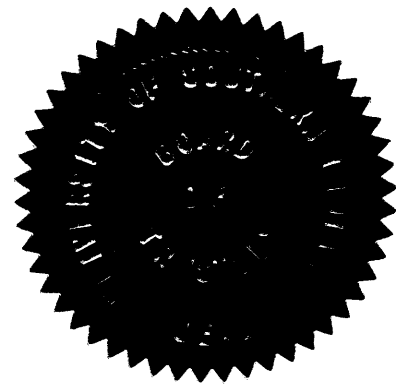


OFFICIAL MINUTES  
UNIVERSITY OF SOUTHERN INDIANA  
BOARD OF TRUSTEES

November 3, 1988



MINUTES

UNIVERSITY OF SOUTHERN INDIANA  
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November 3, 1988

The University of Southern Indiana Board of Trustees met Thursday, November 3, 1988, in the University Center. Present were Trustees William E. Brooks, Jr., Percy Clark, Jr., Robert J. Fair, J. Patrick Leahy, Joseph E. O'Daniel, Carole D. Rust, and George B. Weathersby. Also attending were President David L. Rice; Vice Presidents Donald Bennett, Sherrienne Standley, Robert Reid, and Byron Wright; and Faculty Senate Chairperson Larry Goss.

There being a quorum present, Mr. Fair called the meeting to order at 11:05 a.m.

SECTION I - GENERAL AND ACADEMIC MATTERS

A. APPROVAL OF MINUTES OF SEPTEMBER 1, 1988, MEETING

The minutes of the September 1, 1988, meeting were approved by consensus.

B. ESTABLISHMENT OF NEXT MEETING DATE, TIME, LOCATION

The next regular meeting of the Board of Trustees was set for Thursday, January 12, 1989, at the University of Southern Indiana.

C. PRESIDENT'S REPORT

Dr. Rice announced to the Board that Dr. Melvin Denner, professor of biology at USI has been selected as the Council for the Advancement and Support of Education (CASE) Professor of the Year for the State of Indiana. He added that Governor Orr presented the award to Dr. Denner recently in Indianapolis.

Dr. Rice reported that the University recently filed its annual report with the Council for Aid to Education (CAAE). He said that over 3,500 donors contributed over \$500,000 to the University last year.

Dr. Rice reported that last year the University joined other area employers to help locate job opportunities for students. He said that the University employed 290 students on its campus last year.

Dr. Rice noted that USI's acceptance of the Neef Home, located in New Harmony, is included in the agenda for the Board's approval.

Dr. Rice reported that the Indiana Commission for Higher Education and the Budget Committee are preparing for the legislative process of recommending a budget to the Indiana General Assembly.

Dr. Rice reported that the Labor-Management Education Forum held a conference recently at USI. He added that 150 area executives and labor representatives attended to hear GenCorp Polymer Products describe its successful employee involvement programs.

D. APPROVAL OF RESOLUTION TO ACCEPT GIFT OF PROPERTY

On a motion by Mr. O'Daniel, seconded by Dr. Weathersby, the following resolution to accept the conveyance of the Lewis Hickman Property, also commonly known as the Neef Home, was approved.

WHEREAS, Kenneth Dale Owen wishes to donate certain real estate, owned by him, located in New Harmony, Indiana, to the University of Southern Indiana, and

WHEREAS, the Rappite house built in 1822, was the home of Joseph Neef, one of the leading educators during the Owen years and is considered worthy of preservation as a historical building, and

WHEREAS, the legal description of said property in Posey County in the State of Indiana, to wit:

Part of the Southwest Quarter of Section 36,  
Township 4 South, Range 14 West, more  
particularly described as follows:

A tract of land in the Town of New Harmony,  
Indiana, which has sometimes been erroneously  
designated as unplatted Lots Numbers 3 and 4  
in Maclure's Part of the Town of New Harmony,  
Indiana, being more particularly and correctly  
described as beginning at a point which is the  
intersection of the North line of Church  
Street with the East line of West Street, and  
being the Southwest corner of a brick dwelling  
formerly owned and occupied by Louis Heckman;  
thence North along the East line of West  
Street 87 feet; thence East 59.78 feet; thence  
South 87 feet to the North line of Church  
Street; thence West 59.78 feet to the place of  
beginning. Said real estate being a part of  
what was at one time designated as Square  
Number 5 in the Town of New Harmony, Indiana.

WHEREAS, Indiana Code 20-12-4-1 grants University trustees the power to enter into agreements to acquire land and personal property by gift for the maintenance, use or benefit of the University of Southern Indiana, or to be administered for other public, charitable purposes, for the benefit of or use of students.

THEREFORE, BE IT RESOLVED THAT the University of Southern Indiana Board of Trustees agrees to accept this property, in fee simple, as a gift.

E. APPROVAL OF EASEMENT FOR SECONDARY ELECTRICAL SERVICE LINE

Southern Indiana Gas and Electric Company is requesting an easement for right of way to install and maintain the secondary electrical service line approved by the Board on May 13, 1988.

On a motion by Dr. Weathersby, seconded by Mr. O'Daniel, the easement in Exhibit I-A was approved.

F. APPROVAL OF UNIVERSITY AIDS POLICY

At a previous Board of Trustees meeting, several members expressed an interest in the University's developing an AIDS policy statement. An AIDS committee, composed of students, faculty, and staff, completed a proposed policy and procedures statement. The proposed policy and procedures statement was presented to the Board for discussion at its July meeting. The statement was then forwarded to legal counsel for review, and counsel's suggestions were incorporated into the policy.

On a motion by Dr. Weathersby, seconded by Mrs. Rust, the University AIDS Policy, Exhibit I-B, was approved.

G. OTHER BUSINESS

Dr. Rice called on Mr. Wright to report to the Board the progress of the new classroom building. Mr. Wright reported that the shipment of steel is scheduled to arrive late in November, which is about twelve weeks behind schedule. Mr. Wright added that it is possible that the classrooms still may be completed by the beginning of the fall semester.

Dr. Rice reported that Dr. Pruis was progressing well since his surgery on the previous day.

SECTION II - FINANCIAL MATTERS

A. REPORT OF CLASSROOM BUILDING CHANGE ORDERS COMMITTEE

The following change orders were approved by the Change Order Committee and were reported to the Board as instructed by the Board resolution passed September 1, 1988.

| <u>Contractor</u>   | <u>Number</u> |        | <u>Amount</u> |
|---|---------------|--------|---------------|
| 1. Peyronnin Construction Company   | GC-1          | deduct | \$3,500.00    |
| Credit for cost of temporary electrical power for the project               |               |        |               |
| 2. Peyronnin Construction Company   | GC-1          | deduct | \$9,700.00    |
| Credit for cost of sewer connection fee                                     |               |        |               |
| 3. Peyronnin Construction Company   | GC-2          | add    | \$4,700.00    |
| Cost to provide two-year extension of watertightness warranty on metal roof |               |        |               |
| 4. Mel-Kay Electric Company   | EC-1          | deduct | \$9,783.00    |
| Credit for cost of temporary electrical service lines to project            |               |        |               |

B. APPROVAL OF PERMANENT FINANCING OF CLASSROOM BUILDING

On a motion by Dr. Weathersby, seconded by Mr. O'Daniel, the following resolution regarding the sale of bonds for permanent financing of the Classroom Building Project was approved.

WHEREAS, University of Southern Indiana ("University") has full power and authority under and by virtue of the laws of the State of Indiana including, more particularly, the provisions of I.C. 20-12-6 to issue bonds secured by student fees to finance facilities located at its Evansville campus; and

WHEREAS, the University previously has entered into a Trust Indenture, as supplemented and amended (the "Indenture") dated as of November 1, 1985, with The Merchants National Bank of Terre Haute, as Trustee (the "Trustee") and has previously issued its University of Southern Indiana Student Fee Bonds, Series A on December 20, 1985, in a total issued amount of \$6,230,000; and

WHEREAS, the Board of Trustees of the University (the "Board") now desires to issue a new series of University of Southern Indiana Student Fee Bonds, which shall be designated University of Southern Indiana Student Fee Bonds, Series B ("Series B Bonds") under the Indenture for the purpose of providing funds to finance the cost of, or to repay interim financing previously incurred to finance the cost of, the project on its Evansville campus described in Exhibit A hereto; and

WHEREAS, this Board now desires to approve the forms of a First Supplemental and Amendatory Indenture (the "First Supplemental Indenture"), between the University and the Trustee, a Rebate Agreement (the "Rebate Agreement") among the University, the Trustee and The Merchants National Bank of Terre Haute, as Escrow Agent, a Bond Purchase Agreement, (the "Bond Purchase Agreement"), between the University and John Nuveen & Co. Incorporated and City Securities Corporation (the "Underwriters"), the Series B Bonds, and the preliminary form of Official Statement to be used in the marketing of the Series B Bonds, which forms have been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by this Board as follows:

Section 1. The forms of First Supplemental Indenture, the Rebate Agreement, the Bond Purchase Agreement, Series B Bonds, and preliminary Official Statement are approved in substantially the form presented to this meeting.

Section 2. Subject to Section 7 hereof, the Chairman and a Vice Chairman of the Board, or any of them, are hereby authorized to execute and deliver the First Supplemental Indenture in substantially the form presented at this meeting with such changes in form or substance as the officers executing such form shall approve, such approval to be conclusively evidenced by the execution thereof, and the Secretary and Assistant Secretary of the Board, or either of them, are hereby authorized to attest the signatures of the Chairman or Vice Chairman on the First Supplemental Indenture and to affix or imprint the seal of the University thereon.

Section 3. Subject to Section 7 hereof, the Chairman, a Vice Chairman, and Treasurer of the Board, or any of them, are hereby authorized to execute and deliver the Bond Purchase Agreement in substantially the form presented at this meeting with such changes in form or substance as may be approved by the officer so executing and delivering the same, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 4. The Chairman, a Vice Chairman, and Treasurer of the Board, or any of them, are hereby authorized to distribute or to direct the Underwriters of the Series B Bonds to distribute

a Preliminary Official Statement for the Series B Bonds in substantially the form presented at this meeting to prospective purchasers of the Series B Bonds.

Section 5. The Chairman, a Vice Chairman, and Treasurer of the Board, or any of them, are hereby authorized to execute and deliver a Rebate Agreement with The Merchants National Bank of Terre Haute, as Escrow Agent and Trustee for the Series B Bonds in substantially the form presented to this meeting with such changes in form or substance as may be approved by the officer so executing and delivering it, such approval to be conclusively evidenced by the execution and delivery.

Section 6. Subject to Section 7 hereof, the Chairman, a Vice Chairman, and Treasurer of the Board, or any of them are hereby authorized to execute and deliver a Final Official Statement for the Series B Bonds in substantially the form of the preliminary Official Statement presented to this meeting with such changes in form or substance as shall be approved by the officer so executing and delivering it, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 7. The Chairman, a Vice Chairman and Treasurer of the Board, or any of them, are hereby authorized to prepare the forms of Series B Bonds required for the use in the issuance of the Series B Bonds in substantially the form presented at this meeting in the aggregate principal amount not to exceed 8.975 Million Dollars (\$8,975,000), with an underwriter's discount not to exceed 1.185% and a total discount not to exceed the percentage permitted by law, at an interest rate or rates producing a net interest cost not to exceed 7.95% with such serial or term maturities and with such redemption features as the executing officers shall approve, with a final maturity of no later than October 1, 2009, and cause the same to be executed by the proper officers of the University as provided in the First Supplemental Indenture. Upon execution of the Series B Bonds, the Treasurer shall deliver such Bonds to the Trustee for authentication. Upon such authentication, the Treasurer is authorized and directed to deliver the Series B Bonds to the Underwriters upon payment of the purchase price, which price shall not be less than the face amount of the Series B Bonds, reflecting Underwriter's discount and original issue discount, if any, plus accrued interest from the date thereof, all pursuant to the provisions of the Bond Purchase Agreement.

Section 8. The Chairman or a Vice Chairman, Secretary or Assistant Secretary and Treasurer of the Board, or any of them acting singly or jointly, are hereby authorized and directed to do any and all further acts, to execute any and all further documents or certificates, to obtain insurance for the Series B Bonds from a municipal bond insurer if such insurance is considered appropriate by the Treasurer of the Board, to seek any and all further approvals needed from the State of Indiana and its agencies and representatives and to publish any notice

required in order to complete the execution and delivery of the Series B Bonds, the First Supplemental Indenture, the Preliminary and Final Official Statement, the Rebate Agreement, and the Bond Purchase Agreement in connection with the Series B Bonds.

Section 9. The University hereby designates the Series B Bonds as qualified tax-exempt obligations for purposes of Section 265 (b) of the Internal Revenue Code of 1986.

C. APPROVAL OF BUDGET APPROPRIATIONS, ADJUSTMENTS, AND TRANSFERS

On a motion by Mr. Brooks, seconded by Mrs. Rust, the following Budget Appropriations, Adjustments, and Transfers were approved.

Appropriation of Funds

From: Unappropriated Current Operating Funds

To: 1-10910 Continuing Education \$1,054.42  
Capital Outlay

From: Unappropriated Athletic Funds

To: 3-30605 Athletics--Women's Basketball \$200.00  
Supplies and Expenses

To: 3-30609 Athletics--Cross Country \$750.00  
Supplies and Expenses

To: 3-30610 Athletics--Soccer \$1,000.00  
Supplies and Expenses

To: 3-30611 Athletics--Volleyball \$1,200.00  
Supplies and Expenses

From: Unappropriated Restricted Funds

To: 4-45948 Scholar in Residence \$51,550.00  
Personal Services \$25,064.51  
Supplies and Expenses

To: 4-45949 Engineering Drafting \$10,500.00  
Graphics Division Conference  
Supplies and Expenses

To: 4-45950 Vocational Equipment \$33,571.00  
Capital Outlay

To: 4-45951 Economic Education \$1,500.00  
Personal Services \$10,500.00  
Supplies and Expenses



Transfer and Appropriation of Funds

From: Unappropriated Academic Building Facilities Funds

To: 6-60110 Water Main Extension Fund  
Capital Outlay

\$75,000.00

There being no further business, the meeting was adjourned at 11:35 a.m.

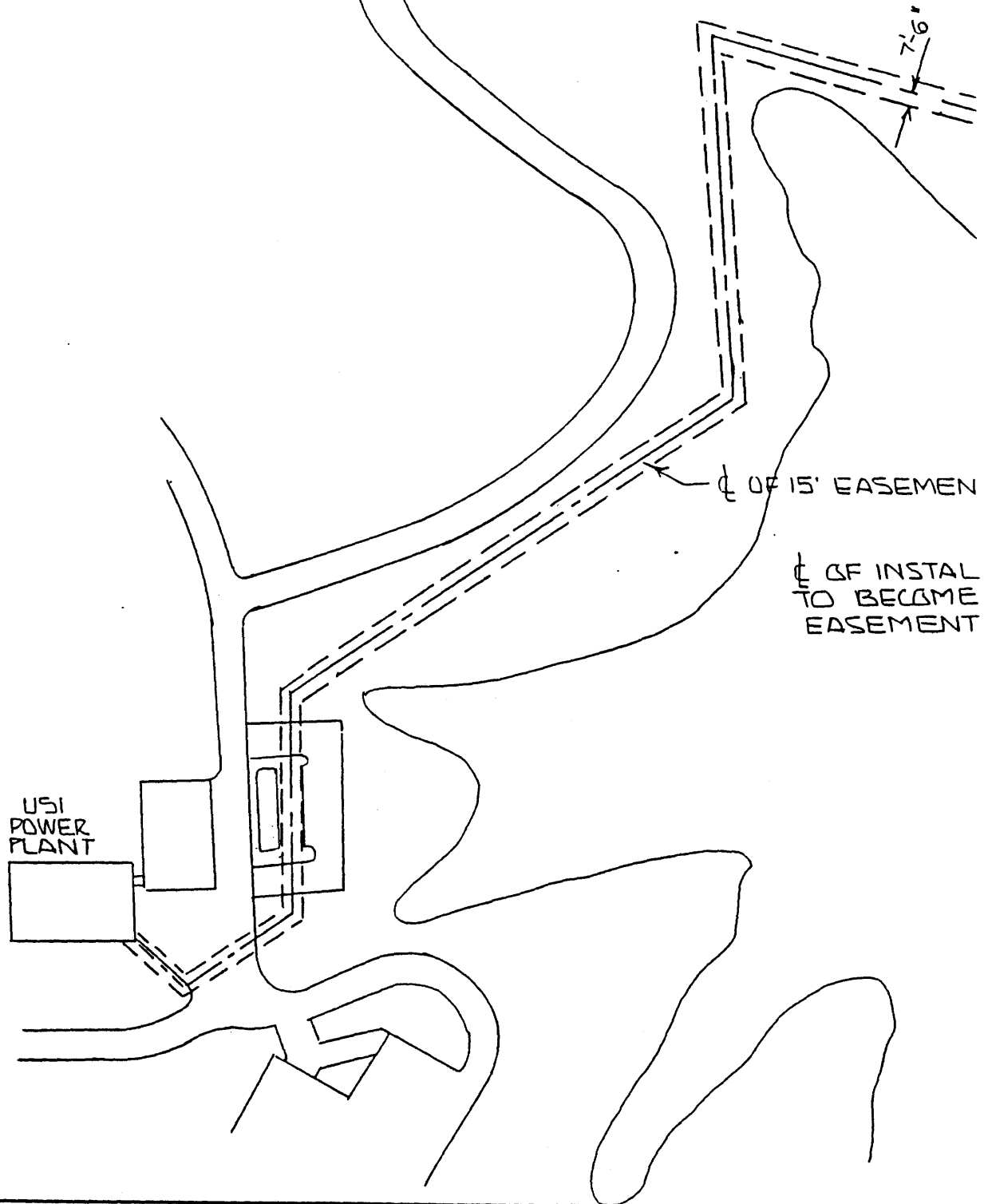
Respectfully submitted,



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Carole D. Rust, Secretary





| REV. | DATE | DESCRIPTION | BY | APP. | BY S. CREEKMUR<br>TRC. N. ZIMMERMAN<br>APP.<br>APP. | DATE 8-88<br>DATE 8-88<br>DATE<br>DATE |
|------|------|-------------|----|------|---|--|
|      |      |             |    |      |   |  |

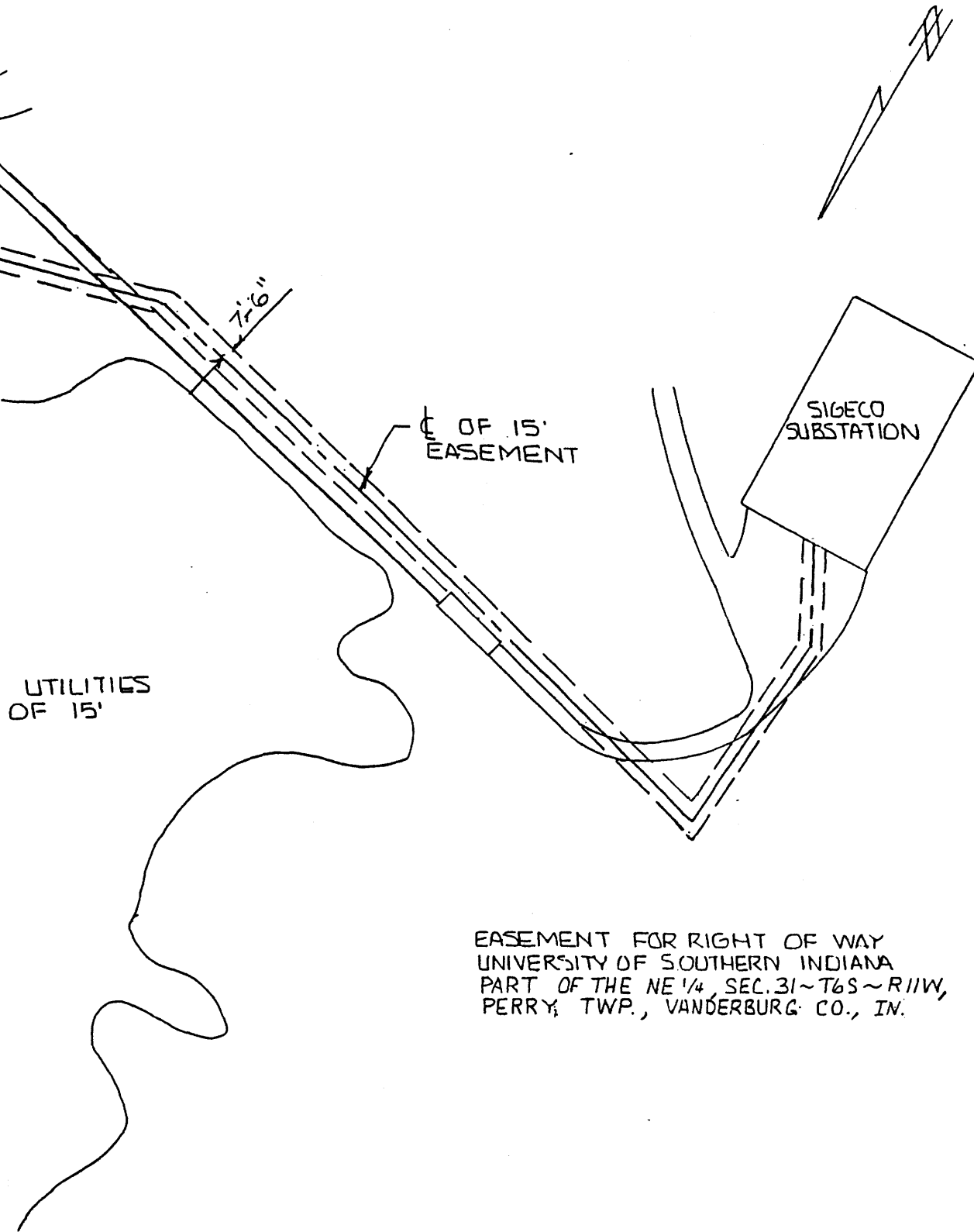


EXHIBIT A  
EASEMENT FOR RIGHT OF WAY

SOUTHERN INDIANA GAS & ELECTRIC CO.  
EVANSVILLE, INDIANA

EST. NO. 8103105 DWG. NO. 61131.1

## CAMPUS POLICY ON AIDS

### THE UNIVERSITY OF SOUTHERN INDIANA

The Acquired Immunodeficiency Syndrome (AIDS) is a fatal disease; at the present time no cure exists for AIDS. The University of Southern Indiana recognizing the potential need to address the issue of the status of a USI student or employee diagnosed with AIDS, AIDS-related infections, or HIV positive antibody test, has developed the following policy and procedures:

#### Policy

1. The University of Southern Indiana will not restrict the access to campus facilities for persons with AIDS, HIV-related infections, or positive HIV antibody tests unless a medically-based judgment in an individual case establishes that an exclusion or restriction is necessary in order to prevent a significant risk of harm to the welfare of the other members of the University community or the public. Since an individual having AIDS or with clinical evidence of HIV infection has a somewhat greater risk of encountering infections in an institutional setting such as the University, the individual may be subject to exclusion or restriction if there is an outbreak of a communicable disease until he is properly treated and/or the outbreak is no longer a threat to the individual.
2. Students and employees with AIDS, HIV-related infections, or positive HIV antibody tests will be given assistance consistent with other illnesses in obtaining appropriate medical care, education and accommodations.
3. The University expects persons who know, or have reasonable basis for believing, that they are infected by Human Immunodeficiency Virus to have a moral and legal responsibility, through personal hygiene and behavior, to demonstrate concern for fellow students and employees who need assurance of their health and well-being in learning, working, and living environments. As part of this responsibility, any person who knows, or reasonably believes, that he is infected, is strongly urged to make this fact known to the University case manager and to be monitored by one of the University health services staff even if he is receiving clinical care from an off-campus physician. The University case manager's role is chiefly to protect the privacy of the individual and to assist with any special needs of the person on campus.
4. The University will fund and conduct an on-going educational program designed to provide students and employees basic information about AIDS.
5. The University will widely publicize and carefully observe safety guidelines established by the U.S. Public Health Service for the handling of blood and other body fluids and secretions, in all health care facilities maintained on the campus and in other institutional contexts in which such fluids and secretions may be encountered (e.g., teaching and experimental laboratories).

### Procedures

1. The University of Southern Indiana shall establish a coordinating committee to plan a comprehensive educational program and to develop administrative procedures that address campus issues related to the AIDS virus. The committee shall be broadly representative of the campus community in order to be able to address the medical, personal, administrative, and legal issues associated with the disease.
2. The campus coordinating committee shall develop and implement a comprehensive AIDS education program for students and employees. The implementation of the program will be based on current medical evidence. The booklet AIDS on the College Campus: American College Health Association Special Report is a primary reference on information regarding AIDS on college and university campuses. Copies are available in the USI Health Services Office.
3. The Case Manager approach will be utilized when a case of AIDS is detected on campus. The Director of the Health Services shall be the Case Manager. That officer (with the written permission of the person with AIDS, HIV-related infections, or with a positive HIV antibody test) may consult a few key campus officials in order to provide for the needs of that person while he/she is attending classes or is employed at the University of Southern Indiana. A key part of the Case Manager's role will be the consistent handling of questions that arise concerning the risks caused or experienced by a person with AIDS, HIV-related infections, or a positive HIV antibody test. The confidentiality of medical information shall be respected. The Director of the Health Services shall not disclose any such information without the written consent of the infected person.
4. The official University spokesperson on AIDS shall be the Vice President for University Relations.
5. All faculty and administrators responsible for activities where exposure to the AIDS virus may occur due to the handling of blood and body fluids will develop, implement and enforce written procedures to safeguard against infection. These procedures shall be in accordance with the safety guidelines proposed by the Public Health Services for the handling of blood and body fluids of persons with AIDS, HIV-related, or HIV positive antibody tests. (Copies of the PHS guidelines will be available in Health Services.)
6. The University AIDS coordinating committee shall review appropriate departmental protocol (Health Services, Health Professions, Custodial Services, and so forth) to ensure that procedures are consistent with the Public Health Services Guidelines.
7. Programs should not be implemented to require screening of students or employees for AIDS, HIV-related infections, or a positive HIV antibody test. Consideration of the existence of AIDS virus will not be part of the admission decision for prospective students. However, students in health-related academic programs will be required to adhere to policies of clinical affiliates.

8. Employees and students concerned about the presence of a person with the AIDS virus should be directed to the Director of Health Services to help allay fears. The Health Services Director may make referrals to appropriate community agencies for those persons with continuing fears or concerns about the disease. It should be understood that refusal to work with a person with the AIDS virus does not excuse an employee from fulfilling assigned responsibilities. 11-3-88
9. The USI AIDS coordinating committee will establish communication links with county and state health agencies (AIDS Resource Group, Public Health Department, area hospitals, and so forth) to obtain current medical and referral information.
10. A review of the comprehensive educational program and the USI Campus Policy on AIDS will be done by April 30, 1989 by the campus AIDS Coordinating Committee. A written summary of activities during the 1988-89 academic year will be submitted to the Administrative Council by May 31, 1989.