, the Board of Trustees authorized the treasurer/assistant treasurer to enter into a lease, not to exceed three years with Mama Maria, Inc. for a car detailing shop at the former Cole-Gilmore building, effective February 1, 2003. As indicated, the three-year lease includes a 60-day cancellation clause available to both the University and the tenant.

Public Comments. Alev Dudek, WMU student, spoke to the Board re several concerns.

Executive Session. On a 6-0 roll call vote, as moved by Trustee Holden, supported by Trustee DeNooyer, the Board went into executive session, as provided for under Michigan law at 11:50 a.m., returning to general session for adjournment at 1:30 p.m.

Respectfully submitted,



Betty A. Kocher  
Secretary  
Board of Trustees

## PRESIDENTIAL POSITION SPECIFICATION

POSITION: President

INSTITUTION: Western Michigan University

Now celebrating the 100th anniversary of its founding, WMU is a vibrant, nationally recognized student-centered research institution with an enrollment of nearly 30,000 including over 6,000 graduate students. The University is focused on delivering high-quality undergraduate instruction, advancing its growing graduate division and fostering significant research activities.

WMU is one of only 102 public universities placed in the highest category of doctoral-research universities by the Carnegie Foundation for the Advancement of Teaching -- "Doctoral/Research Universities-Extensive." WMU also has been named one of the nation's top 100 public universities in U.S. News & World Report's annual ranking of American colleges and universities.

Undergraduates have 165 program offerings to choose from, while the Graduate College offers 65 master's, two specialist and 26 doctoral degree programs. A number of programs at both the undergraduate and graduate levels have attained national recognition.

The quality of campus life also is enhanced by the existence of more than 300 registered student organizations and a full array of Division I intercollegiate athletic teams.

LOCATION: Kalamazoo, MI

Kalamazoo is home to the main campus of Western Michigan University, which also offers courses at five branch campuses in West Michigan.

The city is located two hours from both Chicago and Detroit, and 40 minutes from the shores of Lake Michigan. As the fifth largest metropolitan center in Michigan, Kalamazoo County has a population of 225,000. The region hosts several Fortune 500 companies, including Stryker Corp., Pharmacia (acquisition by Pfizer is pending), the Kellogg Company, Haworth Corp., Herman Miller and Whirlpool.

POSITION CRITERIA:

As chief executive officer of Western Michigan University, the president works in close consultation with the Board of Trustees and with a wide range of internal and external constituencies to provide overall leadership and direction for the University. More specifically, the president is expected to:

- Maintain a unique, strong and financially stable institution, and have the capacity to meet the difficult fiscal challenges facing the University;
- Possess the ability to bring people from many different backgrounds together in collaborative efforts;
- Be a passionate, principled and hardworking leader whom students, faculty, staff and supporters will find trustworthy and highly approachable;
- Be an energetic and innovative leader in fundraising, alumni affairs, legislative relations and public relations of the university;
- Enhance the reputation of WMU as a nationally recognized student-centered research university;
- Be an articulate champion of the University's mission, goals and strategic plans, making certain that they are effectively implemented;
- Build an open and diverse campus community that attracts and retains top quality students, faculty and staff;
- Develop areas of academic and interdisciplinary excellence, while expanding graduate enrollment and research activities;
- Be actively engaged in developing and fostering partnerships, with other institutions and the private sector, that can positively impact the University's delivery of academic programming, research activities and economic development;
- Act as the principal public spokesperson for the university, personifying its values, and enhancing its reputation and standing in the local community, state, nation and around the world.

**REPORTING RELATIONSHIP:**

The Western Michigan University president reports to an eight-member Board of Trustees appointed by the Governor.

**POSITION SPECIFICATION:**

Positions reporting to the president include:

- Provost and Vice President for Academic Affairs
- Vice President for Business and Finance
- Vice President for Development
- Vice President for Information Technology and CIO
- Vice President for Legislative Affairs & Chief of Staff
- Vice President for Student Affairs & Dean of Students
- Vice President for Legal Affairs & General Counsel
- Director, Intercollegiate Athletics
- Associate VP for Budget & Planning
- Associate VP for Institutional Equity
- Associate VP for University Relations
- Executive Director, Alumni Relations
- Secretary, Board of Trustees (also reports to Board)

INSTITUTIONAL ISSUES:

The successful candidate will be the chief executive officer of Western Michigan University and will develop strategies and plans that will:

- Enhance areas of academic and interdisciplinary excellence at both the undergraduate and graduate level;
- Continue to strengthen the University's research capabilities and other creative and scholarly endeavors;
- Effectively manage enrollment in terms of both size and quality of the undergraduate student body, as well as faculty resources;
- Continue to improve campus diversity among faculty, students and staff;
- Continue to build academic partnerships with institutions inside and outside the U. S.;
- Address the University's need for an appropriate share of state support, during a period of declining state revenues;
- Continue to forge relationships with the private sector that can positively impact the institutional mission, goals and resources;
- Strengthen alumni involvement in Michigan and key areas around the country;
- Continue to increase funds raised from private sources to provide a "margin of excellence" that will enhance academic offerings and other important projects;
- Continue to build University's academic, research and athletic image and reputation on a state and national level, to attract and retain top quality faculty and students, and to enhance private support
- Proactively address university-community relations issues, stemming from campus growth and student conduct;
- Provide for continued and strategically planned campus growth and facility improvements.

**PERSONAL QUALITIES:**

Leading candidates for the presidency of Western Michigan University will have a distinguished record of academic and administrative accomplishment in higher education at the national or international level. Also, candidates who have held top management positions in the private sector, government, foundations and non-profit organizations will be given consideration.

In addition to the intellectual, academic and administrative abilities that are required for effective leadership, the next president of Western Michigan University will be expected to be an articulate and passionate spokesperson for the institution, with unquestioned integrity and sound judgment.

In particular, WMU seeks a leader with a progressive, inclusive leadership style who can build a shared sense of unity and purpose among all University constituencies. Leading candidates will be expected to demonstrate a lucid understanding of the challenges currently faced by the University and the academy as a whole, to formulate a clear academic and organizational vision for WMU, and to persuasively articulate how to realize that vision.

**DEADLINE:**

The review of credentials begins immediately, and will continue until the position is filled.

As an EO/AA employer, Western Michigan University specifically encourages the candidacies of women and minority candidates.



## PRESIDENTIAL POSITION SPECIFICATION

**POSITION:** President

**INSTITUTION:** Western Michigan University

**LOCATION:** Kalamazoo, MI

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### COMMUNITY

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- Associate VP for Budget & Planning
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- Associate VP for University Relations
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- Proactively address University-community relations issues, stemming from campus growth and student conduct;
- Provide for continued and strategically planned campus growth and facility improvements.

## **DESIRED QUALITIES**

Leading candidates for the presidency of Western Michigan University will have a distinguished record of academic and administrative accomplishment in higher education at the national or international level. Also, candidates who have held top management positions in the private sector, government, foundations and non-profit organizations will be given consideration.

In addition to the intellectual, academic and administrative abilities that are required for effective leadership, the next president of Western Michigan University will be expected to be an articulate and passionate spokesperson for the institution, with unquestioned integrity and sound judgment.

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## **DEADLINE**

The review of credentials begins immediately, and will continue until the position is filled.

## **CONTACT**

Nominations and applications should be sent, in confidence and preferably electronically, to:

**Shelly Storbeck**  
**Managing Director and Vice President**  
**A.T. Kearney Education Practice**  
**333 John Carlyle Street**  
**Alexandria, VA 22314**  
**Phone: 703/739-4613**  
**Fax: 703/518-1782**  
**Email : [lesley.boyd@atkearney.com](mailto:lesley.boyd@atkearney.com)**

For more information about Western Michigan University, please visit its website :

**<http://www.wmich.edu/>**

*As an EO/AA employer, Western Michigan University specifically encourages the candidacies of women and minority candidates.*

WESTERN MICHIGAN UNIVERSITY BOARD OF TRUSTEES  
REGULAR FORMAL SESSION  
FRIDAY, MARCH 28, 2003

The regular formal session of the Western Michigan University Board of Trustees was called to order by Chair Klohs at 11 a.m. on Friday, March 28, 2003, in the Connable Board Room, Bernhard Center.

Board members present: Trustee Anthony, Trustee Aseritis, Trustee Holden, Trustee Klohs, Trustee Martin, Trustee Miller and Interim President Litynski (ex officio). Absent: Trustee DeNooyer and Trustee Pero.

Remarks by the Chair. Chair Klohs spoke of the difficult time being experienced throughout the world and the expertise our faculty is providing with answers/views on the current crisis. She spoke of the WMU partnership in the World Affairs Council of West Michigan that was responsible for bringing Archbishop Desmond Tutu to the VanAndel Arena where he addressed over 6,500 people. Chair Klohs reported on the upcoming 38<sup>th</sup> annual Food Marketing Conference organized by the Food Marketing Program and noted the recent three-day Lake Michigan Watershed Academy, coordinated by the WMU Great Lake Center for Environmental and Molecular Science. Chair Klohs spoke of the 19<sup>th</sup> annual Medallion Scholarship competition attracting more than 800 high school seniors from Michigan and 13 other states indicating that since its beginning the program has offered \$80 million to more than 13,000 students and is among the largest merit scholarships in American higher education. She noted that three paper science and engineering majors will compete in hang glider flights (with sails made of recycled paper) as part of the U.S. Department of Energy's celebration of the Wright Brothers first successful flight. Chair Klohs welcomed Sylvester Bush and Eric Zehnpfenning, newly elected president and vice president respectively of the Western Student Association. She thanked Interim President Litynski for the excellent job he is doing in his interim position.

Remarks by Interim President. Dr. Litynski spoke of the challenging times for the nation and how the events in Iraq have touched the campus in many ways. He noted that some 54 of our students, staff, members of our staff and their families have been called to active military duty with 11 more awaiting orders. He noted the sacrifices they are making and wished them a safe return.

He indicated that the first 80 days of service as interim president have been challenging and rewarding, stating that he has spoken or otherwise communicated with as many individuals, groups and organizations as possible to make everyone aware of the great things happening at the University as well as the budget problems facing Western.

He spoke of the initiatives included in his State of the University presented last month, noting they will have to be evaluated in terms of fiscal realities as the budget situation becomes clearer. Dr. Litynski highlighted the national television appearances by the women's basketball team, winning the MAC tournament and playing in the first round of the NCAA basketball tournament. He also spoke of the appearance of members of the World War II Tuskegee Airmen at the College of Aviation, and the 1980 Nobel Peace Prize winner Adolfo Perez Esquivel speaking on "Human Rights and Justice for All" as part of the United Way Peace Jam initiative. Dr. Litynski reported on his upcoming testimony in Lansing before the House Higher Appropriations Subcommittee for Higher Education as part of the budget process for next academic year. He spoke of the Presidential Scholars Convocation celebrating the accomplishments of forty-five our outstanding senior students; 2002 distinguished service awards presented to Dr. Arlen Gullickeson, director of the Evaluation Center, and Dr. Barbara Havira, associate professor of history and women's studies; and noted great progress in developing the BTR Park. In concluding his remarks, Dr. Litynski spoke of the recent death of Dr. Arnold Schneider, founding dean of the Haworth College of Business and talked of Dr. Schneider's many accomplishments.

Acceptance of the Agenda. The agenda was accepted as presented following a motion by Trustee Miller, supported by Trustee Aseritis.

Approval of the Minutes of the January 2003 Annual Formal Session. The minutes of the January annual formal session were approved after a motion by Trustee Anthony, supported by Trustee Holden.

Honorary Degree Recommendation. Following a motion by Trustee Anthony, supported by Trustee Miller, the Board of Trustees approved the recommendation to award an honorary degree to Dr. Zack L. York. The honorary Doctor of Fine Arts degree will be conferred on Dr. York (first chair of the University's Theatre Department) at the April 26 commencement exercises.

Academic and Student Affairs Committee Recommendations – Presented by Trustee Miller in the absence of Committee Chair DeNooyer

Grant Report. The grant report for January 2003 was approved on a motion by Trustee Martin, supported by Trustee Miller.

Personnel Report. The personnel report was approved on a motion by Trustee Miller, supported by Trustee Anthony.

### **Administrative Appointments**

David Barnes, Associate Professor and Interim Chair, Department of Geosciences, effective July 1, 2003 through June 30, 2004.

### **Administrative Appointments (continued)**

Rollin Douma, Associate Vice President for Academic Affairs, Office of the Provost, effective April 1, 2003.

Leonard Ginsberg, Interim Dean, College of Arts and Sciences, effective January 6, 2003.

John Patten, Professor and Chair, Department of Manufacturing Engineering and Director, Center for Manufacturing Research, effective August 4, 2003.

Chester B. Rogers, Associate Vice President and Director, Academic Collective Bargaining, effective January 6, 2003.

Larry tenHarmsel, Dean, Lee Honors College, effective April 1, 2003.

### **Administrative Leave**

Ed Edwards, Professor and Chair, Department of Finance and Commercial Law, effective June 30, 2003 through December 8, 2003.

### **Administrative Resignation**

Kent Baldner, Associate Professor and Chair, Department of Philosophy, effective June 30, 2003.

### **Administrative Return to Faculty**

Kent Baldner, Associate Professor, Department of Philosophy, effective April 12, 2004.

Ed Edwards, Professor, Department of Finance and Commercial Law, effective December 9, 2003.

### **Appointments - Tenure Track**

Marie-Laure Bougnol, Assistant Professor, Department of Management, effective August 4, 2003.

Carla Bradley, Associate Professor, Department of Counselor Education and Counseling Psychology, effective August 4, 2003.

Christopher Cheatham, Assistant Professor, Department of Health Physical Education and Recreation, effective August 4, 2003.

### **Appointments - Tenure Track (Continued)**

Teresa Crumpton, Faculty Specialist II, Department of Speech Pathology and Audiology, effective July 1, 2003.

Allison Downey, Assistant Professor, Department of Teaching, Learning and Leadership, effective August 4, 2003.

C. James Hueng, Assistant Professor, Department of Economics, effective August 4, 2003.

Paula Jamison, Assistant Professor, Department of Occupational Therapy, effective August 4, 2003.

Dongil Lee, Assistant Professor, Department of Chemistry, effective August 4, 2003.

Mustafa Mughazy, Instructor, Department of Asian and Middle Eastern Languages, effective August 4, 2003.

Ilana Nash, Assistant Professor, Department of English, effective August 4, 2003.

Wendy Ransom-Hodgkins, Assistant Professor, Department of Biological Sciences, effective August 4, 2003.

Regina Spellers, Assistant Professor, Department of Communication, effective August 4, 2003.

Heidi Douglas-Vogley, Faculty Specialist II, Department of Speech Pathology and Audiology, effective August 4, 2003.

### **Reappointments - Term**

Ako Fukushima, Faculty Specialist I, Department of Asian and Middle Eastern Languages, effective December 9, 2002 through December 7, 2003.

Olivia Gabor, Visiting Assistant Professor, Department of Foreign Languages and Literatures, effective August 4, 2003 through August 1, 2004.

### **Reappointments - Adjunct**

Sam King, Adjunct Associate Professor, Department of Sociology, effective April 1, 2003, through March 31, 2006.

Hector Quemada, Adjunct Assistant Professor, Department of Biological Sciences, effective April 1, 2003 through March 31, 2006.

### **Appointments - Adjunct**

Bao Ping Zhu, Adjunct Assistant Professor, College of Health and Human Services, effective April 1, 2003 through March 31, 2006.

### **Resignations**

Insoo Hyun, Assistant Professor, Department of Philosophy, effective August 3, 2003.

Todd Neal, Assistant Professor, Department of Theatre, effective January 9, 2003.

Mark Richardson, Associate Professor, Department of English, effective August 15, 2003.

### **Retirements with Emeriti Status**

Wendy Cornish, Professor, Department of Dance, Professor Emerita of Dance, effective December 31, 2003.

Joseph Ellin, Professor, Department of Philosophy, Professor Emeritus of Philosophy, effective December 31, 2003.

William Harrison, Professor, Department of Geosciences, Professor Emeritus of Geosciences, effective December 8, 2003.

Pamela Keesler, Faculty Specialist I, Career English Language Center for International Students, Faculty Specialist I Emerita of CELCIS, effective August 30, 2002.

### **(Correction)**

Lorna Kierepka, Faculty Specialist II, Department of Industrial and Manufacturing Engineering, Faculty Specialist II Emerita of Industrial and Manufacturing Engineering, effective August 31, 2003. **(Correction)**

Paul Mergen, Professor, Department of Art, Professor Emeritus of Art, effective December 31, 2003.

Robert Shamu, Professor, Department of Physics, Professor Emeritus of Physics, effective April 30, 2008.

Lovette Teichert, Master Faculty Specialist, Career English Language Center for International Students, Master Faculty Specialist Emerita of CELCIS, effective August 31, 2003.

Richard Wright, Professor and Dean, College of Aviation, Professor Emeritus of Philosophy, effective February 21, 2003.

**Tenure**

Ila Baker, Master Faculty Specialist, Career English Language Center for International Students, effective August 5, 2002.

Joel Boyd, Master Faculty Specialist, Career English Language Center for International Students, effective August 5, 2002.

Robert Dlouhy, Master Faculty Specialist, Career English Language Center for International Students, effective August 5, 2002.

Mary Lu Light, Master Faculty Specialist, Career English Language Center for International Students, effective August 5, 2002.

Thomas Marks, Master Faculty Specialist, Career English Language Center for International Students, effective August 5, 2002.

Darryl Salisbury, Master Faculty Specialist, Career English Language Center for International Students, effective August 5, 2002.

Adelia VanMeter, Master Faculty Specialist, Speech Pathology and Audiology, effective August 5, 2002.

Lovette Teichert, Master Faculty Specialist, Career English Language Center for International Students, effective August 5, 2002.

**Chair Sabbatical Leave**

Kent Baldner, Associate Professor, Department of Philosophy, effective July 1, 2003 through April 11, 2004.

**Faculty Sabbatical Leave**

Marlene Breu, Associate Professor, Department of Family and Consumer Sciences.

**NON-ACADEMIC****Retirement**

Patricia M. Guenther, Assistant Director, Business Development Services, effective May 18, 2003.

Approval of New Programs. Following a motion by Trustee Miller, supported by Trustee Anthony, the following programs were approved.

Ph.D. in Evaluation – The program, effective fall 2003, is the result of the collaborative efforts of the WMU Evaluation Center and the Colleges of Arts and Sciences, Education, Engineering and Applied Sciences and Health and Human Services. As indicated, the program will prepare evaluation specialists who can work in a variety of sectors and determine how to improve products, services, systems policies and programs.

Ph.D. in Spanish – As indicated, the new program, effective fall semester 2003, will enhance students' comprehension and appreciation of the breadth and culture of Hispanic culture. The requirements will include a reading knowledge of a language other than Spanish and English and a six-month teaching, study or residential experience in a Spanish-speaking country.

Ph.D. in Educational Leadership – Effective fall semester 2003, the program, with a concentration in higher education leadership, is designed to provide a terminal degree for administrators, faculty and others working within institutions of higher education or other adult learning environments and/or those preparing to work within such institutions. The concentration has been developed to support working professionals, with non-traditional course delivery formats, including on-line and other distance learning techniques, weekend courses and intensive summer classes.

Graduate Certificate Program in Ethnohistory – The program, also effective fall semester 2003, is a collaboration between the departments of Anthropology and History and has been developed to supplement graduate-level study by allowing students to focus on ethnohistory, which applied research techniques and theoretical approaches from the fields of anthropology and history to the study of cultures. As indicated, it will be especially useful to those employed in museums, archives and libraries.

Major in Personal Financial Planning – The creation of this major in the Department of Finance and Commercial Law will blend well with a current major in Finance and its three concentrations – financial management, financial institutions and investments – and will allow the department to market more effectively an academic area which is in great demand at this time. The major provides the formal academic training necessary for preparation for the certification process leading to the Certified Financial Planner designation and is effective fall semester 2003.

Interdisciplinary Major in Global and International Studies – Effective fall 2003, the single new, interdisciplinary major will replace an assortment of largely outdated, underenrolled coordinate majors – Latin American Studies, European Studies, Asian Studies and Russian and European Studies – and will improve access to existing faculty expertise in area studies.

## Budget and Finance Committee Recommendations

Gift Report – On a motion by Trustee Holden, supported by Trustee Aseritis, the gift report for January and February 2003 was approved.

Personnel Report. The personnel report was approved following a motion by Trustee Miller, supported by Trustee Anthony.

### **Retirements**

Betty Benner, Office Coordinator, Transportation Services, effective June 30, 2003

Mary Birch, Groundkeeper I, Physical Plant Landscape Services, effective January 29, 2003

Robert Higgins, Strip/Camera Operator/Platemaker, Auxiliary Enterprises, effective June 20, 2003

Richard Hoff, Bindery Operator, Auxiliary Enterprises, effective June 20, 2003

Karen Page, Custodian, Residence Life, effective May 31, 2003

Parking Fine Increase. On a 6-0 roll call vote, following a motion by Trustee Holden, supported by Trustee Miller, the Board of Trustees approved a parking fine increase from the current \$50 to \$100 for illegally parking in handicapped spaces, effective July 1, 2003. (This is the maximum amount allowed by Michigan Statute.)

Unsecured Line of Credit. On a 6-0 roll call vote and a motion by Trustee Holden, supported by Trustee Anthony, the Board of Trustees authorized the Vice President for Business and Finance/Treasurer be authorized to enter into, at his/her discretion, an agreement(s) with a lending institution(s) for a line of credit(s) in the aggregate amount not to exceed \$35 million. As indicated, a \$25 million line of credit was approved by the Board in 1999 and the increase will allow officials to effectively manage short-time working capital in a time of uncertainty over state appropriation cuts.

Approval of Sale of Property. The Board of Trustees, on a 6-0 roll call vote, following a motion by Trustee Holden, supported by Trustee Miller, approved the sale of real property (located in the Township of Arlington, county of Van Buren, State of Michigan) described as follows:

The Southeast ¼ of the Southeast ¼ of Section 2, Town 2 South, Range 15 West, according to the Government Survey thereof.

ALSO, that part of the North ½ of the Southeast ¼ and that part of the Southwest ¼ of the Southeast ¼, all in Section 2, Town 2 South, Range 15 West, according to the Government Survey thereof, lying Easterly of the center of Black River, also referred to as Black River Drain, excluding the East ½ of the Northeast ¼ of the Southeast ¼ of Section 2.

The property was gifted to the University in exchange for funding of a charitable gift annuity life income plan and sold on February 28, 2003, with the proceeds placed into the University's annuity account with State Street Bank of Boston to be administered under the standard terms of our gift annuity plan. On the deaths of the income beneficiaries, the remaining proceeds for the gift annuity will go into the President's Unrestricted Endowment per the donor's direction.

Health Insurance Portability and Accountability Act (HIPAA) Privacy Regulations: Compliance Actions. On a motion by Trustee Holden, supported by Trustee Aseritis, the Board of Trustees approved the resolution involving designations and declarations in accordance with the Privacy Regulations of the Health Insurance Portability and Accountability Act.

Communication Antenna Leases. Following a 6-0 roll call vote and a motion by Trustee Holden, supported by Trustee Anthony, the Board of Trustees authorized the treasurer/assistant treasurer to execute the necessary documents to lease up to six commercial tenants for the newly constructed tower built to host the WMUK Public Radio station.

Mama Maria, Inc. Lease Agreement. The Trustees, on a 6-0 roll call vote and motion by Trustee Holden, supported by Trustee Martin, authorized the treasurer/assistant treasurer to enter into an additional lease (original lease approved January 24, 2003, effective February 1, 2003) not to exceed three years, with Mama Maria, Inc. for approximately 4,000 square feet of space adjacent to current space leased at the former Cole/Gilmore Building at 411 Kalamazoo Avenue. (The original lease was for a car detailing shop, with the additional space to be used for storage and small-scale body and car paintwork.)

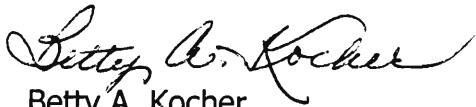
Lease Agreement – KC's Budget Auto. On a 6-0 roll call vote and a motion by Trustee Holden, supported by Trustee Miller, the Board authorized the treasurer/assistant treasurer to enter into a lease, not to exceed three years (with two optional one-year extensions at the Administration's option), with KC's Budget Auto, Inc. for approximately 1,800 square feet of vacant space and large parking lot at the former Cole/Gilmore property at 431 W. Kalamazoo Avenue.

Resolution re Series 2003 General Revenue Bonds. The Board of Trustees, following a 6-0 roll call vote and a motion by Trustee Holden, supported by Trustee Miller, approved a resolution authorizing the issuance and delivery of General Revenue Bonds, Series 2003, and providing for other matters relating thereto. As indicated, the proceeds of the bond issue, expected to generate \$54 million, will largely be used to refund 1993A general revenue bonds currently held by the University, resulting in a present value savings of some \$3 million. The remainder of the bond issue will be used to finance construction of the new College of Health and Human Services facility.

Public Comments. Western Association officers, outgoing president John Knowles and incoming president and vice president, Sylvester Bush and Eric Zehnpfennig, reported on the achievements of the past year and plans for the future. Tim Birch, president of AFSCME 1668, spoke of upcoming contract negotiations and awareness of budgetary problems.

Executive Session. The Board of Trustees went into executive session at 1:50 p.m., on a 6-0 roll call vote and motion by Trustee Aseritis, supported by Trustee Miller, as provided for under Michigan law and returned to general session for adjournment at 2:40 p.m.

Respectfully submitted,



Betty A. Kocher  
Secretary  
Board of Trustees

**RESOLUTION OF THE BOARD OF TRUSTEES  
OF WESTERN MICHIGAN UNIVERSITY  
AUTHORIZING THE ISSUANCE AND DELIVERY OF  
GENERAL REVENUE BONDS AND PROVIDING FOR  
OTHER MATTERS RELATING THERETO**

WHEREAS, the Board of Trustees of Western Michigan University (the "Board") is a body corporate created by and existing under the Constitution of the State of Michigan with full constitutional authority over and general supervision of Western Michigan University (the "University") and control and direction of all expenditures from the University's funds; and

WHEREAS, the Board has previously issued and has outstanding General Revenue Bonds in several series (the "Outstanding bonds"), and it may be appropriate and economic to refund all or any portion of the outstanding principal maturities of the Outstanding Bonds (the outstanding bonds, if any, to be refunded to be determined by an Authorized Officer (hereinafter defined) and to be herein called the "Bonds to be Refunded"); and

WHEREAS, the Board has determined it is appropriate and in the best interests of the University to finance all or a portion of certain capital expenditures of or for the benefit of the University, as described on Exhibit A attached hereto (collectively, the "Project") with the proceeds of the general revenue bonds authorized hereby; and

WHEREAS, in the exercise of its constitutional duties, and in order prudently to control and direct expenditures from the University's funds, the Board has determined it is necessary and desirable to authorize the issuance and delivery of the Board's General Revenue Bonds (the "Bonds") in order to provide funds which, together with other available funds of the University, will be used to fund all or a part of (i) the costs of refunding the Bonds to be Refunded, (ii) the costs of the Project (the portion of the Project to be financed to be determined by an Authorized Officer), and (iii) the costs related to the refunding and to the issuance of the Bonds, including the costs of insurance premiums or other credit or liquidity facilities, if appropriate; and

WHEREAS, a trust agreement or indenture (the "Trust Agreement") must be entered into by and between the Board and a trustee (the "Trustee") to be designated by an Authorized Officer, pursuant to which the Bonds will be issued and secured; and

WHEREAS, the indentures authorizing 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 Bonds, certify that the conditions for issuing the Bonds, secured on a parity basis by General Revenues with the Outstanding Bonds, have been met; and

WHEREAS, it is necessary to authorize the Authorized Officers to negotiate the sale of the 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 or agreements (collectively, the "Bond Purchase Agreement") and, if deemed appropriate, a remarketing agreement or agreements (collectively, the "Remarketing Agreement") or a broker dealer

agreement or agreements (collectively, the "Broker Dealer Agreement") with the Underwriter setting forth the terms and conditions upon which the Underwriter will agree to purchase the Bonds and the interest rates thereof and the purchase price therefor; and

WHEREAS, in order to be able to market the Bonds at the most opportune time, it is necessary for the Board to authorize the President and the Vice President for Business and Finance and Treasurer (each an "Authorized Officer") or either of them individually, to negotiate, execute and deliver on behalf of the Board, the Trust Agreement, the Bond Purchase Agreement, the Remarketing Agreement or Broker Dealer Agreement, and other related documents, to establish the specific terms of the Bonds and to accept the offer of the Underwriter to purchase the Bonds, all within the limitations set forth herein; and

WHEREAS, the refunding of the Bonds to be Refunded and the acquisition, equipping and construction of the Project and the funding of all or a part of the costs thereof with the proceeds of the Bonds will serve proper and appropriate public purposes; and

WHEREAS, the Board has full power under its constitutional authority for the supervision of the University and the control and direction of expenditures from the University funds, to refund the Bonds to be Refunded, to acquire, equip and construct the Project and to pay all or a part of the costs of the refunding and the costs of the Project by issuance of the Bonds, and to support payment of the Bonds by a pledge of General Revenues (as shall be defined in the Trust Agreement in a manner generally consistent with the definition thereof contained in the trust agreements securing the Outstanding Bonds);

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

1. The Board hereby approves the definition of the term "Project" as set forth on Exhibit A attached hereto, and authorizes the Authorized Officers, or either of them, to (i) select the portion of the Project to be financed, in whole or in part, from the proceeds of the Bonds, and to fund, as appropriate, the remaining portion of the costs of the Project from available funds of the University or other available funds, and to proceed with the acquisition, equipping and construction of the Project, and (ii) determine which, if any of the outstanding General Revenue Bonds of the Board shall be refunded, based on whether such refunding would produce interest costs savings, more favorable debt service schedules, or more flexible documentation, and to cause to be called for redemption such of the those bonds as are appropriate and consistent with the foregoing objectives.

2. The Board hereby authorizes the issuance, execution and delivery of the Bonds in one or more series to be designated GENERAL REVENUE BONDS, with appropriate 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 produce proceeds of Fifty Four Million Dollars (\$54,000,000). The 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 all or a portion of the costs of

refunding the Bonds to be Refunded, all or a portion of the costs of the Project, including, if determined to be appropriate by an Authorized Officer, capitalized interest related to all or a portion of the Project for a period specified by an Authorized Officer, and all or a portion of the costs related to the refunding and the issuance of the Bonds, including the costs of bond insurance premiums or other credit or liquidity facilities, if appropriate. The 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, 2004 and the last maturity shall be no later than December 31, 2043. The Bonds may bear no interest or may 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 6.0% per annum, and the Bonds may be issued in whole or in part as capital appreciation bonds, which for their term or any part thereof bear no interest but appreciate in principal amount over time at compounded rates (not in excess of 6.0% per annum) to be determined by an Authorized Officer. Alternatively, all or part of the Bonds may bear interest at a variable rate of interest for all or a portion of their term, and the variable rate of interest shall not exceed the lesser of the maximum rate permitted by law or the maximum rate, if any, to be specified in the Trust Agreement. In addition, all or part of the Bonds may be issued in related series, one of which bears interest at a variable rate and one of which bears interest at a residual rate determined by subtracting the variable rate from the fixed rate paid by the Board, but the combined rate on such Bonds, taking the two related series together, which shall be determined by an Authorized Officer, shall not exceed 6.0% per annum. The 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. Interest on the Bonds shall be payable at such times as shall be specified by an Authorized Officer. The 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 Trust Agreement. The 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 0.75% of the principal amount thereof) plus accrued interest, if any, from the dated date of the Bonds to the date of delivery thereof.

In relation to the debt service on the Bonds, or in relation to all or any portion of the Outstanding Bonds, either of the Authorized Officers may, at any time, on behalf of and as the act of the Board, enter into an interest rate swap, cap or similar agreement or agreements (collectively, the "Swap Agreement") with a counter-party or counter-parties to be selected by the Authorized Officer. Such Swap Agreement shall provide for payments between the Board and the counter-party related to interest on all or a portion of the Bonds or the Outstanding Bonds, or to indexed or market established rates. If the Swap Agreement is entered into in connection with the issuance of the Bonds, the expected effective interest rates on the Bonds, taking into account the effect of the Swap Agreement, shall be within the limitations set forth herein.

Any or all of the Bonds may be made subject to tender for purchase at the option of the holder thereof. The obligation of the Board to purchase any Bonds subject to tender options may be made payable from General Revenues, from available cash reserves of the University, subject

to such limitations as may be specified in the Trust Agreement, or from a letter of credit, line of credit or other liquidity device (the "Liquidity Device"), or any combination thereof, all as shall be determined by an Authorized Officer and provided for in the Trust Agreement. Any reimbursement obligation for draws under the Liquidity Device shall be a limited and not a general obligation of the Board, payable from and secured by a pledge of General Revenues. Either Authorized Officer is authorized to execute and deliver, for and on behalf of the Board, any agreements or instruments necessary to obtain, maintain, renew or replace, and provide for repayments under, any Liquidity Device deemed by such officer to be required for the purposes of this Resolution. Purchase obligations shall not be considered as principal or interest on the Bonds. In the alternative, any or all of the Bonds may be subject to rights on behalf of the holders thereof to tender their Bonds for purchase by the market through a dutch auction procedure, subject to a specified maximum interest rate not in excess of the lesser of the maximum rate specified by law or the rate specified in the Trust Agreement.

3. The Bonds, and the obligations of the Board under the Swap Agreement and the Liquidity Device, if any, 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 and moneys, securities or other investments from time to time on deposit in certain funds created pursuant to the Trust Agreement or agreements entered into in connection with the Swap Agreement or Liquidity Device. Except as otherwise determined by an Authorized Officer, as provided below, the lien shall be on a parity basis with the liens on General Revenues securing the Outstanding Bonds.

No recourse shall be had for the payment of the principal amount of or interest or premium on the Bonds, the Swap Agreement or the Liquidity Device, or any claim based thereon, against the State of Michigan, or any member or agent of the Board (including, without limitation, any officer or employee of the University), as individuals, either directly or indirectly, nor, except as specifically provided in the Trust Agreement or the instruments entered into in connection with the Swap Agreement or the Liquidity Device, if any, against the Board, nor shall the Bonds and interest with respect thereto, or any obligations of the Board in connection with the Swap Agreement or Liquidity Device, if any, 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, securities or other investments from time to time on deposit in certain funds established as pledged pursuant to the Trust Agreement or agreements entered into in connection with the Swap Agreement or Liquidity Device, if any.

Any pledge of General Revenues, and funds specified in the Trust Agreement or agreements entered into in connection with the Swap Agreement or Liquidity Device, if any, shall be valid and binding from the date of the issuance and delivery of the 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 debt 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.

Notwithstanding anything herein to the contrary, any obligations of the Board under the Swap Agreement or any agreement with respect to the Liquidity Device may, if determined appropriate by an Authorized Officer, be payable and secured on a subordinated basis to the Bonds and other General Revenue obligations of the Board.

4. The right is reserved to issue additional bonds, notes or other obligations payable from and secured on a parity basis with the Bonds and the Outstanding Bonds from the General Revenues, upon compliance with terms and conditions therefor as shall be set forth in the Trust Agreement.

5. 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 Trust Agreement. The Trust Agreement may contain such covenants on behalf of the Board and terms as such officers deem appropriate and as shall be approved by the Office of the General Counsel, 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 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. In addition, either Authorized Officer is hereby authorized, empowered and directed to negotiate, if necessary and expedient for the issuance of the Bonds, for acquisition of bond insurance and to execute and deliver an insurance commitment or other documents or instruments required in connection with such insurance.

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 Underwriter and to negotiate, execute and deliver the Bond Purchase Agreement and Remarketing Agreement or Broker Dealer Agreement, if necessary, with the Underwriter setting forth the terms of the Bonds and the sale thereof, in the forms as an Authorized Officer may approve upon recommendation of the Office of the General Counsel, all within the limitations set forth herein.

7. Either of the Authorized Officers is authorized, empowered and directed, in the name and on behalf of the Board, and as its corporate act and deed, to execute the Bonds by manual or facsimile signature and, if deemed appropriate, to impress or imprint the University seal thereon, and either of the Authorized Officers is authorized to deliver the Bonds to the Underwriter in exchange for the purchase price thereof, as provided in the Bond Purchase Agreement.

8. Either Authorized Officer is hereby authorized to cause the preparation of a Preliminary Official Statement, if necessary, and an Official Statement with respect to the Bonds, and to execute and deliver the Official Statement. The Underwriter is authorized to circulate and use, in accordance with applicable law, the Preliminary Official Statement, if any, and the Official Statement in connection with the offering, marketing and sale of the Bonds.

9. The President, the Vice President for Business and Finance and Treasurer, the Secretary of the Board, the Assistant Vice President for Finance, the General Counsel or any Associate or Assistant General Counsel, and all other appropriate officers or representatives of the Board or the University and each one of them, are authorized to perform all acts and deeds

and to execute and deliver for and on behalf of the Board all instruments and documents (including an Escrow Deposit Agreement with an Escrow Agent to be selected by an Authorized Officer, and a direction to the Underwriter or the Escrow Agent to subscribe for securities necessary to accomplish the refunding) required by this resolution, the Trust Agreement, or the Bond Purchase Agreement, or necessary, expedient and proper in connection with the issuance, sale and delivery of the Bonds, as contemplated 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 required under the Trust Agreement, Bond Purchase Agreement, Swap Agreement, agreement entered into in connection with the Liquidity Device or any other instrument related to the Bonds, either in connection with the issuance of the Bonds or in connection with the ongoing administration of the financing program related to the Bonds, may be taken by and on behalf of the Board by an Authorized Officer.

10. 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 Bonds to enter into a Disclosure Undertaking for the benefit of the holders and beneficial owners of the Bonds. Either Authorized Officer is authorized to cause to be prepared and to execute and deliver, on behalf of the Board, the Undertaking.

11. Any resolutions or parts of resolutions or other proceedings of the Board in conflict herewith are hereby repealed insofar as such conflict exists.

## **RESOLUTION**

### **Recitals**

WHEREAS a primary purpose of the Health Insurance Portability and Accountability Act (HIPAA) is to protect individually identifiable health information;

WHEREAS the United States Department of Health and Human Services has promulgated final privacy regulations (“the Final Privacy Rules”) for the use and disclosure of protected health information that become effective on April 14, 2003, and these and other proposed and final regulations will apply to HIPAA Covered Entities;

WHEREAS, the University is a Covered Entity under HIPAA subject to the Final Privacy Rules whose activities include both covered and non-covered functions;

WHEREAS the University wishes to comply with the Final Privacy Rules by: (i) declaring itself to be a Hybrid Entity with covered and non-covered components; (ii) identifying and designating those Covered Components that are subject to the Final Privacy Rules; and (iii) adopting policies and procedures and taking other actions as appropriate to comply with the Final Privacy Rules and other applicable regulations;

WHEREAS if it is appropriate as part of its HIPAA compliance activities, the University will also enter into organized health care arrangements (“OHCAs”) with Covered Entities that are not part of the University but that work with Covered Components.

### **Resolved**

1. Western Michigan University is designated and declared to be a Hybrid Entity within the meaning of the Final Privacy Rules with covered and non-covered components.
2. The Covered Components within Western Michigan University shall be as designated from time to time. Initially, the designated Covered Components are:
  - Sindecuse Health Center
  - The appropriate clinics with the Unified Clinics within the College of Health and Human Services
  - The activities of the University in the administration of the self-insured health insurance plan (The “University Plan”) administered by the Human Resources Department, presently in conjunction with Blue Cross Blue Shield of Michigan as the Third Party Administrator, and
  - To the extent that they perform covered functions for or perform activities that would make them a business associate of Sindecuse Health Center, the Unified Clinics or the University Plan if they were a third party, the office of the vice president for legal affairs and general counsel, the office of information technology, the office of the vice president for business and finance, and the office of internal audit.

3. The Board of Trustees delegates to the President and/or his or her designee, and the Treasurer or the Assistant Treasurer the continuing authority, to enter into one or more OHCAs.
4. The Board of Trustees further delegates to the President and/or his or her designee the continuing authority to designate Covered Components, to adopt required policies and procedures, appoint Privacy Officer(s), Compliance Officer(s) and Complaint or Contact Officers, and take such other actions as necessary or appropriate from time to time in order to operate in accordance with HIPAA, the Final Privacy Rules and other applicable final regulations.

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WESTERN MICHIGAN UNIVERSITY  
BOARD OF TRUSTEES  
REGULAR FORMAL SESSION  
FRIDAY, MAY 9, 2003

A formal session of the Western Michigan University Board of Trustees was called to order by Chair Klohs at 10:30 a.m. on Friday, May 9, 2003, in the Presidents Dining Room, Bernhard Center.

Board members present: Trustee Anthony (via telephone), Trustee Aseritis, Trustee DeNooyer, Trustee Holden, Trustee Klohs, Trustee Martin, Trustee Miller, and Trustee Pero.

The trustees approved the following resolution re Dr. Daniel Litynski's service as interim president.

RESOLUTION

Whereas, Dr. Daniel M. Litynski agreed to serve as interim president of Western Michigan University and has displayed grace, commitment and a deep love for the institution and the community during his months in office; and

Whereas, he has helped advance the University's agenda through his thorough and informed handling of issues in such critical areas as state legislative relations: federal support for the University's research efforts and strategic planning to address economic challenges; and

Whereas, he will now continue in his role as provost and vice president for academic affairs, giving the University the benefit of his support and outstanding academic and administrative talent, as the opportunities of the future unfold;

Now therefore be it resolved, that the Western Michigan University Board of Trustees extends its heartfelt appreciation for Daniel M. Litynski's devotion, dedication and service to the University and looks forward to his continued contribution to the institution's success.

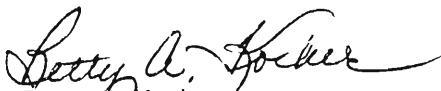
Chair Klohs and Trustee Emeritus St. John, chair of the presidential search advisory committee, spoke of the search process and thanked all of those involved with the very successful outcome, including the search consultants retained by the Board.

On a 8-0 roll call vote, following a motion by Trustee DeNooyer, supported by Trustee Holden and the entire Board, the appointment of Dr. Judith I. Bailey as president of the University, effective June 9, 2003, was approved. Dr. Bailey has served as president of Northern Michigan University.

Dr. Bailey expressed her appreciation to the trustees and stated she is looking forward to becoming the seventh president of Western Michigan University.

The session was adjourned at 11:00 a.m.

Respectfully submitted

  
Betty A. Kocher  
Secretary, Board of Trustees

WESTERN MICHIGAN UNIVERSITY  
REGULAR FORMAL SESSION  
WEDNESDAY, JULY 16, 2003

The regular formal session of the Western Michigan University Board of Trustees was called to order by Chair Klohs at 9 a.m. on Wednesday, July 16, 2003, in the Connable Board Room, Bernhard Center.

Board members present: Trustee Anthony, Trustee Aseritis, Trustee DeNooyer, Trustee Holden, Trustee Klohs, Trustee Martin, Trustee Miller, Trustee Pero and President Bailey (ex officio).

On behalf of the trustees, Chair Klohs officially welcomed President Bailey to her first Board meeting since she assumed the presidency on June 9. (Dr. Bailey was named president by the trustees on May 9.)

Closed Informal Session. On an 8-0 roll call vote, following a motion by Trustee Pero, supported by Trustee Aseritis, the Board of Trustees recessed for a closed informal session at 9:05 a.m. as provided for under Michigan law.

Following the closed session, the Academic and Student Affairs and the Budget and Finance informal sessions were held.

Formal Session. The Board of Trustees reconvened at 12:40 p.m.

Remarks by the Chair Chair Klohs spoke of the "grace and determination" President Bailey has demonstrated in her first five weeks in office, reinforcing the Board's decision to select her as president.

Chair Klohs expressed the sympathy of the Board with the death of Trustee Emeritus J. Michael Kemp. Trustee Emeritus Kemp served as a trustee from 1975 to 1982, on the WMU Foundation for nine years, and founded the Medallion Scholarship program.

She spoke of the University's continuing commitment to maintaining the integrity of our academic mission and preserving the quality of programs under these difficult budget situation, highlighting the Prague Summer Program, an intensive creative writing study aboard experience; the science academy program in Berrien County for middle school teachers, funded by the Upton Foundation; Seminar 2003, a music camp for gifted high school musicians from eight states; the Core Plus Mathematics curriculum developed by WMU faculty with the support of the National Science Foundation, and the solar Sunseeker car involved in cross-country competition.

She also commended the University for its work with the community in addressing the Pfizer developments and its effort in retaining the incredible intellectual talent existing in the community.

Remarks by the President. President Bailey expressed appreciation for the very warm welcome that she and her husband have received from the campus and the broader community, noting that they have met many, many people in a short time and have been made to feel very much at home. She spoke of the campus and community receptions, meeting with city leadership, and participating in her first WMU commencement. President Bailey gave a state funding update and express special thanks to Jeff Breneman, Vice President for Legislative Affairs who is leaving the University. A Legislative Tribute (Attachment A) was presented to Vice President Breneman. She spoke of the momentous times for the University and that the decisions made will have an impact for years to come. President Bailey expressed appreciation to the Board for its input and the manner in which the trustees have addressed the very serious issues facing the University.

Acceptance of the Agenda The agenda was approved following a motion by Trustee Holden, supported by Trustee Pero, including the addition of an item – Conveyance of Property in the Business Technology and Research Park to Southwest Michigan Innovation Center, Inc.

Approval of the Minutes of the March 28 and May 9 Formal Sessions. The minutes were approved as distributed on a motion by Trustee Martin, supported by Trustee Miller.

#### Academic and Student Affairs Recommendations

Grant Report. As moved by Trustee DeNooyer, supported by Trustee Anthony, the grant report for April and May 2003 was approved.

Personnel Report. The personnel report was approved on a motion by Trustee DeNooyer, supported by Trustee Holden.

#### **Return to Administrative Appointment**

Daniel M. Litynski, Provost and Vice President for Academic Affairs, effective June 9, 2003.

#### **Administrative Appointments**

Deborah Barnes, Director, Lewis Walker Institute for the Study of Race and Ethnic Relations, effective July 1, 2003 through June 30, 2004.

### **Administrative Appointments (Continued)**

Wendy Ford, Associate Dean, College of Arts and Sciences, effective July 1, 2003.

Bernard Han, Professor and Chair, Department of Business Information Systems, effective July 1, 2003.

Rick Maloney, Dean, College of Aviation, effective July 15, 2003.

William Rantz, Associate Professor and Chair of Faculty, College of Aviation, effective April 1, 2003.

Cynthia Running-Johnson, Professor and Chair, Department of Foreign Languages, effective July 1, 2003.

Ajay Samant, Professor and Chair, Department of Finance and Commercial Law, effective July 1, 2003.

Gary Wegenke, Dean, College of Education, effective April 1, 2003.

Brian Wilson, Interim Chair, Department of Philosophy, effective July 1, 2003.  
(Note: This is in addition to his current position as Associate Professor and Chair of Comparative Religion).

### **Administrative Return to Faculty**

Robert Aardema, Associate Professor, College of Aviation, effective August 4, 2003.

Roberta Allen, Associate Vice President for Academic Affairs, to Professor, Department of Business Information Systems, effective August 4, 2003.

Thomas Gossman, from University Ombudsman to Professor, Department of Finance and Commercial Law, effective , June 23, 2003.

Benjamin Wilson, Professor, Africana Studies Program, effective July 3, 2003.

Janet Stillwell, Professor, Department of Dance, effective July 1, 2003.

Elizabeth Whitten, Associate Professor, Educational Studies, effective April 12, 2004  
**(Correction)**.

### **Retirement - Administrative**

Elise Jorgens, Interim Provost and Vice President for Academic Affairs, Office of Academic Affairs, effective June 8, 2003.

**Appointment - With Tenure**

Karin Morin, Professor, WMU Bronson School of Nursing, effective August 4, 2003

**Appointments - Tenure Track**

Mark Alavosius, Assistant Professor, Department of Psychology, effective August 4, 2003.

Teresa Crumpton, Faculty Specialist II, Department of Speech Pathology and Audiology, effective July 1, 2003.

Louann Palmer, Assistant Professor, Department of Teaching, Learning and Leadership, effective August 4, 2003.

Kapseong Ro, Assistant Professor, Department of Mechanical and Aeronautical Engineering, effective August 4, 2003.

Pravin Sevak, Associate Professor, Department of Art, effective August 4, 2003.

Renee Schwartz, Instructor, Department of Biological Sciences, effective August 4, 2003.

Carol Weideman, Faculty Specialist I, Department of Health, Physical Education and Recreation, effective August 4, 2003.

Sherif Yehia, Assistant Professor, Department of Construction Engineering, Materials Engineering, and Industrial Design, effective March 10, 2003.

**Reappointments - Term**

Noel Allende-Goitia, Assistant Professor, School of Music, effective August 4, 2003 through August 1, 2004.

Elizabeth Amidon, Assistant Professor, Department of English, effective August 4, 2003 through August 1, 2004.

Mary Ann Babcock, Instructor, Department of Statistics, effective August 4, 2003 through August 1, 2004.

Alberta Bee, Faculty Specialist II, WMU Bronson School of Nursing, effective August 4, 2003 through August 1, 2004.

Timothy Berg, Assistant Professor, Department of History, effective August 4, 2003 through August 1, 2004.

### **Reappointments - Term (continued)**

Gary Blackmer, Associate Professor, Department of Chemistry, effective August 4, 2003 through August 1, 2004.

Karen Bondarchuk, Instructor, Department of Art, effective August 4, 2003 through August 1, 2004.

Laurel Campbell, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Kathleen Conway, Instructor, Department of Health, Physical Education and Recreation, effective August 4, 2003 through August 1, 2004.

Mary Cook, Instructor, Department of English, effective August 4, 2003 through August 1, 2004,

Angela Counterman, Instructor, WMU Bronson School of Nursing, effective August 4, 2003 through August 1, 2004.

Scott Cowan, Assistant Professor, School of Music, effective August 4, 2003 through August 1, 2004.

Mark Crawford, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Tracy De Mars, Instructor, Department of Teaching, Learning, and Leadership, effective August 4, 2003 through August 1, 2004.

Tracy DuBay, Instructor, Department of Educational Studies, effective August 4, 2003 through August 1, 2004.

Shelia Eisenhauer, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Julie Evans, Assistant Professor, School of Music, effective August 4, 2003 through August 1, 2004.

Richard Frankel, Assistant Professor, Department of History, effective August 4, 2003 through August 1, 2004.

Scott Friesner, Instructor, Department of English, effective August 4, 2003 through August 1, 2004.

### **Reappointments - Term (continued)**

Olivia Gabor, Assistant Professor, Department of Foreign Languages, effective August 4, 2003 through August 1, 2004.

Monica Griffin, Assistant Professor, School of Music, effective August 4, 2003 through August 1, 2004.

Robert Hardin, Instructor, Department of Computer Science, effective August 4, 2003 through August 1, 2004.

Erin Hart, Instructor, Department of English, effective August 4, 2003 through August 1, 2004.

Cynthia Hutchinson, Faculty Specialist II, Department of Physician Assistant, effective June 23, 2003 through June 20, 2004.

Anna Jelaso, Assistant Professor, Environmental Studies Program, effective August 4, 2003 through August 1, 2004.

Eva Jerome, Instructor, WMU Bronson School of Nursing, effective August 4, 2003 through August 1, 2004.

Cheryl Lyon-Jenness, Faculty Specialist II, Department of History, effective August 4, 2003 through August 1, 2004.

Thayma Lutz, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Stephen Ohs, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Kathy Onderlinde, Instructor, Department of Biological Sciences, effective August 4, 2003 through August 1, 2004.

Esther Page-Wood, Instructor, Department of Marketing, effective August 4, 2003 through August 1, 2004.

Chateros Permpikul, Assistant Professor, Department of English, effective August 4, 2003 through August 1, 2004.

Elizabeth Phillips, Instructor, WMU Bronson School of Nursing, effective August 4, 2003 through August 1, 2004.

**Reappointments - Term (continued)**

Patricia Rogers, Assistant Professor, Department of History, effective August 4, 2003 through August 1, 2004.

Julie Rypma, Instructor, Department of English, effective August 4, 2003 through August 1, 2004.

Greg Smith, Assistant Professor, Department of English, effective August 4, 2003 through August 1, 2004.

Jacinda Swanson, Assistant Professor, Department of Political Science, effective August 4, 2003 through August 1, 2004.

Edward Van Wesep, Assistant Professor, Department of Economics, effective August 4, 2003 through August 1, 2004.

Sonia Wardley, Faculty Specialist II, Department of Physician Assistant, effective June 23, 2003 through June 20, 2004.

Kevin Weakley, Instructor, Department of Geography, effective August 4, 2003 through August 1, 2004.

Gray Whaley, Assistant Professor, Department of History, effective August 4, 2003 through August 1, 2004.

William Zinkus, Assistant Professor, Department of English, effective August 4, 2003 through August 1, 2004.

**Appointments - Term**

Deborah Barnes, Associate Professor, Africana Studies Program, effective July 1, 2003 through June 30, 2004.

Timothy Carter, Instructor, Department of Political Science, effective August 4, 2003 through August 1, 2004.

Patricia Chilton-Stringham, Instructor, Department of Teaching, Learning and Leadership, effective August 4, 2003 through August 1, 2004.

Steve Feffer, Assistant Professor, Department of English, effective August 4, 2003 through August 1, 2004.

Charles Hilton, Assistant Professor, Department of Anthropology, effective August 4, 2003 through August 1, 2004.

### **Appointments – Term (Continued)**

Philip Kaldon, Assistant Professor, Department of Physics, effective August 4, 2003 through August 1, 2004.

William Post, Faculty Specialist I, Department of Sociology, effective June 23, 2003 through June 20, 2004.

### **Joint Appointments**

Thomas Amos, Professor, University Libraries and Department of History, effective May 23, 2003.

Michael Chiarappa, Associate Professor, Department of History and Environmental Studies Program, effective April 28, 2003.

William Cobern, Professor, Department of Biological Sciences and Director, Mallinson Institute for Science Education, effective August 4, 2003.

Bruce Haight, Professor, Department of History and Africana Studies Program, effective April 28, 2003.

Julia Harmon, Assistant Professor, Department of Comparative Religion and Africana Studies Program, effective August 5, 2002.

Lynne Heasley, Assistant Professor, Environmental Studies Program and Department of History, effective April 24, 2003.

Sarah Hill, Assistant Professor, Department of Anthropology and Environmental Studies Program, effective August 5, 2003.

Carolyn Podruchny, Assistant Professor, Department of History and American Studies Program, effective April 10, 2003.

Renee Schwartz, Instructor, Department of Biological Sciences and Mallinson Institute for Science Education, effective August 4, 2003.

### **Change in Department Affiliation**

William Cobern, Professor, from Associate Dean, College of Education to Professor, Department of Biological Sciences and Director of Mallinson Institute for Science Education, effective July 1, 2003.

**Due to the dissolution of the School of Community Health Services, the following faculty will be affiliated as listed:**

Charlene Brown, Assistant Professor, Department of Physician Assistant  
Karen Horneffer-Ginter, Assistant Professor, Department of Physician Assistant  
James Kendrick, Associate Professor, Department of Physician Assistant  
Janet Pisaneschi, Professor, Department of Speech Pathology and Audiology  
Dennis Simpson, Professor, Department of Physician Assistant  
Donna Weinreich, Assistant Professor, WMU Bronson School of Nursing  
Edo Weits, Faculty Specialist, Department of Physician Assistant

**Due to the separation of the Department of Foreign Languages and Literatures, the faculty listed will now be affiliated with the Department of Foreign Languages or the Department of Spanish, as indicated, effective July 16, 2003.**

**The following faculty will hold appointments in the Department of Foreign Languages:**

Hideko Abe, Associate Professor  
Peter Blickle, Associate Professor  
Vincent DesRoches, Assistant Professor  
Ako Fukushima, Faculty Specialist I  
Rand Johnson, Associate Professor  
Peter Krawutschke, Professor  
David Kutzko, Assistant Professor  
Dasha Nisula, Professor  
Molly Recchia, Associate Professor  
Cynthia Running-Johnson, Professor (Chair)  
Herman Teichert, Professor  
Xiaojun Wang, Associate Professor  
Eric Russell Webb, Assistant Professor  
Lindsey Wilhite, Assistant Professor

**The following faculty will hold appointments in the Department of Spanish:**

John Benson, Professor (Chair)  
Gary Bigelow, Associate Professor  
Jorge Febles, Professor  
Robert Felkel, Professor  
Carolyn Harris, Professor  
Antonio Isea, Associate Professor  
Irma Lopez, Associate Professor  
Michael Miller, Assistant Professor  
Patricia Montilla, Assistant Professor  
Holly Nibert, Assistant Professor

**The following faculty will hold appointments in the Department of Spanish:  
(Continued)**

Pablo Pastrana-Perez, Assistant Professor  
Mariola Perez de la Cruz, Faculty Specialist II  
Mercedes Tasende, Professor  
Benjamin, Torres, Associate Professor  
Robert Vann, Associate Professor

**Due to the name change of the Department of Art, the following individuals are now affiliated with the School of Art, effective August 28, 2003.**

Karen Bondarchuk, Instructor  
Barbara Brotherton, Associate Professor  
Cybele Clark-Mendes, Assistant  
Cat Crotchett, Associate Professor  
Richard dePeaux, Professor  
Edward Harkness, Professor  
Tricia Hennessy, Professor  
Keith Jones, Associate Professor  
Richard Keaveny, Professor

**Due to the name change of the Department of Art, the following individuals are now affiliated with the School of Art, effective July 16, 2003 (continued):**

Joyce Kubiski, Associate Professor  
Albert LaVergne, Professor  
John Link, Professor  
Charles LoVerme, Associate Professor  
Paul Mergen, Professor  
Bruce Naftel, Associate Professor  
Mary Neu, Associate Professor  
Curtis Rhodes, Professor  
Louis Rizzolo, Professor  
Candice Schilz, Assistant Professor  
Pravin Sevak, Associate Professor  
Paul Solomon, Associate Professor  
Charles Stroh, Professor  
Vince Torano, Assistant Professor  
Phillip VanderWeg, Professor and Director

**Reappointment - Adjunct**

Paul Reinhardt, Adjunct Professor, Department of Theatre, effective August 1, 2003 through July 31, 2006.

### **Appointment - Adjunct**

Rose Kershbaumer, Adjunct Assistant Professor, WMU Bronson School of Nursing, effective August 1, 2003 through July 31, 2006.

### **Resignations**

Wendy Babcox, Assistant Professor, Department of Art, effective August 3, 2003.

Steven Benfell, Assistant Professor, Department of Political Science, effective August 3, 2003.

Scott Bristol, Aviation Specialist, College of Aviation, effective March 30, 2003.

Timothy Diamond, Associate Professor, Department of Sociology, effective August 3, 2003.

Ruth Ervin, Associate Professor, Department of Psychology, effective August 3, 2003.

Michael Kinyon, Associate Professor, Department of Mathematics, effective April 14, 2003.

Tracey Mabrey, Associate Professor, School of Social Work, effective August 3, 2003.

L. Scott Marsh, Associate Professor, Department of Dance, effective June 22, 2003.

Susanne Mrozik, Assistant Professor, Department of Comparative Religion, effective August 3, 2003.

Haesun Park, Assistant Professor, Department of Family and Consumer Sciences, effective August 3, 2003.

Mary Schutten, Assistant Professor, Department of Health, Physical Education and Recreation, effective August 3, 2003.

### **Retirements with Emeriti Status**

JoNina Abron, Associate Professor, Department of Communication, Associate Professor Emerita of Communication, effective December 30, 2003.

Arthur Hoadley, Professor, Department of Mechanical and Aeronautical Engineering, Professor Emeritus of Mechanical and Aeronautical Engineering, effective April 11, 2004.

Robert Laing, Professor, Department of Mathematics, Professor Emeritus of Mathematics, effective June 30, 2003.

### **Retirements with Emeriti Status (Continued)**

Edward Mayo, Professor, Department of Marketing, Professor Emeritus of Marketing, effective August 8, 2004.

Thomas Sill, Associate Professor, Department of Communication, Associate Professor Emeritus of Communication, effective April 30, 2004.

### **Retirement**

Kathi Fuller, Faculty Specialist II, School of Community Health Services, effective June 30, 2003.

### **Tenure**

**It is recommended that tenure be approved for the following faculty members, effective with the beginning of the 2003/2004 academic/fiscal year:**

Hideko Abe, Department of Foreign Languages

Jose Brandao, Department of History

Paula Brush, Department of Sociology

Steven Butt, Department of Industrial and Manufacturing Engineering

Daniel Cassidy, Department of Geosciences

Sime Curkovic, Department of Management

Charles Emerson, Department of Geography

Bruce Ferrin, Department of Marketing

Thomas Gorczyca, Department of Physics

James Henry, School of Social Work

Georgina Hill, Department of English

David Hurtt, Department of Accountancy

Kathleen Kline, Department of Mathematics

**Tenure (continued)**

Steven Kohler, Environmental Studies Program

Kirk Korista, Department of Physics

Ashlyn Kuersten, Department of Political Science

Linda LeBlanc, Department of Psychology

David Lemberg, Department of Geography

Debra Lindstrom-Hazel, Department of Occupational Therapy

Allison McFarland, Department of Health, Physical Education and Recreation

Timothy Michael, Department of Health, Physical Education and Recreation

Damon Miller, Department of Electrical and Computer Engineering

Magdalena Niewiadomska-Bugaj, Department of Statistics

Timothy Palmer, Department of Management

James Palmitessa, Department of History

Peter Parker, Department of Paper and Printing Science and Engineering

Michael Raines, Department of Mathematics

Thomas Scannell, Department of Management

Nancy Schullery, Department of Business Information Systems

Lori Sims, School of Music

Gwen Tarbox, Department of English

Jyh-Hong Tarn, Department of Business Information Systems

Radu Teodorescu, Department of Mathematics

Ann Veeck, Department of Marketing

Gary Wegenke, Department of Teaching, Learning, and Leadership

## **Promotions**

**It is recommended that the following promotions be approved for the following faculty members, effective with the beginning of the 2003/2004 academic /fiscal year:**

### **Professor**

E. Brooks Applegate, Department of Educational Studies

Ben Atchison, Department of Occupational Therapy

Jody Brylinsky, Department of Health, Physical Education and Recreation

Allen Carey-Webb, Department of English

David Code, School of Music

John Dilworth, Department of Philosophy

Marianne Frauenknecht, Department of Health, Physical Education and Recreation

John Gesink, Department of Electrical and Computer Engineering

Bernard Han, Department of Business Information Systems

Joan Herrington, Department of Theatre

Bharti Katbamna, Department of Speech Pathology and Audiology

Daniel Kujawski, Department of Mechanical and Aeronautical Engineering

David Little, School of Music

Ali Metwalli, Department of Finance and Commercial Law

John Saillant, Department of English

Ajay Samant, Department of Finance and Commercial Law

Frank Severance, Department of Electrical and Computer Engineering

Ralph Tanner, Department of Electrical and Computer Engineering

Mercedes Tasende, Department of Foreign Languages

**Professor (Continued)**

Grace Tiffany, Department of English

Gregory Veeck, Department of Geography

Gary Wegenke, College of Education

Elizabeth Whitten, Department of Educational Studies

Qiji (Jim) Zhu, Department of Mathematics

**Associate Professor**

Paula Brush, Department of Sociology

Daniel Cassidy, Department of Geosciences

Charles Emerson, Department of Geography

James Kendrick, School of Community Health Services

Steven Kohler, Environmental Studies Program

David Lemberg, Department of Geography

Debra Lindstrom-Hazel, Department of Occupational Therapy

Vincent Lyon-Callo, Department of Anthropology

Allison McFarland, Department of Health, Physical Education and Recreation

Timothy Michael, Department of Health, Physical Education and Recreation

Damon Miller, Department of Electrical and Computer Engineering

Tabitha Mingus, Department of Mathematics

James Palmitessa, Department of History

David Reinhold, Department of Chemistry

Roberta Schultz, Department of Marketing

Christina Stamper, Department of Management

**Associate Professor (continued)**

Gwen Tarbox, Department of English

Ann Veeck, Department of Marketing

Bret Wagner, Department of Management

Steven Ziebarth, Department of Mathematics

**Master Faculty Specialist**

Thomas Marks, Career English Language Center for International Students (CELCIS)

**Professional Development Leave**

Catherine Julien, Associate Professor, Department of History, effective August 4, 2003 through December 7, 2003.

**Sabbatical Leave**

David Hurtt, Department of Accountancy, academic year 2003/04.

**Chair Sabbatical Leave**

Elizabeth Whitten, Chair, Department of Educational Studies, effective June 23, 2003 through June 21, 2004. **(Correction)**

**NON-ACADEMIC**

**Appointment**

Steve Hawkins, Head Men's Basketball Coach, Division of Intercollegiate Athletics, effective May 1, 2003.

**Resignations**

James Barrowman, Chief JOC Instructor, College of Aviation, effective May 30, 2003.

Robert McCullum, Head Men's Basketball Coach, Division of Intercollegiate Athletics, effective April 20, 2003.

**Retirement**

Steven T. Berger, Coordinator, Aviation Compliance and Logistics, College of Aviation, effective May 31, 2003 (change).

Proposal to Offer a Bachelor of Science Degree in Geochemistry. The program was approved by the Board of Trustees following a motion by Trustee DeNooyer, supported by Trustee Anthony. The major will be offered jointly by the departments of Chemistry and Geosciences and will require the addition of only one course, with no new costs associated with the program. As indicated, the program was initiated in response to the demand in the environmental industry for graduates who have an understanding of geochemical processes and offers students the opportunity to combine study in the two areas.

Change of Name of Department of Art to School of Art. The name change was approved by the trustees on a motion by Trustee DeNooyer, supported by Trustee Martin. As indicated, the name better reflects the role, size, scope and mission within the College of Fine Arts and is in keeping with the names used in similar institutions belonging to the accrediting body, National Association of Schools of Art and Design. It was also noted that the new name is also in keeping with the name of the WMU School of Music. The change is effective fall semester 2003.

Deletion of School of Community Health Services. Following a motion by Trustee DeNooyer, supported by Trustee Holden, the Board of Trustees approved the restructuring of School of Community Health Services by deleting the name and reconfiguring its programs. It was indicated that under the current structure, it did not fully meet the University's definition of "school" and that both faculty and students support the change with no loss of faculty or staff as a result of the reorganization.

Amendments to Faculty Senate Constitution. The Board of Trustees, following a motion by Trustee DeNooyer, supported by Trustee Miller, approved the amendments to the Faculty Senate Constitution. After approval by the Faculty Senate, Board approval is the final step in the process for the addition of three amendments (dealing with 1) increasing membership of the Graduate Studies Council; 2) establishing an international education council; and 3) establishing the membership of the proposed International Education Council).

Budget and Finance Committee Recommendations. Resolutions were presented by Sylvester Bush, WSA president, and Chris Kahler, WSA treasurer, on behalf of the Western Student Association in support of a moderate tuition increase. (Attachment B and C) The Trustees thanked them for their supportive action.

Gift Report. The gift report for March, April and May was approved on a motion by Trustee Holden, supported by Trustee Aseritis.

Personnel Report. The personnel report was approved following a motion by Trustee Holden, supported by Trustee Martin.

**Resignation**

Jeffrey Breneman, Vice President for Legislative Affairs and Chief of Staff, effective July 31, 2003

**Retirements**

Frances Jess, Utility Food Worker, Dining Services, effective June 30, 2003

David Lake, Custodian, Building Custodial Support Services, effective May 31, 2003

Richard Piper, Director, Logistical Services, effective May 30, 2003

Sarah Williams, Custodian, Plant-Building Custodial Services, effective June 30, 2003

Naming of Donald J Seelye Athletic Center. Following a motion by Trustee Holden, supported by Trustee Miller, the Board of Trustees approving the naming of the indoor athletic center, the Donald J Seelye Athletic Center. The naming was in recognition of the late Don Seelye, Kalamazoo businessman and community leader-of his many years of support for Bronco athletics, and of the leadership gifts by his family to the Donald J Seelye Athletic Center campaign and the Donald J Seelye Endowed Scholarship Fund for Athletes.

Entering Student Development Fee. The Board of Trustees, on a motion by Trustee Holden, supported by Trustee Martin, approved a \$100 entering student development fee that will be incorporated into the University’s rate schedule, beginning with the fall semester 2003. The fee is being instituted to help fund costs associated with special processes and programming related to new entering students, including student Ids, orientation, scheduling, admissions, financial aid and on-campus student life.

Enrollment Fee – Part-time Students. After a motion by Trustee Holden, supported by Trustee Aseritis, the Board of Trustees approved an increase in the part-time student enrollment fee and also adjusted the credit hour definition of a part-time student, effective fall semester 2003. The changes will support increased costs in the student health center.

	<b>Schedule</b>	
<b>Enrollment Fee</b>		<b>2003/04</b>
Part-Time*		
Fall and Spring		\$150.00
Summer I and Summer II		75.00

\*Part-Time defined as 1-4 credit hours for Fall or Spring and 1-3 credit hours for Summer I or Summer II

Vehicle Registration Rates.

(Prior to the vote, Brad Salisbury, engineering student, spoke re his concerns about parking/permits at the new College of Engineering and Applied Sciences. It had been determined earlier that student permits could be purchased for parking at either the main campus or the Parkview campus and were not interchangeable. Bus transportation will be available to/from the campus where the permits are not valid.)

Following discussion re parking permits, on a motion by Trustee Holden, supported by Trustee Miller, the increased vehicle registration rates were approved, effective fall semester 2003. The funding from the increased rates will continue to be used for improvements in the University's roads and parking facilities.

**Schedule**

<u>Motor Vehicles</u>		Approved
Full-time	Academic Year	\$300
Full-time	Fall/Spring/Summer	\$180
Part-time	Fall/Spring/Summer	\$130
 <u>Two Wheel Motor Vehicles</u>		
All	Academic Year	\$200
All	Fall/Spring/Summer	\$120
 <u>Lawson (Remote Parking)</u>		
All	Academic Year	\$150
All	Fall/Spring/Summer	\$100

Student Room and Board and Apartment Rental Rates 2003/2004. The increased room and board and apartment rental rates for 2003/2004 were approved, effective fall semester 2003, following a motion by Trustee Holden, supported by Trustee Aseritis. The University operates 22 residence halls, with a capacity of over 6000 students and 585 on-campus apartments for student families, graduate students and non-traditional students.

## Approved Schedule

<b><u>Residence Halls</u></b>	2003-04
<u>Room and Board (20 Meal Plan)</u>	
Academic Year	\$6,496.00
<u>Room and Board (15 Meal Plan)</u>	
Academic Year	\$6,334.00
Summer I	\$1,550.00
Summer II	\$1,536.00
<u>Room and Board (10 Meal Plan)</u>	
Academic Year	\$5,964.00
Summer I	\$1,407.00
Summer II	\$1,393.00

Rates include \$25 per semester/\$12.50 per session deferred maintenance fee.

### **Apartments (Per Month)**

<u>Goldsworth Valley</u>	
1 BR – Furnished	\$570.00
2 BR – Furnished	\$676.00
1 BR – Unfurnished	\$522.00
2 BR – Unfurnished	\$602.00
<u>Stadium Drive</u>	
1 BR – Furnished	\$570.00
2 BR – Furnished	\$676.00
1 BR – Unfurnished	\$522.00
2 BR – Unfurnished	\$602.00
<u>Elmwood</u>	
1 BR – Furnished	\$620.00
2 BR – Furnished	\$767.00
1 BR – Unfurnished	\$572.00
2 BR – Unfurnished	\$693.00

Rates include \$6 per month deferred maintenance fee.

Graduation Fee. After a motion by Trustee Holden, supported by Trustee Anthony, the Board of Trustees approved an increase in the graduation fee, effective fall semester 2003, from \$30 to \$45. The fee, last increased in 1985, is used to cover the costs of commencement.

General Fund/Operating Budget. After discussion/review, the Board of Trustees, following a motion by Trustee Holden, supported by Trustee Pero, approved the general fund operating budget for 2003/04 (Attachment D).

Tuition Rates 2003 The recommendation re fall semester 2003 tuition rates was approved by the Board of Trustees, as moved by Trustee Holden, supported by Trustee Anthony. Following past practice, increases in financial aid will be in keeping with increases in tuition.

**Schedule**

<u>Group</u>	<u>Basis</u>	<u>Approved Rate</u>
Resident Undergrad-Lower	Cr. Hr.	\$ 164.43
Resident Undergrad-Upper	Cr. Hr.	181.76
Resident Graduate	Cr. Hr.	233.53
Non-Resident Undergrad-Lower	Cr. Hr.	414.88
Non-Resident Undergrad-Upper	Cr. Hr.	464.87
Non-Resident Graduate	Cr. Hr.	569.00

Conveyance of Property in BTR Park in Southwest Michigan Innovation Center, Inc. As moved by Trustee Holden, supported by Trustee Miller with Trustee DeNooyer abstaining, the Board of Trustees authorized the treasurer/assistant treasurer to enter into an agreement to convey Unit 15 and 16, and an option to acquire Unit 14, of the Western Michigan University Business, Technology and Research Park to Southwest Michigan Innovation Center, together with a first amendment to the previously executed Agreement to Lease Property, a covenant deed, a termination of land lease, and all other necessary documents and agreements relative to these and/or previous transactions, under existing recorded requirements and also those terms, conditions, restrictions, and/or use covenants deemed appropriate by the administration to be in the best interests of the University.

The business incubator center, constructed on two lots in the BTR, currently holds a lease on the two parcels, with the lease including an option for adding an adjacent third site. Conveyance of the land will through a covenant deed to the center, and the land lease will be terminated. The conveyance will resolve any issues re the taxability of the center.

Public Comments. Emeritus Professor William Combs congratulated Dr. Bailey on her appointment as president and spoke about his concerns re University priorities as they relate to intercollegiate athletics.

Adjournment. The meeting was adjourned at 2 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Betty Kocher".

Betty Kocher  
Secretary  
Board of Trustees

**Conveyance of Property in BTR Park to Southwest Michigan Innovation Center, Inc.**

**Background**

Attached is an Agreement to Convey Property and First Amendment to Agreement to Lease Property, together with a proposed covenant deed and termination of land lease. This agreement was executed with the condition that it is subject to approval by the WMU Board of Trustees. The documents were prepared to effectuate the conveyance of Units 15 and 16 of the BTR Park to Southwest Michigan Innovation Center, Inc. (SMIC). At the time of such conveyance, the Land Lease dated March 18, 2002, would be terminated. The conveyance of this land was requested by SMIC, and agreed to by the University, in order to, among other things, remove any questions about the taxability of the property and the building and improvements built on it.

The University and SMIC entered into an Agreement to Lease Property dated February 19, 2002. This agreement was a comprehensive document containing all of the original terms and provisions relating to the leasing of the land by the University to SMIC and the development of the project by SMIC. This agreement also granted to SMIC the option of adding Unit 14 to the Land Lease, and to the project, in the future.

Rather than suggesting that the University enter into a new agreement with SMIC providing for the conveyance of the land, together with a second document amending or terminating the Agreement to Lease Property, the administration recommends an agreement to convey the property in conjunction with an amendment to the original Agreement to Lease Property. The proposed agreement and first amendment provides for continuity with respect to the initial agreement, amends some of the original undertakings of the parties, perpetuates SMIC's right to add Unit 14 to the project, albeit by conveyance rather than by land lease, and also provides for the transfer of ownership of the property from the University to SMIC.

The deed conveying the property to SMIC will contain several of the provisions that were previously contained in the Land Lease, and which have been included in documents effectuating the sale of other lots in the BTR Park. These provisions include: (1) the University's right of first refusal, that is, the University is given the right to re-purchase the property by matching any offer from a third party to acquire the property from SMIC; (2) the requirement that the property be used as a business incubator and for other purposes that strengthen the University's capability to carry out its mission and to improve educational or other opportunities for its faculty and students.

# SPECIAL TRIBUTE

To

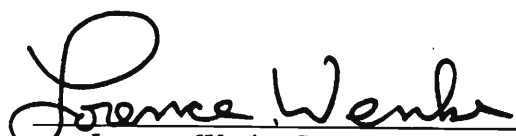
## JEFFREY BRENEMAN


LET IT BE KNOWN, That it is with deep appreciation of the diversity of talents that must come together for educational excellence to be possible, we honor Jeffrey Breneman upon the occasion of his departure from Western Michigan University. As Jeffrey Breneman brings to a close his service as Vice President for Legislative Affairs, we add our voice of thanks to those of the professors, students, and staff throughout Michigan.


As anyone who has spent much time around the process of education can attest, there are fewer endeavors more complex than education. The old African adage, "It takes a whole village to educate a child," certainly rings true, even in this age of computers and the Internet. Professors, administrators, and specialists, among others, all have important roles to play in helping young adults become motivated and productive students. Each of these people, in turn, serves to complement the work started at home by parents and family.


In his work as Vice President for Legislative Affairs over the past 5 years, Jeffrey Breneman has been part of this challenging task. Jeffrey Breneman has done an exceptional job by effectively working with both state and federal levels to help attain adequate funding for Western Michigan University. With his heartfelt concern for young adults and the realization of the importance of learning in our swiftly changing world, Jeffrey Breneman has helped countless students and strengthened our state and its future.

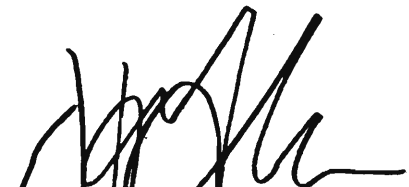
IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to thank Jeffrey Breneman for his commitment to Western Michigan University as the Vice President for Legislative Affairs. May he be as successful in his new position as he was at Western Michigan University.

  
Lorence Wenke, State Representative  
The Sixty-Third District

  
Alexander Lipsey, State Representative  
The Sixtieth District

  
Jacob W. Hoogendyk Jr., State Representative  
The Sixty-First District

  
Thomas M. George, State Senator  
The Twentieth District

  
Jennifer M. Granholm  
Governor

The Ninety-Second Legislature  
At Lansing  
Wednesday, July 16, 2003

# WESTERN MICHIGAN UNIVERSITY



Western Student Association

## Resolution #3

*A resolution supporting a moderate increase in tuition*

Proposed by: President Sylvester L. Bush II  
Date proposed: Monday, July 7, 2003

WHEREAS the Western Student Association is the officially recognized representative voice of the students of Western Michigan University; and

WHEREAS, the Michigan State Legislature is preparing to make drastic cuts to the funding of Higher Education; and

WHEREAS, this decision will bring about imminent fiscal challenges to Western Michigan University

WHEREAS, the students of Western Michigan University realize that a tuition increase is necessary in order to maintain the excellence of the WMU's education and programming;

BE IT THEREFORE RESOLVED, that the Western Student Association urges the WMU administration to continue its past methods of practical resource allocation and fiscal responsibility; and

BE IT FINALLY RESOLVED, that the Western Student Association supports a moderate tuition increase by the Board of Trustees for the 2003-2004 academic year.

# WESTERN MICHIGAN UNIVERSITY



Western Student Association

## Resolution #4

*A resolution urging the WMU administration to develop a long-term solution to the increasing costs of public higher education in Michigan.*

Proposed by:           President Sylvester L. Bush II  
                              Vice-President Eric W. Zehnpfennig  
Date proposed:       Monday, July 7, 2003

WHEREAS the Western Student Association is the officially recognized representative voice of the students of Western Michigan University; and

WHEREAS, Western Michigan University is a public institution with a mission to allow affordable access to a high-caliber education for Michigan residents; and

WHEREAS, the rising costs of higher education in Michigan over the years have led to tremendous financial burdens for students, leaving many with unbearable debt-loads upon graduation; and

WHEREAS, further increases in tuition will prove detrimental to the pursuit of higher education; and

WHEREAS, these problems are prevalent throughout the state of Michigan;

BE IT THEREFORE RESOLVED, that the Western Student Association urges the WMU administration to take a leading role in a state-wide collaborative efforts conducive to the long-term solution to the higher education financial crisis in Michigan.

WESTERN MICHIGAN UNIVERSITY  
 Estimated Beginning Board Budget  
 Fiscal Year 2003/04

	2002/03 Estimated Board Budget	Changes	2003/04 Estimated Board Budget
<b>Revenue</b>			
State Appropriations - Base	\$125,677,200	(\$12,567,718)	\$113,109,482
Tuition - On & Off Campus	130,590,122	19,053,235	149,643,357
Investment Income	497,942	0	497,942
Indirect Cost Recovery	1,800,000	0	1,800,000
Special Fees	910,000	0	910,000
Aviation Flight Fees (From other funds)		5,184,785	5,184,785
All Other	730,605	0	730,605
Departmental Revenue	858,316	(280,946)	577,370
<b>Total Revenue</b>	<b>\$261,064,185</b>	<b>\$11,389,356</b>	<b>\$272,453,541</b>
<b>Expense</b>			
Engineering & Applied Science	\$16,114,292	\$573,913	\$16,688,205
Business	12,967,460	157,676	13,125,136
Education	12,062,809	207,786	12,270,595
Extended University Programs	8,907,917	1,146,772	10,054,689
Arts & Sciences	45,091,996	204,250	45,296,246
Aviation	3,970,950	5,106,495	9,077,445
Fine Arts	10,036,345	131,062	10,167,407
Health & Human Services	10,274,030	1,622,799	11,896,829
Misc. Units & Reserves	4,400,434	2,507,185	6,907,619
<b>Subtotal Instruction</b>	<b>\$123,826,233</b>	<b>\$11,657,938</b>	<b>\$135,484,171</b>
Research	\$3,038,272	(\$184,854)	\$2,853,418
Public Service	3,324,647	(10,139)	3,314,508
Academic Support	29,799,897	(7,954)	29,791,943
Student Services	23,549,886	208,043	23,757,929
Institutional Support	27,029,981	4,885,812	31,915,793
Operation & Maintenance of Plant	30,647,239	2,452,776	33,100,015
Student Financial Aid	20,793,775	2,299,802	23,093,577
<b>Subtotal</b>	<b>\$138,183,697</b>	<b>\$9,643,486</b>	<b>\$147,827,183</b>
Target Budget Reduction (15.0%)	0	(10,857,813)	(10,857,813)
Excess Expenses Over Income	(945,745)	945,745	0
<b>Total Expense</b>	<b>\$261,064,185</b>	<b>\$11,389,356</b>	<b>\$272,453,541</b>

**EXHIBIT "1"**

Property located in the City of Kalamazoo, County of Kalamazoo and State of Michigan, and described as follows:

Units 15 and 16 of Western Michigan University Business, Technology and Research Park, according to the Master Deed recorded at Docket No. 2001-018722, and the First Amendment to Master Deed recorded at Docket No. 2002-003549, designated as Kalamazoo County Condominium Subdivision Plan No. 134, together with rights in common elements as set forth in the Master Deed and as described in Act 59 of the Public Acts of 1978, and amendments thereto.

## EXHIBIT "2"

### PROPERTY RESTRICTIONS AND USE COVENANTS

Grantee, by acceptance of delivery and the recording of this Covenant Deed, acknowledges and agrees that the ownership and use of the subject property shall be subject to the following restrictions and covenants:

1. Land Affected. All of the property described on Exhibit "A" as attached and annexed hereto (the "Property," herein) shall be subject to and be bound by the terms of this instrument.

2. Use of Property. The Property shall only be used for a business incubator as defined in Act 248 of the Year 2000 Public Acts of Michigan, and related and ancillary uses, and such other uses only as shall be mutually agreed upon in writing by Grantor and Grantee. Grantee acknowledges that it is the intent and purpose of Grantor in undertaking the development of the "Western Michigan University Business, Technology and Research Park," located in the City of Kalamazoo, Michigan (the "BTR Park," herein) to enhance the competitive and economic environment of the City and County of Kalamazoo and the State of Michigan by collaborating with private, non-profit and public sector entities, and at the same time, strengthening the capabilities of the Grantor to carry out its mission and to improve educational and other opportunities for its faculty and students. Accordingly, it is also acknowledged by Grantee that all such uses undertaken on or within the Property as aforesaid shall fulfill the foregoing purposes.

3. Right of First Refusal. Should Grantee receive an offer to purchase from, or seek to sell, convey, transfer or assign all or any part of the Property in a bona fide transaction to, any other party, Grantee shall first offer to sell and convey the Property to Grantor. Notice of such proposed sale shall be given to the Grantor in writing and shall consist of a offer to sell the Property to Grantor upon the same terms and conditions as proposed to the outside party. Grantor may elect to purchase all, but not less than all, of the Property, and Grantor shall exercise its election to purchase by giving written notice thereof to Grantee within thirty (30) days after receipt of such offer. The notice shall specify a date for closing which shall be within thirty (30) days after the date of notice, and the purchase shall be closed upon the same terms and conditions as contained in the offer, except as may be otherwise agreed upon in writing by the parties. If Grantor does not furnish its notice as aforesaid within the thirty (30) day period, Grantor's right to elect to purchase shall be deemed to have been waived, and the sale and conveyance to the outside party may proceed; provided, however, that Grantor's rights to purchase as provided for herein shall apply to any proposed sale, conveyance or transfer or assignment of the Property by the purchaser from Grantee, and by any subsequent purchaser of the Property. Notwithstanding the foregoing, at a closing of the purchase of the Property by Grantor, the Grantee shall furnish to Grantor a policy of title insurance issued by a company acceptable to Grantor in an amount equal to the purchase price of the Property, showing that title to the Property is free and clear of all encumbrances, and subject only to the Master Deed and Declaration, as the same may have been amended, the provisions of this Covenant Deed, tenants' rights and easements and rights-of-way of record. The conveyance of Grantee's interest to Grantor shall be in the form of a covenant deed conveying fee simple title to the Property and all improvements thereon, and current real property taxes on the Property shall be prorated to the date of closing in the custom and manner followed in Kalamazoo County.

4. Reduction in Purchase Price.

A. The Property has an estimated fair market value of Five Hundred Eighty Four Thousand and No/100 Dollars (\$584,000.00) (“Land Value”), but the Property has been conveyed to Grantee for nominal consideration. The Property was conveyed by Grantor to Grantee for nominal consideration on account of the intentions and purposes of the parties as expressed in paragraph 2, above. Grantee also acknowledges that Three Million and No/100 Dollars (\$3,000,000.00) of the funds expended by Grantee for the construction of improvements on the Property have been advanced by Grantor to Grantee (“Funds”), and that such Funds were advanced to Grantee in consideration of the purposes set forth in paragraph 2 above. Grantee has represented to Grantor that the Funds have been utilized by Grantee for payment of costs incurred by Grantee with respect to the design, development, and construction of the improvements (“Improvement Costs”). Notwithstanding the provisions of paragraph 3 above to the contrary, should Grantor exercise its right to purchase the Property in accordance with the provisions of paragraph 3, the purchase price to be paid by Grantor shall be reduced by the sum of: (1) the amount of the Funds paid by Grantor to Grantee; and (2) the Land Value. Such reduction is intended to take into account the fact that a portion of the funds used by Grantee in defraying the Improvement Costs were given by Grantor to Grantee, that the Property was conveyed by Grantor to Grantee for nominal consideration, and that the amount of the purchase price to be paid by Grantor to Grantee should be reduced accordingly.

B. Notwithstanding any of the provisions of this instrument to the contrary, should Grantor not exercise its election to purchase the Property in accordance with the provisions of paragraph 3 above, and should Grantee complete the sale or conveyance of the Property to any other party, Grantee shall pay to the Grantor, at the time of the closing of such sale or conveyance, an amount equal to the sum of the Funds previously paid by Grantor to Grantee and the Land Value. Such payment is intended to take into account the fact that a portion of the funds utilized by Grantee in defraying the Improvement Costs were given by Grantor to Grantee and that the Property was conveyed by Grantor to Grantee for nominal consideration, and that such funds, together with the Land Value, should be repaid to Grantor in the event of the disposition of the Property by Grantee.

C. Grantor’s rights as set forth in paragraphs 4.A. and 4.B. above shall be subordinated to the rights of certain bona fide mortgagees of the Property. The mortgagees in which Grantor’s rights shall be subordinated, and the maximum principal balances with respect to which the subordination shall be effective, are: (i) National City Bank of Michigan/Illinois, Three Million Three Hundred Thousand and No/100 Dollars (\$3,300,000.00); (ii) The Kalamazoo Community Foundation – Two Million Five Hundred Thousand and No/100 Dollars (\$2,500,000.00); (iii) The Economic Development Corporation of the City of Kalamazoo – One Million and No/100 Dollars (\$1,000,000.00). Notwithstanding the foregoing, however, Grantor is not subordinating any other rights and interests in the Property, as created herein.

5. Binding. The restrictions and covenants contained herein shall bind and inure to the benefit of Grantor, Grantee and their respective successors, legal representatives and assigns, and shall run with the land.

**EXHIBIT "A"**

**COVENANT DEED**

**Grantor** The Board of Trustees of Western Michigan University, a Michigan constitutional body corporate, whose address is 3020 Seibert Administration Building, Kalamazoo, Michigan 49008-5134, **grants, bargains, and conveys** to Southwest Michigan Innovation Center, Inc., a Michigan non-profit corporation, **Grantee**, whose address is 346 West Michigan, Kalamazoo, Michigan 49007, the following described real property situated in the City of Kalamazoo, County of Kalamazoo and State of Michigan:

See attached Exhibit "1"

This conveyance shall be subject to all conditions, limitations, encumbrances and restrictions of record, the Master Deed for the BTR Park, as recorded with the Kalamazoo County Register of Deeds as Docket No. 2001-018722 ("Master Deed"), the Declaration of Restrictions, Covenants and Design Standards as recorded with the Kalamazoo County Register of Deeds as Docket No. 2001-018363 ("Declaration"), and also subject to the Property Restrictions and Use Covenants attached hereto as Exhibit "2".

Grantor does hereby covenant that Grantor or any person claiming through Grantor has not through its own act, error or omission impaired the marketability of the title thereto.

In consideration of One Dollar (\$1.00) and other good and valuable consideration. This transfer is exempt from taxation pursuant to MCLA 207.505 sec. 5(h) and MCLA 207.526 sec. 6(h).

Dated this \_\_\_\_ day of \_\_\_\_\_, 2003.

THE BOARD OF TRUSTEES OF WESTERN MICHIGAN UNIVERSITY

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN            )  
  ) SS  
COUNTY OF KALAMAZOO    )

On this \_\_\_\_ day of \_\_\_\_\_, 2003, before me personally appeared \_\_\_\_\_, to me personally known, who being by me sworn, said that he is the \_\_\_\_\_ of The Board of Trustees of Western Michigan University, a Michigan constitutional body corporate (the "Corporation") who executed this instrument; that this instrument was signed on behalf of the Corporation by authority of its Board of Trustees; and that this instrument is acknowledged as the free act and deed of the Corporation.

Drafted by and when recorded return to:  
Michael L. Chojnowski, Esq.  
Cooper, Martin & Chojnowski, P.C.  
259 East Michigan Avenue, Suite 208  
Kalamazoo, MI 49007  
(616) 552-3400  
402\wmu\ltr\swmi\covenant deed

\_\_\_\_\_  
Notary Public  
Kalamazoo County, Michigan  
My commission expires: \_\_\_\_\_

**EXHIBIT "B"**

**TERMINATION OF LAND LEASE AGREEMENT**

For good and valuable consideration, the undersigned parties acknowledge and agree that the Land Lease Agreement dated March 18, 2002, and the Memorandum of Land Lease and Option, recorded at Docket No. 2002-025905, which documents are by and between THE BOARD OF TRUSTEES OF WESTERN MICHIGAN UNIVERSITY, a Michigan constitutional body corporate, and SOUTHWEST MICHIGAN INNOVATION CENTER, INC., a Michigan corporation, covering property described as: Units 15 and 16 of the Western Michigan University Business, Technology and Research Park, according to the Master Deed recorded at Docket No. 2001-018722, and the First Amendment to Master Deed recorded in Docket No. 2002-003549, designated as Kalamazoo County Condominium Subdivision Plan No. 134, together with rights in common elements as set forth in the Master Deed and as described in Act 59 of the Public Acts of 1978, and amendments thereto, shall be and the same are terminated effective as of \_\_\_\_\_, 2003.

THE BOARD OF TRUSTEES OF WESTERN  
MICHIGAN UNIVERSITY

SOUTHWEST MICHIGAN INNOVATION  
CENTER, INC.

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN            )  
  )SS.  
COUNTY OF KALAMAZOO    )

On this \_\_\_\_ day of June, 2003, before me personally appeared \_\_\_\_\_, to me personally known, who being by me sworn, said that he is the \_\_\_\_\_ of The Board of Trustees of Western Michigan University, a Michigan constitutional body corporate (the "Corporation") who executed this instrument; that this instrument was signed on behalf of the Corporation by authority of its Board of Trustees; and that this instrument is acknowledged as the free act and deed of the Corporation.

\_\_\_\_\_  
Notary Public  
Kalamazoo County, Michigan  
My commission expires: \_\_\_\_\_

STATE OF MICHIGAN            )  
  )SS  
COUNTY OF KALAMAZOO    )

On this \_\_\_\_ day of June, 2003, before me personally appeared \_\_\_\_\_, to me personally known, who being by me sworn, said that he is the \_\_\_\_\_ of Southwest Michigan Innovation Center, Inc., a Michigan corporation (the "Corporation") who executed this instrument; that this instrument was signed on behalf of the Corporation by authority of its board of directors; and that this instrument is acknowledged as the free act and deed of the Corporation.

**AGREEMENT TO CONVEY PROPERTY AND FIRST AMENDMENT TO  
AGREEMENT TO LEASE PROPERTY**

THIS AGREEMENT TO CONVEY PROPERTY AND FIRST AMENDMENT TO AGREEMENT TO LEASE PROPERTY is made effective the \_\_\_\_ day of \_\_\_\_\_, 2003, and is by and between THE BOARD OF TRUSTEES OF WESTERN MICHIGAN UNIVERSITY, a Michigan constitutional body corporate ("Owner" herein) and SOUTHWEST MICHIGAN INNOVATION CENTER, INC., a Michigan non-profit corporation ("Purchaser" herein).

**RECITALS**

A. The parties hereto are parties to the Agreement to Lease Property, made effective February 19, 2002 ("Agreement").

B. The parties are also parties to the Land Lease Agreement, made effective March 18, 2002 ("Land Lease"), a memorandum of which was recorded at Docket No. 2002-025905, Kalamazoo County Records ("Memorandum").

C. The Land Lease and Memorandum covered property, referred to as the "Leased Premises", located in the City of Kalamazoo, Kalamazoo County, Michigan, and described as Units 15 and 16 of the Western Michigan University Business, Technology and Research Park ("BTR Park"), according to the Master Deed thereof.

D. The Land Lease also provided to Purchaser the option of adding Unit 14 of the BTR Park to the Lease pursuant to certain terms and conditions as set forth therein.

E. The parties have agreed that the Owner will convey the Leased Premises to Purchaser pursuant to the Covenant Deed attached hereto as Exhibit "A", and upon such conveyance the Land Lease shall be terminated, and that the Agreement shall be modified as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree that the Agreement shall be amended as follows:

1. Conveyance of Property. Owner shall, subject to the provisions of paragraph 4 below, forthwith and execute and convey the Covenant Deed in substantially the form as attached hereto as Exhibit "A".

2. Termination of Land Lease. Upon the execution and delivery of the Covenant Deed by Owner to Purchaser, the Land Lease shall be deemed to have been terminated and to be null and void, and the parties shall have no further obligations thereunder. The parties shall, simultaneously with the execution and delivery of the Covenant Deed by Owner to Purchaser execute and record the Termination of Land Lease in substantially the form as attached hereto as Exhibit "B".

3. Option to Add Property. Purchaser shall be entitled to acquire Unit 14 of the BTR Park, as reflected in the Master Deed of record as of the effective date of the Agreement. The purchase price to be paid for Unit 14 by Purchaser shall be One Dollar (\$1.00). If Purchaser elects to acquire Unit 14, Purchaser shall furnish written notice of such election by March 17, 2007. The conveyance of Unit 14 by Owner to Purchaser shall be by means of a covenant deed substantially the same as the one attached hereto as Exhibit "A", except as provided for herein. At the time of such conveyance, Owner shall furnish to Purchaser a preliminary commitment for title insurance coverage demonstrating that Owner's title to Unit 14 is good and marketable, subject only to the Master Deed and Declaration, as the same may have been amended, easements and rights-of-way of record, and the provisions of this First Amendment. Owner shall not be required to provide to Purchaser a title insurance policy covering Unit 14, and the responsibility and cost of obtaining any such policy shall be borne by Purchaser. In the event that Purchaser does not furnish notice of exercise of the aforementioned option by the aforementioned date, all of Purchaser's rights with respect to Unit 14, as provided for herein, shall be terminated, and Purchaser shall, at Owner's request, furnish a written, recordable instrument to Owner confirming such termination. In the event that Purchaser does elect to acquire Unit 14, the parties shall execute and record a mutually acceptable document effecting the amendment of Section 4.A. of Exhibit "B" of the Covenant Deed attached hereto, so that the "land value" is increased to include the fair market value of Unit 14. For those purposes, the fair market value of Unit 14 is agreed by the parties to be Two Hundred Ninety One Thousand Six Hundred and No/100 Dollars (\$291,600.00) for the first year after the effective date of this First Amendment on the first anniversary date of the effective date hereof, and on each subsequent anniversary date thereafter, the value of Unit 14 shall be increased in accordance with the increases in the Consumer Price Index obtained from the Monthly Labor Review as published by the Bureau of Labor Statistics, United States Department of Labor, United States All Cities Average for Consumers (1982-84=100) from the previous anniversary date to the current anniversary date. In addition, the amendment of Section 4.A. of Exhibit "B" of the Covenant Deed shall also reflect that the definition of "Property" shall also include Unit 14.

4. Conditions Precedent. The binding effect of this document upon Owner shall be subject to the approval of this document by the Board of Trustees of Western Michigan University.

IN WITNESS WHEREOF, the parties have executed this Agreement to Convey Property and First Amendment to Agreement to Lease Property as of the date set forth above.

OWNER:

PURCHASER:

THE BOARD OF TRUSTEES OF  
WESTERN MICHIGAN UNIVERSITY

SOUTHWEST MICHIGAN INNOVATION  
CENTER, INC.

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

WESTERN MICHIGAN UNIVERSITY BOARD OF TRUSTEES  
SPECIAL FORMAL SESSION  
WEDNESDAY, JULY 30, 2003  
CONNABLE BOARD ROOM  
8:45 A.M.

Teleconference Meeting – Board members present: Trustee Aseritis, Trustee DeNooyer, Trustee Holden, Trustee Klohs, Trustee Martin, Trustee Miller, Trustee Pero and President Bailey (ex officio).

The meeting was called to order by Chair Klohs at 8:45 a.m.

Acceptance of the Agenda. The agenda was accepted as distributed on a motion by Trustee Holden, supported by Trustee DeNooyer.

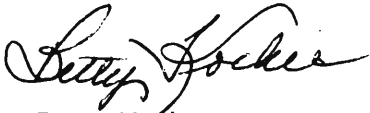
Establishment of Biosciences Research and Commercialization Center. As moved by Trustee DeNooyer, supported by Trustee Pero, the Board of Trustees authorized the establishment of a biosciences research and commercialization center and granted the President the authority to take all actions deemed appropriate on behalf of the University in relation to the new center, including but not limited to entering into agreements and partnerships; applying for funding; determining appropriate parameters, organizational and legal structure, and name for the center; and sub-delegating authority to other University personnel to effectuate the organization and business for and of this center. As indicated, the sequence of events catalyzed by the loss of scientific jobs in Kalamazoo (Pharmacia/Pfizer) has provided an opportunity to contribute to the economic development of Michigan and to enhance the research experience for our students and faculty. As a result of substantial efforts by community and University leadership, as well as by representatives of state and local government, legislation has been passed which will allocate \$10 million for the center in Kalamazoo County. With the establishment of the center, the University will be in a position to partner swiftly with other entities/individuals and provide a center for scientists as they work to establish businesses and obtain funding for the center's research and commercialization programs and initiatives.

Research Foundation. The Board of Trustees, as moved by Trustee Holden, supported by Trustee Miller, passed a motion indicating its support for exploring options regarding the establishment of a research foundation that would support the research activities of the University, including its research centers and activities of faculty and staff; sponsor research, entrepreneurial and other commercialization activities, and perform other functions which would benefit the University and further its mission. As indicated, the Board of Trustees bylaws reserve the Board's authority to adopt the bylaws of all University foundations and all other associated and related entities.

Therefore, any recommendations relative to establishing a separate research foundation would come before the Board of Trustees at a future meeting for its approval.

Adjournment.        The meeting was adjourned at 9 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Betty Kocher".

Betty Kocher  
Secretary  
Board of Trustees

WESTERN MICHIGAN UNIVERSITY BOARD OF TRUSTEES  
FRIDAY, SEPTEMBER 12, 2003

The Western Michigan University Board of Trustees met on Friday, September 12, at 9:00 a.m. in the Innovation Center, Parkview Campus. The meeting was called to order by Vice Chair Anthony, and she noted that the meeting was being held at the Parkview Campus to coincide with the dedication of the new College of Engineering and Applied Sciences building scheduled for that afternoon.

Board members present: Trustee Anthony, Trustee Aseritis, Trustee DeNooyer, Trustee Martin, Trustee Miller, and Trustee Pero. Absent: Trustee Holden and Trustee Klohs

Following a 6-0 roll call vote, after a motion by Trustee Pero, supported by Trustee DeNooyer, the Board of Trustees went into a closed informal session at 9:05 a.m. to consider material exempt from discussion or disclosure by state or federal law.

Following the closed informal session, the Academic and Student Affairs and the Budget and Finance committees reviewed their agenda items and reconvened in general session at 11:05 a.m.

Remarks by the Vice Chair. Vice Chair Anthony spoke of the Southwest Michigan Innovation Center, the entire Business Technology Research Park, and College of Engineering and Applied Sciences as outstanding examples of a University/community partnership. She noted the remarkable progress made since the entire project was begun five years ago. Vice Chair Anthony also spoke of the centennial celebration underway, highlighted by the September 3 inauguration of President Bailey.

Remarks by the President. President Bailey expressed thanks to the board and staff of Southwest Michigan First for serving as hosts for the Board meeting. She spoke of the Centennial Celebration and her inauguration and of the many activities underway for a successful beginning of the fall semester, including an enrollment of 29,178 students.

Acceptance of the Agenda. The agenda was accepted as presented on a motion by Trustee Martin, supported by Trustee Miller.

Approval of the Minutes of the July 15 and July 30 Formal Sessions. The minutes were approved as distributed following a motion by Trustee Pero, supported by Trustee Miller.

Recommendation re Honorary Degree. The Board of Trustees, following a motion by Trustee Aseritis, supported by Trustee Miller, approved the awarding of an honorary doctor of fine arts degree to Susan B. Anthony, WMU' 75. The degree will be conferred on Ms. Anthony, one of the world's foremost opera singers, following her appearance at the University in October.

#### Academic and Student Affairs Committee Recommendations

Grant Report. As moved by Trustee Miller, supported by Trustee DeNooyer, the grant report for June and July 2003 was approved.

Personnel Report. As moved by Trustee Aseritis, supported by Trustee Miller, the personnel report was approved.

#### **Administrative Appointments**

Jane Baas, Associate Professor and Interim Chair, Department of Dance, effective August 4, 2003 through December 21, 2003.

David Powell, Director of Operations and Assistant Dean, College of Aviation, effective August 25, 2003.

#### **Administrative Return to Faculty**

Xiaojun Wang, Chair, Department of Asian and Middle Eastern Languages, effective June 30, 2003.

#### **Appointment - With Tenure**

Robert Eversole, Master Faculty Specialist, Department of Biological Sciences and Director, Biological Imaging Center, effective June 23, 2003.

#### **Appointments - Tenure Track**

Jon Holtzman, Assistant Professor, Department of Anthropology and Director of Global and International Studies Program, effective August 4, 2003.

Pavel Ikononov, Assistant Professor, Department of Industrial and Manufacturing Engineering, effective August 4, 2003.

Troy Place, Faculty Specialist I, Department of Industrial and Manufacturing Engineering, effective August 4, 2003.

Bade Shrestha, Associate Professor, Department of Mechanical and Aeronautical Engineering, effective August 4, 2003.

### **Appointments - Tenure Track (Continued)**

Zijiang Yang, Assistant Professor, Department of Computer Science, effective August 4, 2003.

### **Reappointments - Term**

Gayle Ahleman, Instructor, Department of Teaching, Learning and Leadership, effective August 4, 2003 through August 1, 2004.

Carol Bennett, Instructor, Department of Business Information Systems, effective August 4, 2003 through August 1, 2004.

Nancy Beukema, Assistant Professor, Department of Blindness and Low Vision Studies, effective August 4, 2003 through August 1, 2004.

Daniel Briggs, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Charlene Brown, Assistant Professor, Department of Physician Assistant, effective August 4, 2003 through August 1, 2004.

Eileen Buckley, Faculty Specialist I, Department of Family and Consumer Sciences, effective August 4, 2003 through August 1, 2004.

Maira Bundza, Assistant Professor, University Libraries, effective August 12, 2003 through August 11, 2004.

Darlene Burk, Instructor, Department of Management, effective August 4, 2003 through August 1, 2004.

James Danenberg, Instructor, Department of Business Information Systems, effective August 4, 2003 through August 1, 2004.

Lori Farrer, Instructor, Department of Family and Consumer Sciences, effective August 4, 2003 through August 1, 2004.

Gina Garza-Kling, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

James Kendrick, Associate Professor, Department of Physician Assistant, effective July 1, 2003 through June 30, 2004.

Jeanne LaCosse, Assistant Professor, Department of Teaching, Learning and Leadership, effective August 4, 2003 through August 1, 2004.

### **Reappointments - Term (Continued)**

Dale Latulippe, Faculty Specialist II, Department of Blindness and Low Vision Studies, effective July 1, 2003 through June 30, 2004.

James Laser, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Zaguda Luqmani, Instructor, Department of Business Information Systems, effective August 4, 2003 through August 1, 2004.

Robert McConnell, Assistant Professor, School of Public Affairs and Administration, effective August 4, 2003 through August 1, 2004.

Judy McGowan, Instructor, Department of Family and Consumer Sciences, effective August 4, 2003 through August 1, 2004.

John Mellein, Instructor, School of Social Work, effective August 4, 2003 through August 1, 2004.

Frances Morrow, Instructor, School of Social Work, effective August 4, 2003 through August 1, 2004.

Suzan Olson, Assistant Professor, Department of Physician Assistant, effective July 1, 2003 through June 30, 2004.

Anne-Marie Oulai, Instructor, Department of Business Information Systems, effective August 4, 2003 through August 1, 2004.

Ronald Prange, Instructor, Department of Finance and Commercial Law, effective August 4, 2003 through August 1, 2004.

Thomas Rienzo, Instructor, Department of Business Information System, effective August 4, 2003 through August 1, 2004.

Beth Ritsema, Instructor, Department of Mathematics, effective June 2, 2003 through August 31, 2004.

Liliana Rodriguez-Campos, Assistant Professor, Department of Educational Studies, effective August 4, 2003 through August 1, 2004.

Cynthia Ruoff, Assistant Professor, Department of Foreign Languages, effective August 4, 2003 through August 1, 2004.

**Reappointments - Term (Continued)**

Ted Sarma, Assistant Professor, Department of Electrical and Computer Engineering, effective August 4, 2003 through August 1, 2004.

Mark Schreiner, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Jean Treacy, Instructor, Department of Teaching, Learning and Leadership, effective August 4, 2003 through August 1, 2004.

**Appointments – Term**

Jon Adams, Assistant Professor, Department of English, effective August 4, 2003 through August 1, 2004.

Andrea Beach, Assistant Professor, Department of Teaching Learning and Leadership, effective August 4, 2003 through August 1, 2004.

Miriam Byrd, Assistant Professor, Department of Philosophy, effective August 4, 2003 through August 1, 2004.

Rich Compton, Instructor, Department of Management, effective August 4, 2003 through August 1, 2004.

Susan Copeland, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Catherine Cucinella, Assistant Professor, Department of English, effective August 4, 2003 through August 1, 2004.

Christina Draghici, Assistant Professor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Kirsty Eisenhart, Assistant Professor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Cynthia Ernst, Instructor, Department of Mathematics, effective August 4, 2003 through August 1, 2004.

Derrick Evans, Assistant Professor, Department of Dance, effective August 4, 2003 through August 1, 2004.

Lin Foulk, Instructor, School of Music, effective August 4, 2003 through August 1, 2004.

**Appointments - Term (Continued)**

Patricia Fuehr, Instructor, WMU Bronson School of Nursing, effective August 4, 2003 through April 11, 2004.

Robb Gillespie, Assistant Professor, Department of Geosciences, effective August 4, 2003 through August 1, 2004.

Donna Hetzel, Instructor, Department of Accountancy, effective August 4, 2003 through August 1, 2004.

Maxine Johns, Assistant Professor, Department of Family and Consumer Sciences, effective August 4, 2003 through August 1, 2004.

Kurt Kenyon, Instructor, Department of Accountancy, effective August 4, 2003 through August 1, 2004.

Suzanne Kim-Chung, Assistant Professor, University Counseling and Testing Center, effective August 4, 2003 through April 24, 2004.

Wendy Kershner, Instructor, WMU Bronson School of Nursing, effective August 4, 2003 through April 11, 2004.

Mahendra Lawoti, Assistant Professor, Department of Political Science, effective August 4, 2003 through August 1, 2004.

Anne Norcross, Instructor, School of Art, effective August 4, 2003 through August 1, 2004.

Ginger Owen, Assistant Professor, School of Art, effective August 4, 2003 through August 1, 2004.

Kimberly Searing, Instructor, WMU Bronson School of Nursing, effective August 4, 2003 through April 11, 2004.

Geoffrey Stephenson, Assistant Professor, Department of Theatre, effective August 4, 2003 through August 1, 2004.

Naim Zeibak, Instructor, Department of Geography, effective August 4, 2003 through August 1, 2004.

**Joint Appointment**

Johnson Haas, Assistant Professor, Department of Geosciences and Environmental Studies Program, effective August 4, 2003.

### **Change of Department Affiliation**

Kristal Ehrhardt, Associate Professor, from the Department of Psychology to the Department of Educational Studies, effective August 4, 2003.

Due to the name change of the Department of Paper and Printing Science and Engineering, the following people will now be affiliated with the Department of Paper Engineering, Chemical Engineering and Imaging Department.

Said AbuBakr, Professor (Chair)  
Larry Ahleman, Master Faculty Specialist  
Raja Aravamuthan, Professor  
John Cameron, Professor  
Dan Fleming, Associate Professor  
Harold Hladky, Faculty Specialist II  
Margaret Joyce, Assistant Professor  
Thomas Joyce, Professor  
Andrew Kline, Assistant Professor  
Lois Lemon, Master Faculty Specialist  
Peter Parker, Associate Professor  
Alexandra Pekarovicova, Assistant Professor  
David Peterson, Associate Professor  
Dewei Qi, Associate Professor  
Abhay Sharma, Associate Professor  
Jay Unwin, Adjunct Professor

Due to the name change of the Department of Construction Engineering, Material Engineering, and Industrial Design, the following people will now be affiliated with the Department of Civil and Construction Engineering, the Department of Materials Science and Engineering, and the Department of Industrial Design.

#### Department of Civil and Construction Engineering

Osama Abudayyeh, Associate Professor  
James Nelson, Professor and Chair  
Jawahar Nesan, Assistant Professor  
Sherif Yehia, Assistant Professor

#### Department of Materials Science and Engineering

Pnina Ari-Gur, Professor  
Valery Bliznyuk, Associate Professor

## **Change of Department Affiliation (Continued)**

### Department of Industrial Design

Alvaro Correa, Associate Professor

David Middleton, Assistant Professor

Roman Rabiej, Professor

## **Appointment - Adjunct**

Michael Power, Adjunct Assistant Professor, Department of Mechanical and Aeronautical Engineering, effective October 1, 2003 through September 30, 2006.

## **Resignations**

Barbara Brotherton, Associate Professor, School of Art, effective August 3, 2003.

Angela Counterman, Instructor, WMU Bronson School of Nursing, effective August 3, 2003.

Cheryle Crawford, Assistant Professor, Department of Teaching, Learning and Leadership, effective July 18, 2003.

Lindsey Thomas, Professor, Department of Dance, effective July 31, 2003.

## **Retirement with Emeriti Status**

Lovette Teichert, Master Faculty Specialist, Career English Language, Center for International Students, Master Faculty Specialist Emerita, Career English Language, effective August 31, 2003.

## **Professional Development Leaves**

Evelyn Clingerman, Assistant Professor, WMU Bronson School of Nursing, effective August 4, 2003 through August 1, 2004.

Jennifer Ellis, Assistant Professor, Department of Communication, effective August 4, 2003 through August 1, 2004.

M. Scot Tanner, Professor, Department of Political Science, effective September 15, 2003 through December 5, 2003.

Susan Weinger, Associate Professor, School of Social Work, effective August 4, 2003 through April 11, 2004.

## **NON-ACADEMIC**

### **Appointment**

Dona Icabone, Associate Professor and University Ombuds, effective September 2, 2003.

### **Retirement**

Lyndell Bleyer, Director, Community Information System and Research Services, effective July 31, 2003.

### Budget and Finance Committee Recommendations

Gift Report. The gift report for June and July 2003 was approved on a motion by Trustee Aseritis, supported by Trustee Martin.

Personnel Report. Following a motion by Trustee Aseritis, supported by Trustee Miller, the personnel report was approved.

### **Appointment**

Greg Rosine, Vice President for Legislative Affairs, effective September 8, 2003

### **Resignation**

Charles DeVries, Assistant Vice President for Legislative Affairs, effective August 22, 2003

### **Retirements**

James Bero, Heavy Equipment Operator, Landscape Services, effective July 22, 2003

Cynthia Maul, Custodian, Building Support Custodial Services, effective September 30, 2003

Mary Ann Vernia, Supervisor, Building Custodial Support Services, effective September 30, 2003


State Building Authority – Health and Human Services Building. On a motion by Trustee Aseritis, supported by Trustee DeNooyer, the Board of Trustees approved procedural items re state funding for the construction of the University's College of Health and Human Services facility. Approved a resolution (on file in the Board Office) required by the State Building Authority authorizing the construction and completion assurance agreement, conveyances of property, lease and easement agreement, if necessary, for the Western Michigan University Health and Human Services Building, together with an addendum authorizing clarifications and amendments to the resolution.

Capital Outlay Budget Request for 2004/05 As moved by Trustee Aseritis, supported by Trustee Miller, the Board of Trustees approved the capital outlay budget request for 2004/05 (attachment) for submission to the State of Michigan. The University is required to submit annually a five-year Capital Outlay project request for consideration by the Government and the Legislature.

Public Comments. Alev (Dudek) Akbulut, student, spoke to the Board re questions on funding of colleges at the University and diversity on the Board.

Adjournment. The meeting was adjourned at 11:45 a.m.

Respectfully submitted,

  
Betty Kocher  
Secretary  
Board of Trustees

## WESTERN MICHIGAN UNIVERSITY

### CAPITAL PROJECTS LIST

Five Year Projection  
FY 2004 to 2009

<b>Priority</b>	<b>Project</b>	<b>Projected Cost</b>
#1	Renovation & Upgrade Sangren Hall	\$40M (2004)
#2	West Campus Development	\$20M (2003)
#3	Addition and Upgrades to Kohrman Hall	\$30M (2004)
#4	New Science Laboratory and Math Building	\$45M (2004)*
#5	Renovation of Space for Student Affairs and Organizations	\$ 7M (2003)*
#6	East Campus Renovation and Site Development	\$60M (2007)
#7	Upgrades of 3 Classroom Buildings	\$60M (2007)*
#8	Civil Engineering Addition to the CoE Bldg.	\$15M (2004)*
#9	Remodel Sindecuse Health Center	\$6M (2004)*
#10	Physical Plant Relocation	\$6M (2004)*
#11	Oakland Drive Campus Pkg Ramp and Roads	\$13K/car (2004)*
#12	Upgrade McCracken Hall 1967 Wing	\$6M (2004)*
#13	Addition to Paper Pilot Plant	\$7M (2000)*

WESTERN MICHIGAN UNIVERSITY BOARD OF TRUSTEES  
SPECIAL FORMAL SESSION  
FRIDAY, OCTOBER 31, 2003  
CONNABLE BOARD ROOM  
9:30 a.m.

The Western Michigan University Board of Trustees met in teleconference session on Friday, October 31, 2003, at 9:30 a.m., with the meeting called to order by Chair Klohs. Present via telephone were Trustee Anthony, Trustee Aseritis, Trustee Holden, Trustee Klohs, Trustee Martin and President Bailey (ex officio). Present in the Board Room were Trustee DeNooyer and Trustee Miller.

Acceptance of the Agenda. The agenda was accepted as distributed on a motion by Trustee Martin, supported by Trustee Holden.

Closed Informal Session. On a 8-0 roll call vote, following a motion by Trustee Miller, supported by Trustee Martin, the Board of Trustees went into a closed informal session at 9:33 a.m. to consider material exempt from discussion or disclosure by state or federal law, returning to formal session at 9:55 a.m.

WMU/AFSCME Contract. On a 8-0 roll call vote and a motion by Trustee DeNooyer, supported by Trustee Martin, the Board of Trustees approved a labor contract with the American Federation of State, County and Municipal Employees (AFSCME), Local 1668. (The three-year contract, effective August 12, 2003-August 12, 2006, was approved by an October 21, 2003 vote of Local 1668.

WMU/POA Contract. Following a motion by Trustee Miller, supported by Trustee DeNooyer, and 8-0 roll call vote, the Board approved the reopened segments of the labor contract with the Police Officers Association (POA). (The three-year contract, effective July 1, 2002 - June 30, 2005, called for an economic reopener in July 2003. The reopened segments were approved by an October 26, 2003 vote of the POA).

President Bailey expressed appreciation to all parties involved in the negotiations of the contracts.

Revised Retirement Dates under Window Severance Incentive Plan. On a motion by Trustee DeNooyer, supported by Trustee Miller, the Board of Trustees approved rescinding the previously approved retirement dates for those eligible, currently employed faculty members who apply for the Window Severance Incentive Plan (as provided for in the new agreement between the University and the WMU Chapter of AAUP) and who the administration determines are eligible to be accepted for the Plan and approving their alternative applicable retirement dates are provided for the applications, Plans and letters of agreement. (Attachment).

Retirement. The Board of Trustees, finally a motion by Trustee Aseritis, supported by Trustee Holden, approved the retirement date of Marcia Kingsley, Professor and Head of Acquisitions and Serial Resources of the University Libraries, as October 22, 2003. Dr. Kingsley submitted a letter retirement on October 21, effective October 22, and died on October 25. Action was taken to facilitate the processing of any benefits by her family.

Respectfully submitted,



Betty A. Kocher  
Board Secretary

FACULTY RETIREES

Last Name	First Name	Emeriti Rank	College	Department	Retirement Date	Fiscal Year
Harrison	William	Professor	A&S	Geosciences	08-Dec-03	03/04
Pinkowski	Ben	Professor	ENGRG	Computer Science	30-Dec-03	03/04
Abron	JoNina	Associate	A&S	English	30-Dec-03	03/04
Mergen	Paul	Professor	FA	Art	31-Dec-03	03/04
Comish	Wendy	Professor	FA	Dance	31-Dec-03	03/04
Ellin	Joseph	Professor	A&S	Philosophy	31-Dec-03	03/04
Hoadley	Arthur	Professor	ENGRG	Mechanical & Aeronautical Engrg.	11-Apr-04	03/04
Sill	Thomas	Associate	A&S	Communication	30-Apr-04	03/04
Mayo	Edward	Professor	BUS	Marketing	03-Aug-04	04/05
Gauper	Stephanie	Professor	A&S	English	01-Apr-06	05/06
Chartrand	Gary	Professor	A&S	Mathematics	12-Aug-06	06/07
Shamu	Robert	Professor	A&S	Physics	30-Apr-08	07/08

WESTERN MICHIGAN UNIVERSITY BOARD OF TRUSTEES  
SPECIAL MEETING  
MONDAY, DECEMBER 1, 2003  
MAR BUILDING, Lansing

The meeting was called to order at 6 p.m. on Monday, December 1, 2003, at the Michigan Association of Realtors buiding, Lansing.

Board members present: Trustee Anthony, Trustee DeNooyer, Trustee Klohs, Trustee Martin, Trustee Miller, Trustee Pero, President Bailey (ex officio).  
Absent: Trustee Aseritis and Trustee Holden.

The agenda was accepted as presented on a motion by Trustee Miller, supported by Trustee DeNooyer.

On a 6-0 roll call vote following a motion by Trustee DeNooyer, supported by Trustee Martin, the Board of Trustees went into closed informal session to consider material exempt from discussion or disclosure by state or federal law.

Adjournment. The session was adjourned at 8 p.m.

Respectfully submitted,



Betty A. Kocher  
Secretary  
Board of Trustees

WESTERN MICHIGAN UNIVERSITY BOARD OF TRUSTEES  
THURSDAY/FRIDAY, DECEMBER 11/12, 2003

The Western Michigan University Board of Trustees met on Thursday, December 11, at 6 p.m. in the Connable Board Room, Bernhard Center. The meeting was called to order by Chair Klohs and the agenda was accepted following a motion by Trustee Aseritis, supported by Trustee Martin. The Board of Trustees then went into a closed informal session as provided for under Michigan law after a 7 – 0 roll call vote as moved by Trustee Pero, supported by Trustee Aseritis. On Friday, December 12, the Board of Trustees went into formal session at 8 a.m., in Rooms 157 – 159. (The formal session was held in a larger area to accommodate the number of people expected re the intercollegiate athletics recommendation.)

Board members present: Trustee Aseritis, Trustee DeNooyer, Trustee Holden (December 12), Trustee Klohs, Trustee Martin, Trustee Miller, Trustee Pero and President Bailey (ex officio). Absent: Trustee Anthony

Remarks by the Chair. Chair Klohs spoke re the challenges the University faces as the result of the state's budget problems, with WMU experiencing massive cuts this year and more expected for 2004-05. But she also spoke of the successes which will enable the University to move forward aggressively when financial times are better. She congratulated President Bailey, Vice President Luderer and all of the other members of the University community who helped make the Biosciences Research and Commercialization Center a reality. She noted continued growth in the Business Technology and Research Park. Chair Klohs spoke of the continued events of the centennial celebration, coming to a close the following day with centennial commencement ceremonies. Chair Klohs also reminded everyone of the University holiday reception being held that afternoon, hosted by the Board and the Baileys, saying that it was especially important to hold the event this year to thank everyone for their support during these difficult times.

Approval of the Minutes of the September 12, October 7 and 31 and December 1 Sessions. The minutes were approved as distributed following a motion by Trustee Pero, supported by Trustee Martin.

Budget Overview. President Bailey presented a report on the budget problems facing the University and the steps being taken to deal with the problems. She reviewed reduction principles, 2003 reductions by areas, cost containment and reduction initiatives and noted that planning is ongoing to deal with long-term budget issues and new cuts.

Recommendation re Intercollegiate Athletics. As a part of the process in handling the budget reductions, a recommendation was brought to the Board re intercollegiate athletics. As indicated, a sports sponsorship review committee was created by the

President in September and charged with a review of current athletics programming. The recommendation of the committee was presented to Athletic Director Kathy Beauregard for her input, then to President Bailey, and finally to the Board for its action. The recommendation called for the elimination of three men's track teams (men's outdoor track, men's indoor track and men's cross country) at the close of the teams' 2003-04 seasons and the current fiscal year, with Athletic Director Beauregard including women's synchronized skating in the recommendation. The recommended action involves 100 student athletes and three coaches. It was also noted that annual scholarship commitments to athletes in the affected sports will be honored for the duration of each athlete's academic career at the University, with the funding (this year amounting to \$165,000) coming from the president's unrestricted fund beginning 2004-05. It was also noted that the recommendation, in keeping with the committee's charge, maintains NCAA Division 1-A status, membership in the Mid-American Conference and Central Collegiate Hockey Association and complies with Title IX/gender equity requirements. It was also noted that the recommendation is being presented in mid-year to assist the affected student athletes who may wish to consider transferring to another institution. President Bailey, Ms. Beauregard, and members of the review committee met with the three coaches and their team members in early December to make them aware of the recommendation before it was made public. In presenting the recommendation, President Bailey stated that "this is an incredibly painful decision" but that hard choices need to be made and that the action is necessary to protect the University's "core academic mission." She said "ensuring academic success for over 29,000 student must continue to be the overriding goal." Representatives of the sports support groups spoke in opposition to the recommendation, asking that action not be taken or delayed until a later date. The trustees expressed their regret at having to take this action but noted that it had been studied thoroughly and thoughtfully and determined to be a necessary step in the budget process. On a 7 – 0 roll call vote, following a motion by Trustee Martin, supported by Trustee Pero, the recommendation was approved.

Public Comments. In addition to those speaking re of the sports programs, Phyllis Marsh, member of the West Main Association, spoke of the group's concern about the disruptive tailgating parties held on West Michigan Avenue and in the surrounding neighborhoods.

Biosciences Research and Commercialization Center. Following a motion by Trustee Miller, supported by Trustee Pero, the Board of Trustees formally confirmed the University's acceptance of the \$10,000,000 award from the State of Michigan for the BRCC. As reviewed by President Bailey and Vice President Luderer, before the University could officially receive the \$10,000,000 state appropriation, approval for the BRCC's business plan by the Technology Tri-Corridor Steering Committee was required-approval was granted in early December.

Research Foundation. As moved by Trustee Pero, supported by Trustee Holden, the Board of Trustees approved a resolution (on file in the Board Office) presented by President Bailey. The resolution notes the establishment of the foundation as a non-profit 501(c)3 support corporation. It includes articles of incorporation, proposed bylaws for the foundation, and authorizes the University administration to take all appropriate action to establish and operate the foundation. The foundation is designed to facilitate the development of the intellectually property and advance the research mission of the University, with its establishment recommended by the Tri-Technology Corridor Steering Committee and the American Association for the Advancement of Science.

Student Health Insurance Requirement. As presented by Vice President Anderson, the Board of Trustees approved a student health insurance requirement, following a motion by Trustee Aseritis, supported by Trustee Miller. As indicated, effective with the beginning of the 2005-06 academic year, all students will be required to carry at least minimal health insurance. Mandatory health insurance is now required for all international students but is optional for domestic students. (Vice President Anderson reported that up to 25 percent of the University's almost 30,000 students are uninsured or underinsured.) Under the new policy, students must either demonstrate that they have existing health insurance or purchase an insurance plan offered through the University Sindecuse Health Center. The Sindecuse plan will cost an estimated \$250 per semester. Vice President Anderson noted that approval of this policy will help the University continue to provide high-quality medical service at affordable rates to thousands of students.

Naming of Art Building. As presented by Vice President Bender, the Board of Trustees, following a motion by Trustee Martin, supported by Trustee DeNooyer, approved the naming of the new School of Art building in honor of James and Lois Richmond, with the exact name of the facility to be determined at a later date. The naming will acknowledge the generosity of the Richmonds, Kalamazoo residents and WMU graduates. The building, with construction slated to begin in 2005, will be located next to the Dalton Center.

Grant Report. The grant report for August, September and October 2003 was approved as presented by Vice President Luderer, following a motion by Trustee Martin, supported by Trustee Pero.

Personnel Reports. The academic and non-academic personnel reports, as reviewed by Dr. Anderson, Ms. Beauregard and Dr. Litynski, were approved by the Board of Trustees after a motion by Trustee Aseritis, supported by Trustee Martin.

## ACADEMIC

### Administrative Appointment

Nina Nelson, Professor and Chair, Department of Dance, effective December 22, 2003.

Lawrence Potter, Director, Africana Studies Program, effective September 15, 2003.

### Retirement - Administrative

Richard Phippen, Resident Director, American Degree Transfer and Western Michigan University Program at Sunway College, and Professor Emeritus of Biological Sciences, effective December 31, 2003.

### Administrator Return to Faculty

Jane Baas, Associate Professor, Department of Dance, effective December 22, 2003.

### Retirement – Administrative

Chester Rogers, Associate Vice President and Director, Academic Collective Bargaining and Contract Administration, and Professor Emeritus of Political Science, effective January 2, 2004.

### Appointment - Tenure Track

Muralidhar Ghantasala, Associate Professor, Department of Mechanical and Aeronautical Engineering, effective October 27, 2003.

Helen Lee, Assistant Professor, Department of Blindness and Low Vision Studies, effective August 4, 2003

### Reappointments - Term

Nicholas Andreadis, Assistant Professor, Department of Counselor Education and Counseling Psychology, effective June 22, 2003 through June 20, 2004.

Jacqueline Eckert, Assistant Professor, Department of Occupational Therapy, effective August 4, 2003 through April 11, 2004.

Jerry McLaughlin, Assistant Professor, Department of Counselor Education and Counseling Psychology, effective August 4, 2003 through August 1, 2004.

Appointments – Term

Carmen Cornieles, Faculty Specialist I, Department of Educational Studies, effective August 4, 2003 through August 1, 2004.

Steven Smith, Instructor, School of Social Work, effective August 4, 2003 through April 1, 2004.

Peter Szto, Instructor, School of Social Work, effective August 4, 2003 through August 1, 2004.

Gayl Walker, Assistant Professor, Department of Physician Assistant, effective August 4, 2003.

Reappointments - Adjunct

Susanne Armbruster, Adjunct Assistant Professor, School of Music, effective January 1, 2004 through December 31, 2006.

Richard Baker, Adjunct Assistant Professor, Department of Civil and Construction Engineering, effective January 1, 2004 through December 31, 2004.

Barbara Hong, Adjunct Assistant Professor, School of Music, effective January 1, 2004 through December 31, 2006.

Karl Schrock, Adjunct Assistant Professor, School of Music, effective January 1, 2004 through December 31, 2006.

Sarah Wilkinson, Adjunct Assistant Professor, School of Music, effective January 1, 2004 through December 31, 2006.

Resignations

Cybele Clark-Mendes, Assistant Professor, School of Art, effective December 12, 2003.

Angela Counterman, Instructor, WMU Bronson School of Nursing, effective August 4, 2003.

William Pease, Faculty Specialist II, School of Music, effective December 31, 2003.

Professional Development Leaves

Neil Pinney, Associate Professor, Department of Political Science, effective December 8, 2003 through December 5, 2004.

Susan Weinger, Associate Professor, School of Social Work, effective August 4, 2003 through August 1, 2004.

Sabbatical Leaves

Hideko Abe, Department of Foreign Languages

Sandra Borden, Department of Communication

Susan Caringella-MacDonald, Department of Sociology

Michael Chiarappa, Department of History

John Clark, Department of Political Science

Thomas Gorczyca, Department of Physics

Keith Hearit, Department of Communication

Rand Johnson, Department of Foreign Languages

Vyachesla Karpov, Department of Sociology

Kate Kline, Department of Mathematics

Michelle Kominz, Department of Geosciences

Ashlyn Kuersten, Department of Political Sciences

James Palmitessa, Department of History

Srdjan Petrovic, Department of Mathematics

Michael Pritchard, Department of Philosophy

John Tanis, Department of Physics

Gwen Tarbox, Department of English

Huizhong Zhou, Department of Economics

Sabbatical Leaves (continued)

Sime Curkovic, Department of Management

Christopher Korth, Department of Finance and Commercial Law

F. William McCarty, Department of Finance and Commercial Law

Nancy Schullery, Department of Business Information Systems

Roger Tang, Department of Accountancy

Lynn Nation Johnson, Department of Teaching Learning and Leadership

Elena Lisovskaya, Department of Educational Studies

Steven Butt, Department of Industrial and Manufacturing Engineering

William Liou, Department of Mechanical and Aeronautical Engineering

Ed Harkness, School of Art

John Lychner, School of Music

Bruce Uchimura, School of Music

James Hillenbrand, Department of Speech Pathology and Audiology

Mary Lagerway, School of Nursing

Gary Mathews, School of Social Work

NON-ACADEMIC

Retirements

Gus Breyman, Director, Lansing Center, Extended University Programs, effective February 15, 2004.

Marvin Darling, Director, Laboratory, Sindecuse Health Center, effective December 31, 2003.

Fred Decker, Head Baseball Coach, Intercollegiate Athletics, effective June 30, 2004.

Retirements (Continued)

Michael Finn, Supervisor, Communication Lab, Department of Communication, effective December 31, 2003.

Sheila Johnson, Nurse, Sindecuse Health Center, effective December 31, 2003.

Pamela Ross, Administrative Assistant, Unified Clinics, effective December 31, 2003.

Irene Woldring, Pharmacist, Sindecuse Health Center, effective February 1, 2004.

Gift Report. Following a motion by Trustee Martin, supported by Trustee Pero, the Board of Trustees approved the gift report for August, September, October and November 2003 as presented by Vice President Bender.

Lease Agreement Renewal between WMU and AAUP. As reviewed by Associate Vice President Rinker, the Board of Trustees, on a motion by Trustee Aseritis, supported by Trustee Martin, authorized the administration to renew the lease agreement for an additional five-year period with the WMU Chapter of the American Association of University for the Montague House facility, 814 Oakland Drive.

Lease Addendum and Extension Agreement – Megee Printing, Inc. Following a motion by Trustee Miller, supported by Trustee DeNooyer, the Board of Trustees authorized the treasurer/assistant treasurer to enter into a lease addendum and extension, for a five-year period, with three one-year options, with Megee Printing, Inc. for space in the Bernhard Center.

Meeting Dates. The 2004 meeting dates were approved as follows:

February 27  
April 16  
June 25  
September 17  
October 29  
December 10


Audit Report – Plante & Moran As an informational item, the results of the June 30, 2003 audit were reviewed by representatives of Plante & Moran.

M.U.S.I.C. (Michigan Universities Self-Insurance Corporation) Update. The report was presented by Associate Vice President Rinker, indicating significant savings and broadened coverage over the sixteen years of University participation as a charter member of the group.

Committee of the Whole. As moved by Trustee Pero, supported by Trustee Aseritis, the Board recommended approval of a change in meeting format. Tthe Academic and Student Affairs and Budget and Finance Committee meetings prior to the Board meeting will be eliminated and the Board meeting will now proceed as a "committee of the whole."

Adjournment. The meeting was adjourned at 11:20 a.m.

Respectfully submitted,

  
Betty Kocher  
Secretary  
Board of Trustees