

ILLINOIS EASTERN COMMUNITY COLLEGES

BOARD OF TRUSTEES

MONTHLY MEETING

January 20, 2015



Location:

**Olney Central College
305 North West Street
Olney, Illinois 62450**

**Dinner – 6:00 p.m. – Banquet Room
Meeting – 7:00 p.m. – Banquet Room**

The mission of Illinois Eastern Community College District 529 is to deliver exceptional education and services to improve the lives of our students and to strengthen our communities.

**Illinois Eastern Community Colleges
Board Agenda**

**January 20, 2015
7:00 p.m.
Olney Central College
Banquet Room**

1. Call to Order & Roll Call Chairman Fischer
2. Disposition of Minutes CEO Bruce
3. Recognition of Visitors and Guests Bruce
 - A. Visitors and Guests
 - B. IECEA Representative
4. Public Comment
5. Reports
 - A. Trustees
 - B. Presidents
 - C. Cabinet
6. Policy First Reading (and Possible Approval) Bruce
 - A. None
7. Policy Second Reading Bruce
 - A. None
8. Staff Recommendations for Approval
 - A. Approval to Grant Professional Delivery Units Bruce
 - B. “Consideration and action on a Resolution providing for the issue of \$4,460,000 General Obligation Community College Bonds, Series 2015, of the District, for the purpose of paying claims against said District and for health and safety improvement purposes and the levy of a direct annual tax sufficient to pay the principal and interest on said bonds, and authorizing an agreement for the sale of said bonds.” Bruce
 - C. Affiliation Agreement with Crawford Memorial Hospital - CNA Bruce
 - D. Affiliation Agreement with Heritage Health – CNA..... Bruce
9. Bid Committee Report..... Bruce
 - A. None
10. District Finance
 - A. Financial Report Browning
 - B. Approval of Financial Obligations Browning

11. Chief Executive Officer's Report Bruce
12. Executive Session Bruce
13. Approval of Executive Session Minutes
 A. Written Executive Session Minutes Bruce
 B. Audio Executive Session Minutes Bruce
14. Approval of Personnel Report Bruce
15. Collective Bargaining Bruce
16. Litigation Bruce
17. Other Items
18. Adjournment

Minutes of a regular meeting of the Board of Trustees of Illinois Eastern Community Colleges – Frontier Community College, Lincoln Trail College, Olney Central College, Wabash Valley College – Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White, and State of Illinois, held in Foundation Hall, at Frontier Community College, 2 Frontier Drive, Fairfield, Illinois, Tuesday, December 9, 2014.

(Without objection, the Chairman appointed Renee Smith to serve as Acting Board Secretary for this meeting.)

AGENDA #1 – “Call to Order & Roll Call” – Chairman G. Andrew Fischer called the meeting to order at 7:00 p.m. and directed the Secretary to call the roll.

Roll Call: The Secretary called the roll of members present and the following trustees answered to their names as called and were found to be present:

Gary Carter, Brenda K. Culver, G. Andrew Fischer, Marilyn J. Wolfe. Also present was Carrie Stephens, student trustee. Trustees absent: John D. Brooks, and Michael K. Correll. There being a quorum present, the Chair declared the Board of Trustees to be in open, public session for the transaction of business.

(Note: In accordance with Board of Trustees Policy No. 100.4, the student trustee shall have an advisory vote, to be recorded in the Board Minutes. The advisory vote may not be counted in declaring a motion to have passed or failed.)

Also present at this meeting, in addition to trustees:

Terry L. Bruce, Chief Executive Officer/Chief Operating Officer.
Jay Edgren, President of Frontier Community College
Matt Fowler, President of Wabash Valley College.
Kathy Harris, Interim President of Lincoln Trail College.
Rodney Ranes, President of Olney Central College.
Linda Monge, Interim Dean of Instruction of Frontier Community College.
Roger Browning, Chief Finance Officer/Treasurer.
Tara Buerster, Director of Human Resources.
Chris Cantwell, Dean, Academic & Student Support Services/Chief Academic Officer.
Renee Smith, Executive Assistant to CEO.
Michael Thomas, Dean of Workforce Education.

Abbreviations Used in Minutes:

CARLI – Consortium of Academic & Research Libraries in Illinois
DO – District Office
DOC – Department of Corrections
FCC – Frontier Community College
HLC – Higher Learning Commission
HRSA – Health Resources & Services Administration
ICAHN – Illinois Critical Access Hospital Network

ICCB – Illinois Community College Board
ICCTA – Illinois Community College Trustees Association
IECC – Illinois Eastern Community Colleges
IECEA – Illinois Eastern Colleges Education Association
LTC – Lincoln Trail College
LWIB – Local Workforce Investment Board
OCC – Olney Central College
PHS – Protection, Health & Safety
SAN – Student Advantage Network
SURS – State Universities Retirement System
WED – Workforce Education
WVC – Wabash Valley College

AGENDA #2 – “Disposition of Minutes” – Open meeting minutes as prepared for the regular meeting held Tuesday, November 18, 2014 were presented for disposition.

Board Action to Amend and Approve Minutes: Trustee Brenda Culver made a motion to amend and approve the November 18, 2014 minutes to include LeAnn Hartleroad in the list of those attending. Trustee Marilyn Wolfe seconded the motion. The Chair asked trustees in favor of the motion to say “Aye” and those opposed to say “No.” The viva voce (by the voice) vote was taken and the Chair declared the “Ayes” have it and the motion carried.

AGENDA #3 – “Filling Vacant Trustee Position”: Trustee William Hudson resigned from the Board effective December 1, 2014, due to a conflict created when he was elected Second Judicial Circuit Court Judge at the November 4, 2014 Election.

Board Action to Fill Vacant Trustee Position: Trustee Brenda Culver made a motion to seat Al Henager to fill the seat vacated by William Hudson. Trustee Gary Carter seconded the motion and on a recorded roll call ordered by the Chairman the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Marilyn Wolfe. Student Advisory vote: Yea. Trustees voting nay: None. Trustees absent: John Brooks and Michael Correll. The motion having received 4 yea votes and 0 nay votes, the Chair declared the motion carried.

The Oath of Office was administered and Trustee Al Henager was seated to fill the open seat until the April 7, 2015 consolidated election occurs.

“I, Alan “Al” Henager, do solemnly swear and affirm that I will support the Constitution and laws of the United States and the Constitution and laws of the State of Illinois, and that I will faithfully discharge the duties of the office of Member of the Board of Trustees of Illinois Eastern Community College District #529 according to the best of my ability.”

AGENDA #4 – “Recognition of Visitors & Guests” –

#4-A. Visitors & Guests: Visitors and guests present were recognized, including several college staff members.

#4-B. IECEA Representative: None.

AGENDA #5 – “Public Comment” – None.

AGENDA #6 – “Reports” –

#6-A. Report from Trustees: None.

#6-B. Report from Presidents: Electronic and written reports were presented from each of the colleges.

#6-C. Report from Cabinet: None.

AGENDA #7 – “Policy First Readings (and Possible Approval)” – None.

AGENDA #8– “Policy Second Readings” – None.

AGENDA #9 – “Staff Recommendations for Approval” – The following staff recommendations were presented for approval.

#9-A. Articulation Agreement with EIU: Chris Cantwell presented the proposed articulation agreement between Illinois Eastern Community Colleges (IECC) and Eastern Illinois University (EIU). The agreement between IECC and EIU facilitates transfer from IECC’s Radio/TV Broadcasting A.A.S. to EIU’s Baccalaureate Communication Studies with Electronic Media Production B.A. in Audio and Video with a Minor in Broadcast Meteorology. The CEO recommended approval of the Articulation Agreement with Eastern Illinois University.

Board Action: Trustee Gary Carter made a motion to approve the Articulation Agreement with EIU as recommended. Trustee Brenda Culver seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Marilyn Wolfe. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: John Brooks and Michael Correll. The motion having received 5 yea votes and 0 nay votes, the Chair declared the motion carried.

#9-B. Asset or Compass Retest Fees: Chris Cantwell presented a fee change for the Asset or Compass Retest Fee from \$5.00 per retest to \$5.00 per test package to be effective Summer Term, June 1, 2015. The CEO recommended approval of the Asset or Compass Retest Fees.

Board Action: Trustee Carrie Stephens made a motion to approve the Asset or Compass Retest Fees as recommended. Trustee Marilyn Wolfe seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Marilyn Wolfe. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: John Brooks and Michael Correll. The motion having received 5 yea votes and 0 nay votes, the Chair declared the motion carried.

#9-C. Board Meeting Dates and Locations for 2015: The CEO recommended adoption of the following resolution setting meeting dates and locations for the IECC Board of Trustees for 2015.

Resolved, that the Board of Trustees regular monthly meetings shall be held as follows during the calendar year 2015:

Tuesday, January 20, 2015, 7 p.m., Olney Central College
Tuesday, February 17, 2015, 7 p.m., Lincoln Trail College
Tuesday, March 17, 2015, 7 p.m., Frontier Community College
Monday, April 20, 2015, 5:30 p.m., Wabash Valley College
Tuesday, May 19, 2015, 7 p.m., Olney Central College
Tuesday, June 16, 2015, 7 p.m., Wabash Valley College
Tuesday, July 21, 2015, 7 p.m., Frontier Community College
Tuesday, August 18, 2015, 7 p.m., Lincoln Trail College
Tuesday, September 15, 2015, 7 p.m., Olney Central College
Tuesday, October 20, 2015, 7 p.m., Wabash Valley College
Tuesday, November 17, 2015, 7 p.m., Frontier Community College
Tuesday, December 8, 2015, 7 p.m., Lincoln Trail College

Regular meetings are held on the third Tuesday of each month, except the December meeting, which is held on the second Tuesday and the April meeting, which will be held during the HLC periodic evaluation visit.

Board Action: Trustee Brenda Culver made a motion to adopt the foregoing resolution setting meeting dates and locations for the Board of Trustees for calendar year 2015 as recommended. Trustee Marilyn Wolfe seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Marilyn Wolfe. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: John Brooks and Michael Correll. The motion having received 5 yea votes and 0 nay votes, the Chair declared the motion carried.

#9-D. CNA Pre-Program Requirement – Allied Health: Currently, Allied Health students are required to be a certified nurse assistant (CNA) prior to admission into the Associate Degree in Nursing Program. One of IECC's Allied Health Program's accrediting agencies, Accreditation Commission for Education in Nursing (ACEN), recommends removal of the CNA pre-program admission requirement for the IECC Associate Degree in Nursing program. The ACEN has become concerned that Allied Health programs across the United States require too many credit hours for an Associate Degree in Nursing. To continue to meet accreditation standards, CEO Bruce recommended that the CNA pre-program requirement be removed from the nursing admission criteria, effective Fall 2016 ranking which begins February 18, 2015.

Board Action: Trustee Gary Carter made a motion to approve the changes to the nursing program admission criteria as outlined. Trustee Al Henager seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Marilyn Wolfe. Student advisory vote: Yea.

Trustees voting nay: None. Trustees absent: John Brooks and Michael Correll. The motion having received 5 yea votes and 0 nay votes, the Chair declared the motion carried.

#9-E. Student Progress Report: IECC Coordinator of Web and Online Learning Services Jeff Gumbel gave a report on the District's Progress Reporting system that Mr. Gumbel has developed through the Entrata system. This system enables faculty and staff to more closely follow individual student progress and initiate retention efforts.

Board Action: Trustee Gary Carter made a motion to accept the Student Progress Report. Student Trustee Stephens seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Marilyn Wolfe. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: John Brooks and Michael Correll. The motion to accept the report having received 5 yea votes and 0 nay votes, the Chair declared the motion carried.

#9-F. and #9-G. Affiliation Agreements with Wayne County Health Department and Gibson General Hospital: IECC wishes to enter into an affiliation agreement with Wayne County Health Department, located in Fairfield, Illinois and Gibson General Hospital, located in Princeton, Indiana. These affiliation agreements are for the Health Informatics Program at Frontier and the Phlebotomy Program at Lincoln Trail College and are the standard agreements utilized by the district. The CEO recommended approval.

Board Action: Student Trustee Carrie Stephens made a motion to approve both affiliation agreements for the Health Informatics Program and the Phlebotomy Program, as recommended. Trustee Brenda Culver seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Marilyn Wolfe. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: John Brooks and Michael Correll. The motion having received 5 yea votes and 0 nay votes, the Chair declared the motion carried.

AGENDA #10 – “Bid Committee Report” – None.

AGENDA #11 – “District Finance” – The following District financial matters were presented.

#11-A. Financial Reports: The monthly financial reports were presented, including the treasurer's report, showing the balance in all funds as of November 30, 2014.

#11-B. Approval of Financial Obligations: District financial obligations (Listing of Board Bills) for December 2014, totaling \$547,161.01, were presented for approval.

Board Approval for Payment of Financial Obligations: Trustee Marilyn Wolfe made a motion to approve payment of district financial obligations for December 2014, in the amounts listed, and payments from the revolving fund for November 2014. Student Trustee Carrie Stephens seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Marilyn Wolfe. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: John Brooks and

Michael Correll. The motion having received 5 yea votes and 0 nay votes, the Chair declared the motion carried.

AGENDA #12 – “Chief Executive Officer's Report” – CEO Terry Bruce presented a report highlighting the past year’s accomplishments district-wide, including Frontier Community College, Lincoln Trail College, Olney Central College, Wabash Valley College and Workforce Education.

AGENDA #13 – “Executive Session” – The Board of Trustees did not hold an executive session at this meeting.

AGENDA #14 – “Approval of Executive Session Minutes” – – The following actions were taken relative to executive session minutes.

#14-A. Written Executive Session Minutes: The CEO recommended that written minutes of an executive session held during the regular meeting Tuesday, November 18, 2014 be approved and remain closed at this time. Trustee Brenda Culver made a motion that written executive session minutes of Tuesday, November 18, 2014 be approved. Student Trustee Carrie Stephens seconded the motion and on a viva voce (by the voice) vote, the Chair declared the motion carried.

#14-B. Approval of Audio Recording of Executive Session: The CEO recommended that the audio recording of an executive session of Tuesday, November 18, 2014 be approved and that the Board Secretary make provisions for its safe keeping, that it be made available only upon the proper order of a court and a finding by a judge that such audio recording should be released. This audio recording shall be destroyed 18 months after the date of the meeting if the Board has adopted written minutes of the executive session in question.

Board Action: Trustee Brenda Culver made a motion to approve the audio recording of an executive session of Tuesday, November 18, 2014 as recommended. Student Trustee Carrie Stephens seconded the motion. The Chair asked trustees in favor of the motion to say “Aye” and those opposed to say “No.” The viva voce (by the voice) vote was taken and the Chair declared the “Ayes” have it and the motion is adopted.

#14-C. Semi-Annual Review of Executive Session Minutes: The Board of Trustees having conducted a semi-annual review of executive session minutes as mandated by Section 2.06 of the Open Meetings Act, the CEO presented the following report and recommendations:

A. The following written executive session minutes were reviewed in June 2014 and the decision was made at that time to keep them closed:

1. Tuesday, June 20, 1995.
2. Tuesday, August 15, 1995.
3. Tuesday, September 19, 1995.
4. Friday, August 2, 1996.
5. Tuesday, January 20, 1998.

6. Tuesday, June 15, 1999.
7. Tuesday, July 20, 1999.
8. Tuesday, February 20, 2001.
9. Tuesday, March 20, 2001.
10. Tuesday, June 19, 2001.
11. Tuesday, July 17, 2001.
12. Tuesday, August 21, 2001.
13. Tuesday, September 18, 2001.
14. Tuesday, June 18, 2002.
15. Tuesday, July 16, 2002.
16. Tuesday, August 20, 2002.
17. Tuesday, September 17, 2002.
18. Tuesday, December 10, 2002.
19. Tuesday, February 18, 2003.
20. Tuesday, June 17, 2003.
21. Tuesday, August 19, 2003.
22. Tuesday, September 16, 2003.
23. Tuesday, August 17, 2004.
24. Tuesday, December 14, 2004.
25. Tuesday, June 21, 2005.
26. Tuesday, July 19, 2005.
27. Tuesday, August 16, 2005.
28. Tuesday, April 18, 2006.
29. Tuesday, November 21, 2006.
30. Tuesday, October 15, 2013.
31. Tuesday, March 18, 2014.
32. Tuesday, April 15, 2014.

B. The following written executive session minutes have been approved, but remain closed, and are being subjected to the semi-annual review for the first time in December 2014:

1. Tuesday, May 8, 2014 – 4:00 p.m.
2. Tuesday, May 8, 2014 – 6:00 p.m.
3. Tuesday, May 12, 2014.
4. Tuesday, May 20, 2014.

C. The following written executive session minutes have been approved and opened to the public record:

1. None.

D. Audio recordings of previously approved executive sessions will remain closed to the public record and these audio executive session recordings will remain in the custody of the Board Secretary until 18 months following the executive session at which the audio recordings were made:

1. Tuesday, October 15, 2013.
2. Tuesday, March 18, 2014.
3. Tuesday, April 15, 2014.
4. Tuesday, May 8, 2014 – 4:00 p.m.
5. Tuesday, May 8, 2014 – 6:00 p.m.
6. Tuesday, May 12, 2014.
7. Tuesday, May 20, 2014.

E. As part of the Board of Trustees semi-annual review of executive sessions, the Board notes that the audio tape recordings of the following meetings have been held by the Secretary for more than the 18 months required, and the Secretary is directed to destroy these recordings after this meeting:

1. None.

F. As part of the Board of Trustees semi-annual review of executive session minutes, the Board notes that executive sessions were not held on the following dates:

1. Tuesday, June 17, 2014.
2. Tuesday, July 15, 2014.
3. Tuesday, August 19, 2014.
4. Tuesday, September 16, 2014.
5. Tuesday, October 21, 2014.

G. It is recommended that the following previously approved closed meeting minutes be open to the public record:

1. None.

Board Action: Student Trustee Carrie Stephens made a motion to adopt the foregoing report and recommendations as outlined, for minutes of executive sessions held on the dates listed. Trustee Brenda Culver seconded the motion. The Chair asked trustees in favor of the motion to say “Aye” and those opposed to say “No.” The viva voce (by the voice) vote was taken. The Chair declared the “Ayes” have it, the motion was adopted.

AGENDA #15 – “Approval of Personnel Report” – The CEO presented the following amended Personnel Report and recommended approval.

#15-A. Board Action to Amend Personnel Report: Trustee Al Henager made a motion to amend the Personnel Report, to add an addendum containing Section 400.6 and 400.7 as recommended. Trustee Marilyn Wolfe seconded the motion. The Chair asked trustees in favor of the motion to say “Aye” and those opposed to say “No.” The viva voce (by the voice) vote was taken and the Chair declared that the “Ayes” have it and the motion carried.

Personnel Report Addendum

400.6. Special Assignment

Extra-Curricular

1. Robert Conn Interim Dean of Instruction, LTC

**Recommended
Spring 2015
\$3,000/month**

400.7 Unpaid Leave Request

A. Classified

1. Kimberly Merrick, Office Assistant, WVC, Unpaid Leave Request, effective January 1, 2015 to April 30, 2015. The requested leave is unpaid, without benefits.

#15-B. Board Action to Approve Amended Personnel Report: Trustee Gary Carter made a motion to approve the amended Personnel Report as recommended. Trustee Al Henager seconded the motion and on a recorded roll call vote ordered by the Chair the following trustees voted yea: Gary Carter, Brenda Culver, Andrew Fischer, Al Henager, Marilyn Wolfe. Student advisory vote: Yea. Trustees voting nay: None. Trustees absent: John Brooks and Michael Correll. The motion having received 5 yea votes and 0 nay votes, the Chair declared the motion carried.

PERSONNEL REPORT

400.1. Change in Status

A. Faculty

1. Linda Monge, Interim Dean of Instruction, FCC, to Math Instructor, FCC, effective May 16, 2015

400.2. Notice of Reassignment

A. Faculty

1. Pauletta Gullett, Health Programs Instructor, LTC, to Nursing Instructor, LTC, effective January 5, 2015

400.3. Temporary Employment

A. Faculty

1. Laurie Jenkins, Health Programs Instructor, LTC, temporary contractual employee, effective January 7, 2015, pending successful completion of background check.

400.4. Special Assignment

A. Faculty

Recommended Spring 2015

- | | | |
|-------------------|-----------------|-------|
| 1. Laurie Jenkins | Lead Instructor | \$250 |
|-------------------|-----------------|-------|

400.5. Retirement Ratification

A. Administrative

1. Christine Webber, Assistant Dean of Student Services, OCC, effective January 1, 2015

B. Classified

1. Sandra Lindsey, Office Assistant, LTC, effective February 1, 2015

AGENDA #16 – “Collective Bargaining” – None.

AGENDA #17 – “Litigation” – None.

AGENDA #18 – “Other Items” – None.

AGENDA #19 – “Adjournment” – Trustee Gary Carter made a motion to adjourn. Trustee Marilyn Wolfe seconded the motion. The Chair asked trustees in favor of the motion to say “Aye” and those opposed to say “No.” The viva voce (by the voice) vote was taken. The Chair declared the “Ayes” have it, the motion was adopted, and the meeting was adjourned at 8:40 p.m.

Approved: Chairman: _____

Secretary: _____

Agenda Item #1

Call to Order and Roll Call

Agenda Item #2

Disposition of Minutes

Agenda Item #3

Recognition of Visitors and Guests

A. Visitors and Guests

B. IECEA Representatives

Agenda Item #4

Public Comment

Agenda Item #5

Reports

- A. Trustees**
- B. Presidents**
- C. Cabinet**

Agenda Item #6

Policy First Reading (and Possible Approval)

None

Agenda Item #7

Policy Second Reading

None

Agenda Item #8

Staff Recommendations for Approval

Agenda Item #8A

Approval to Grant Professional Delivery Units

MEMORANDUM

TO: Board of Trustees
FROM: Terry L. Bruce
DATE: January 20, 2015
RE: Approval to Grant Professional Delivery Units

The District has been involved in providing Continuing Professional Development Units (CPDU's) to school teachers throughout the District since the requirement of having continuing education was passed several years ago.

In the legislative session just concluded, the law was changed to provide a limited list of CPDU providers and community colleges were inadvertently excluded from the approved provider list. This was an error and to correct it, the Illinois State Board of Education (ISBE) has agreed to allow community colleges to provide professional development units (PD's) under an agreement with the Illinois Community College Board (ICCB).

Although in the long term, legislation will be introduced to correct this error, in the short term, the ISBE has approved the ICCB as a provider and individual colleges and districts will operate under an agreement with the ICCB. That agreement is attached.

I would ask the Board's approval of this agreement with the Illinois Community College Board.

TLB/rs

Attachment

AGREEMENT BETWEEN ILLINOIS EASTERN COMMUNITY COLLEGES/FRONTIER, LINCOLN TRAIL, OLNEY CENTRAL, AND WABASH VALLEY (APPROVED PRESENTER) AND THE ILLINOIS COMMUNITY COLLEGE BOARD UNDER THE AUTHORITY OF THE ILLINOIS STATE BOARD OF EDUCATION (APPROVED PROVIDER)

Effective January 1, 2015, the ILLINOIS COMMUNITY COLLEGE BOARD (ICCB) will operate as an Approved Professional Development (PD) Provider in partnership and under the authority of the Illinois State Board of Education.

As a PD Provider, the Illinois Community College Board (ICCB) is entering into a partnership with Illinois Eastern Community Colleges/Frontier, Lincoln Trail, Olney Central, and Wabash Valley, as the Approved Presenter.

As the PD Provider, the ICCB is entering into this partnership for a period of one year. The expiration date is December 31, 2015.

As the Approved Presenter, the Illinois Eastern Community Colleges/Frontier, Lincoln Trail, Olney Central, and Wabash Valley agrees to ensure that all required information listed in this document is collected and submitted to the Illinois State Board of Education (ISBE) and the ICCB (as requested only):

- Provide a rationale for each professional development activity offered for license renewal credit showing alignment to the *Learning Forward* standards, as well as any appropriate teaching, learning, leadership, or school business official standards. The rationale must also link each PD activity to at least one of the following purposes: 1) increase the knowledge and skills of school and district leaders who guide continuous professional development; 2) improve the learning of students; 3) organize adults into learning communities whose goals are aligned with those of the school and district; 4) deepen educator's content knowledge; 5) provide educators with research-based instructional strategies to assist students in meeting rigorous academic standards; 6) prepare educators to appropriately use various types of classroom assessments; 7) use learning strategies appropriate to the intended goals; 8) provide educators with the knowledge and skills to collaborate; and 9) prepare educators to apply research to decision-making.
- Ensure that all activities for renewal credit are developed and presented by persons with education and experience in the applicable content areas.
- Annually submit to ISBE an explanation of how each PD activity most likely impacted one or more of the following: 1) educator and student growth in regards to content knowledge or skills, or both; 2) educator and student social and emotional growth; or 3) district or school improvement.

- Maintain an attendance record for six fiscal years (hard copy or electronically) with the name and Illinois Educator Information Number (IEIN) for each participant, the title of the PD activity, the date(s), start time, end time, and total number of PD hours provided. This must be submitted to the Illinois State Board of Education Educator Licensure Division upon request.
- Complete and distribute an Evidence of Completion Form 77-21B identifying the Illinois State Board of Education as the Approved Provider and the Illinois Community College Board as the Provider. A designee will sign the master form before copies are made for distribution to participants. Credit should be awarded as Professional Development (PD) Clock Hours and may be issued in increments of at least one-quarter hour.
- Provide an Evaluation Form 77-21A to each participant and allow time for completion before collecting and maintaining the forms on file for ISBE review.
- Withhold credit for any professional development activity that is designed for entertainment, promotional or commercial purposes; that is solely inspirational or motivational; or that addresses purposes other than those listed above.
- Provide a Single Point of Contact for PD activities covered herein to the ICCB Senior Director for Workforce Development.
- Participate in any required meetings at the request of the Senior Director for Workforce Development.

Signature

Date

Title

Name of Organization

Agenda Item #8B

“Consideration and action on a Resolution providing for the issue of \$4,460,000 General Obligation Community College Bonds, Series 2015, of the District, for the purpose of paying claims against said District and for health and safety improvement purposes and the levy of a direct annual tax sufficient to pay the principal and interest on said bonds, and authorizing an agreement for the sale of said bonds.”

MEMORANDUM

TO: Board of Trustees
FROM: Terry L. Bruce
DATE: January 20, 2015
SUBJECT: Approval of Series 2015 General Obligation Community College Bonds

The District has now met all legal requirements for the issuance of \$4,460,000 in General Obligation (tax-exempt) Community College Bonds. Such issuance would consist of \$3,175,000 in Funding Bonds and \$1,285,000 in Protection, Health and Safety Bonds (PHS).

On October 21, 2014, the Board Chairman called a public hearing concerning the intent of the Board to issue Funding Bonds and PHS Bonds. The Board conducted a public hearing concerning such issuance on November 18, 2014. The Board has also approved all PHS projects, submitted them for approval by the Illinois Community College Board (ICCB), and the ICCB has approved these submitted projects as being eligible for PHS bonding.

If the Board were to issue the bonds in the amounts approved, the bond underwriters have prepared a document showing the estimated amounts of principal and interest due on the Bonds from 12/1/15 through 12/1/18.

\$4,460,000 Tax-Exempt General Obligation Bonds at 3% Interest:

Date	Principal Due	Interest Due	Levy Amount
12-01-2015	\$ 125,000	\$ 110,385	\$ 2,068,785 *
06-01-2016	\$ 0	\$ 65,025	
12-01-2016	\$ 1,975,000	\$ 65,025	\$ 2,075,425
06-01-2017	\$ 0	\$ 35,400	
12-01-2017	\$ 2,050,000	\$ 35,400	\$ 2,090,050
06-01-2018		\$ 4,650	
12-01-2018	\$ 310,000	\$ 4,650	\$ 314,650
TOTALS	\$ 4,460,000	\$ 320,535	

* Levy is for currently outstanding bonds plus this proposed bond issue.

Recent Tax Levy history (bonds only):

2012 (actual)	15.80 cents per \$ 100 EAV
2013 (actual)	15.28 cents per \$ 100 EAV
2014 (est. - with this issuance)	15.52 cents per \$ 100 EAV
2015 (est. - with this issuance)	15.57 cents per \$ 100 EAV
2016 (est. - with this issuance)	15.68 cents per \$ 100 EAV
2017 (est. - with this issuance)	2.36 cents per \$ 100 EAV

The interest rate is based upon best market estimates and will be subject to final bond sale interest rates. It is not anticipated that the sale rate of interest will be substantially different than the rate projected. The interest rates reflected include expenses of bond counsel, legal opinion, bond printing, reports of underwriters, implementation services, bond clearing expenses and other costs of the issuance. The tax levies are based upon existing known Equalized Assessed Valuation (EAV) and does not project any growth in EAV. **If there were to be any growth in EAV, the tax levies would be lower than shown.**

The Preliminary Official Statement for this bond issuance and the District's rating from Standard & Poor's Ratings Services were sent electronically to the Board due to the documents' length.

The resolution which follows authorizing the issuance of the General Obligation Community College Bonds is a draft and includes several blank items. The table above supplies most of the information that will be inserted in the blanks.

I ask the Board's approval of the final resolution authorizing the issuance of \$4,460,000 General Obligation Community College Bonds, Series 2015.

TLB/rs

Attachment

MINUTES of a regular public meeting of the Board of Trustees of Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, held in the Olney Central College, 305 North West Street, Olney, Illinois, in said Community College District at 7:00 o'clock P.M., on the 20th day of January, 2015.

* * *

The meeting was called to order by the Chairman, and upon the roll being called, G. Andrew Fischer, the Chairman, and the following Trustees were physically present at said location: Marilyn Wolfe, Brenda Culver, John D. Brooks, Michael Correll, Gary Carter, Alan Henager and Carrie Stephens (non-voting student trustee).

The following Trustees were allowed by a majority of the Board of Trustees in accordance with and to the extent allowed by rules adopted by the Board of Trustees to attend the meeting by video or audio conference: _____

No Trustee was not permitted to attend the meeting by video or audio conference.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

The Chairman announced that the next item on the agenda would be the issuance of the District's general obligation funding bonds and protection, health and safety bonds, and that the Board of Trustees would consider the adoption of a resolution providing for the issue of said bonds and the levy of a direct annual tax sufficient to pay the principal and interest thereon and authorizing an agreement for the sale of said bonds. The Chairman also summarized the pertinent terms of said proposal and said bonds, including the length of maturity, rates of interest, purchase price and tax levy for said bonds.

Whereupon Trustee _____ presented and the Secretary read by title a resolution as follows, a copy of which was provided to each Trustee prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION NO. _____

RESOLUTION providing for the issue of \$_____ General Obligation Community College Bonds, Series 2015, of Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, for the purpose of paying claims against said Community College District and altering and repairing the District's physical facilities for energy conservation, health or safety, environmental protection or handicap accessibility purposes and the levy of a direct annual tax sufficient to pay the principal and interest on said bonds, and authorizing an agreement for the sale of said bonds.

* * *

WHEREAS, the Board of Trustees (the "*Board*") of Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois (the "*District*"), has by resolution (the "*Intent Resolution*") declared its intention to avail of Article 3A of the Public Community College Act of the State of Illinois, as amended (the "*Act*"), and issue funding bonds of the District in the aggregate principal amount of \$3,175,000 as therein provided for the purpose of paying outstanding and unpaid claims against the District (the "*Claims*"); and

WHEREAS, pursuant to and in accordance with the provisions of said Sections of the Act and the provisions of Section 5 of the Local Government Debt Reform Act of the State of Illinois, as amended, notice of intention to issue said bonds was published in the *Olney Daily Mail*, the same being a newspaper having general circulation within the District, an affidavit evidencing the publication of such notice of intention, together with a newspaper clipping of such notice as published attached thereto, having heretofore been presented to the Board and made a part of the permanent records of the Board; and

WHEREAS, at least thirty (30) days have expired since the date of the publishing of such notice of intention to issue said bonds, and no petition with the requisite number of valid

signatures thereon has been filed with the Secretary of the Board requesting that the proposition to issue said bonds be submitted to the legal voters of the District; and

WHEREAS, the Claims are in not less than the aggregate amount of \$3,175,000, all as identified and set forth in detail in the Intent Resolution heretofore duly adopted by the Board; and

WHEREAS, there are no funds on hand and available to apply toward the payment of any part of the Claims in the aggregate amount of \$3,175,000; and

WHEREAS, the Board hereby finds that it is authorized at this time to issue said bonds in the aggregate amount of \$3,175,000 for the purpose of paying the Claims; and

WHEREAS, the Board deems it advisable, necessary and for the best interests of the District that \$_____ of said bonds be issued at this time; and

WHEREAS, it is necessary and in the best interests of the District that the Claims, being the District's outstanding General Obligation Debt Certificates (Limited Tax), Series 2014 (the "*Certificates*"), be called for redemption in advance of their maturity, and it is necessary and desirable to make such call for the redemption of the Certificates on their earliest possible call date, and provide for the giving of proper notice to the registered owners of the Certificates:

WHEREAS, the Board has heretofore determined and does hereby determine that for the protection, health and safety of District students, employees or visitors it is necessary for energy conservation, health and safety, environmental protection and handicapped accessibility purposes that its physical facilities be altered or repaired as set forth in the certified estimates of a duly licensed architect or engineer (the "*Project*"); and

WHEREAS, the Board directs that the Project be undertaken, hereby approves the respective estimate for each such item, and determines that such alterations and repairs for energy conservation, health or safety, environmental protection or handicapped accessibility

purposes will be made with funds not necessary for the completion of approved and recommended projects for fire prevention and safety; and

WHEREAS, it is hereby determined that there are not sufficient funds available in the operations and maintenance fund of the District to make such alterations or repairs as determined necessary for energy conservation, health and safety, environmental protection and handicapped accessibility purposes by the Board; and

WHEREAS, said certified estimates have been approved by the Executive Director of the Illinois Community College Board; and

WHEREAS, the Board hereby finds that it is authorized at this time to issue bonds in the aggregate amount of \$1,285,000 for the Project as set forth in said certified estimates of a duly licensed architect or engineer; and

WHEREAS, pursuant to and in accordance with the provisions of the Bond Issue Notification Act of the State of Illinois, as amended, the Chairman of the Board, on the 21st day of October, 2014, ordered the calling of a public hearing (the "*Hearing*") for the 18th day of November, 2014, concerning the intent of the Board to sell bonds in the amount of \$3,175,000 to pay claims against the District and bonds in the amount of \$1,285,000 for the Project; and

WHEREAS, notice of the Hearing was given by (i) publication at least once not less than seven (7) nor more than thirty (30) days before the date of the Hearing in the *Olney Daily Mail*, the same being a newspaper of general circulation in the District, and (ii) posting at least 48 hours before the Hearing a copy of said notice at the principal office of the Board, which notice was continuously available for public review during the entire 48-hour period preceding the Hearing; and

WHEREAS, the Hearing was held on the 18th day of November, 2014, and at the Hearing, the Board explained the reasons for the proposed bond issue and permitted persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits; and

WHEREAS, the Hearing was finally adjourned on the 18th day of November, 2014; and

WHEREAS, it is in the best interest of the District to issue bonds in the amount of \$_____ to pay the Claims (the "*Funding Bonds*") and bonds in the amount of \$_____ for the Project (the "*Project Bonds*") in an aggregate principal amount of \$_____:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Trustees of Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Authorization. It is hereby found and determined that the Board has been authorized by law to borrow the sum of \$_____ upon the credit of the District and as evidence of such indebtedness to issue Funding Bonds of the District in said amount, the proceeds of said bonds to be used to pay the Claims, and that it is necessary to borrow \$_____ of said authorized sum and issue the Funding Bonds in evidence thereof for the purpose of paying the Claims, and that the Board has been authorized by law to borrow the sum of \$_____ upon the credit of the District and as evidence of such indebtedness to issue bonds of the District in said amount, the proceeds of said bonds to be used for the Project, and that it is necessary to borrow \$_____ of said authorized sum and issue the Project Bonds in evidence thereof for the purpose of paying costs of the Project, and that it is necessary and for the best

interests of the District that there be issued at this time \$_____ of the bonds so authorized to pay the Claims and for the Project.

Section 3. Bond Details. There be borrowed on the credit of and for and on behalf of the District the sum of \$_____ for the purposes aforesaid; and that bonds of the District shall be issued in said amount and shall be designated as “General Obligation Community College Bonds, Series 2015 (the “Bonds”). The Bonds shall be dated _____, 2015, and shall also bear the date of authentication, shall be in fully registered form, shall be in denominations of \$5,000 each and authorized integral multiples thereof (but no single Bond shall represent installments of principal maturing on more than one date), shall be numbered 1 and upward, and the Bonds shall become due and payable serially (without option of prior redemption) on December 1 of each of the years, in the amounts and bearing interest per annum as follows:

2015	\$	%
2016		
2017		
2018		

The Bonds shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of the Bonds is paid, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on June 1 and December 1 of each year, commencing on December 1, 2015. Interest on each Bond shall be paid by check or draft of _____, Illinois (the “Bond Registrar”), payable upon presentation in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on the 15th day of the month next preceding the interest payment date. The principal of the Bonds shall be payable in lawful money of the United States of America at the principal corporate trust office of the Bond Registrar.

The Bonds shall be signed by the manual or duly authorized facsimile signatures of the Chairman and Secretary of the Board, and shall be registered, numbered and countersigned by the manual or duly authorized facsimile signature of the Treasurer who receives the taxes of the District, and in case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Bond Registrar as authenticating agent of the District and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Resolution unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Resolution. The certificate of authentication on any Bond shall be deemed to have been executed by the Bond Registrar if signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 4. Registration of Bonds; Persons Treated as Owners. (a) *General.* The District shall cause books (the "*Bond Register*") for the registration and for the transfer of the Bonds as provided in this resolution to be kept at the principal corporate trust office of the Bond Registrar, which is hereby constituted and appointed the registrar of the District. The District is authorized to prepare, and the Bond Registrar or such other authorized person as the officers of the District may designate shall keep custody of, multiple Bond blanks executed by the District for use in the transfer and exchange of Bonds.

Upon surrender for transfer of any Bond at the principal corporate trust office of the Bond Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by, the registered owner or his or her attorney duly authorized in writing, the District shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same series and maturity of authorized denominations, for a like aggregate principal amount. Any fully registered Bond or Bonds may be exchanged at said office of the Bond Registrar for a like aggregate principal amount of Bond or Bonds of the same maturity of other authorized denominations. The execution by the District of any fully registered Bond shall constitute full and due authorization of such Bond and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond, *provided, however*, the original principal amount of outstanding Bonds of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bonds for such maturity less previous retirements.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on the 15th day of the calendar month next preceding any payment date on such Bond and ending on such payment date.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his or her legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the District or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

(b) *Global Book-Entry System.* The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds determined as described in Section 3 hereof. Upon initial issuance, the ownership of each such Bond shall be registered in the Bond Register in the name of Cede & Co., or any successor thereto (“*Cede*”), as nominee of The Depository Trust Company, New York, New York, and its successors and assigns (“*DTC*”). All of the outstanding Bonds shall be registered in the Bond Register in the name of Cede, as nominee of DTC, except as hereinafter provided. The Chairman and Secretary of the Board, the Superintendent and chief business official of the District and the Bond Registrar are each authorized to execute and deliver, on behalf of the District, such letters to or agreements with DTC as shall be necessary to effectuate such book-entry system (any such letter or agreement being referred to herein as the “*Representation Letter*”), which Representation Letter may provide for the payment of principal of or interest on the Bonds by wire transfer.

With respect to Bonds registered in the Bond Register in the name of Cede, as nominee of DTC, the District and the Bond Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a “*DTC Participant*”) or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the District and the Bond Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond

Register, of any amount with respect to the principal of or interest on the Bonds. The District and the Bond Registrar may treat and consider the person in whose name each Bond is registered in the Bond Register as the holder and absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Bond Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the respective registered owners of the Bonds, as shown in the Bond Register, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payment of the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of a Bond as shown in the Bond Register, shall receive a Bond evidencing the obligation of the District to make payments of principal and interest with respect to any Bond. Upon delivery by DTC to the Bond Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, and subject to the provisions in Section 3 hereof with respect to the payment of interest to the registered owners of Bonds at the close of business on the 15th day of the month next preceding the applicable interest payment date, the name "Cede" in this resolution shall refer to such new nominee of DTC.

In the event that (i) the District determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (ii) the agreement among the District, the Bond Registrar and DTC evidenced by the Representation Letter shall be terminated for any reason or (iii) the District determines that it is in the best interests of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the District shall notify DTC and DTC Participants of the availability through DTC of certificated Bonds and the Bonds shall

no longer be restricted to being registered in the Bond Register in the name of Cede, as nominee of DTC. At that time, the District may determine that the Bonds shall be registered in the name of and deposited with such other depository operating a universal book-entry system, as may be acceptable to the District, or such depository's agent or designee, and if the District does not select such alternate universal book-entry system, then the Bonds may be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions of Section 4(a) hereof.

Notwithstanding any other provisions of this resolution to the contrary, so long as any Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the name provided in the Representation Letter.

Section 5. Form of Bond. The Bonds shall be in substantially the following form; *provided, however,* that if the text of the Bond is to be printed in its entirety on the front side of the Bond, then paragraph [2] and the legend, "See Reverse Side for Additional Provisions", shall be omitted and paragraphs [6] through [9] shall be inserted immediately after paragraph [1]:

(Form of Bond - Front Side)

REGISTERED
NO. _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA

STATE OF ILLINOIS

**COUNTIES OF RICHLAND, CLARK, CLAY, CRAWFORD, CUMBERLAND,
EDWARDS, HAMILTON, JASPER, LAWRENCE, WABASH, WAYNE AND WHITE**

ILLINOIS EASTERN COMMUNITY COLLEGE DISTRICT NO. 529

GENERAL OBLIGATION COMMUNITY COLLEGE BOND, SERIES 2015

See Reverse Side for
Additional Provisions

Interest Maturity Dated
Rate: ____% Date: December 1, 20__ Date: _____, 2015 CUSIP: 763536 ____

Registered Owner: CEDE & CO.

Principal Amount:

[1] KNOW ALL PERSONS BY THESE PRESENTS, that Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois (the “*District*”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the Interest Rate per annum set forth above on June 1 and December 1 of each year, commencing December 1, 2015, until said Principal Amount is paid. Principal of this Bond is payable in lawful money of the United States of America at the principal office of _____, Illinois, as paying agent and bond registrar (the “*Bond Registrar*”). Payment of the installments of interest shall be made

to the Registered Owner hereof as shown on the registration books of the District maintained by the Bond Registrar at the close of business on the 15th day of the month next preceding each interest payment date and shall be paid by check or draft of the Bond Registrar, payable upon presentation in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books or at such other address furnished in writing by such Registered Owner to the Bond Registrar. For the prompt payment of this Bond, both principal and interest at maturity, the full faith, credit and resources of the District are hereby irrevocably pledged.

[2] Reference is hereby made to the further provisions of this Bond set forth on the reverse hereof and such further provisions shall for all purposes have the same effect as if set forth at this place.

[3] It is hereby certified and recited that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this Bond did exist, have happened, been done and performed in regular and due form and time as required by law; that the indebtedness of the District, including the issue of bonds of which this is one, does not exceed any limitation imposed by law; and that provision has been made for the collection of a direct annual tax sufficient to pay the interest thereon as it falls due and also to pay and discharge the principal hereof at maturity.

[4] This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

[5] IN WITNESS WHEREOF, said Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, by its Board of Trustees, has caused this Bond to be signed by the manual or duly authorized facsimile signature of the Chairman and

Secretary of said Board of Trustees, and to be registered, numbered and countersigned by the manual or duly authorized facsimile signature of the Treasurer of said Board of Trustees, all as of the Dated Date identified above.

Chairman, Board of Trustees

Secretary, Board of Trustees

Registered, Numbered and Countersigned:

Treasurer, Board of Trustees

Date of Authentication: _____, 20__

CERTIFICATE
OF
AUTHENTICATION

Bond Registrar and Paying Agent:

_____,
_____, Illinois

This Bond is one of the Bonds described in the within mentioned resolution and is one of the General Obligation Community College Bonds, Series 2015, of Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois.

_____,
as Bond Registrar

By _____
Authorized Officer

[Form of Bond - Reverse Side]

ILLINOIS EASTERN COMMUNITY COLLEGE DISTRICT NO. 529

**COUNTIES OF RICHLAND, CLARK, CLAY, CRAWFORD, CUMBERLAND,
EDWARDS, HAMILTON, JASPER, LAWRENCE, WABASH, WAYNE AND WHITE
AND STATE OF ILLINOIS**

GENERAL OBLIGATION COMMUNITY COLLEGE BOND, SERIES 2015

[6] This Bond is one of a series of bonds issued by the District to pay claims against the District and for the purpose of altering and repairing the existing physical facilities of the District known as the Illinois Eastern Community College for the protection, health and safety of District students, employees or visitors, all of which have been duly authorized and allowed for proper community college purposes by the Board of Trustees of the District, in full compliance with the provisions of the Public Community College Act of the State of Illinois, and the Local Government Debt Reform Act of the State of Illinois, and all laws amendatory thereof and supplementary thereto, and is authorized by the Board of Trustees by a resolution duly and properly adopted for that purpose, in all respects as provided by law.

[7] This Bond is transferable by the Registered Owner hereof in person or by his or her attorney duly authorized in writing at the principal corporate trust office of the Bond Registrar in _____, Illinois, but only in the manner, subject to the limitations and upon payment of the charges provided in the authorizing resolution, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

[8] The Bonds are issued in fully registered form in the denomination of \$5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal corporate trust office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations, upon the terms set forth in the authorizing

resolution. The Bond Registrar shall not be required to transfer or exchange any Bond during the period beginning at the close of business on the 15th day of the month next preceding any interest payment date on such Bond and ending at the opening of business on such interest payment date.

[9] The District and the Bond Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the District nor the Bond Registrar shall be affected by any notice to the contrary.

(ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____

or its successor as Bond Registrar to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature guaranteed: _____

Section 6. Sale of Bonds. The Bonds hereby authorized shall be executed as in this Resolution provided as soon after the passage hereof as may be, and thereupon be deposited with the Treasurer of the Board, who receives the taxes of the district, and be by said Treasurer delivered to First Midstate Inc., Bloomington, Illinois, the purchaser thereof (the "*Purchaser*"), upon receipt of the purchase price therefor, the same being \$_____; the contract for the sale of the Bonds (the "*Purchase Contract*") heretofore entered into is in all respects ratified,

approved and confirmed, it being hereby found and determined that the Bonds have been sold at such price and bear interest at such rates that neither the true interest cost (yield) nor the net interest rate received upon such sale exceed the maximum rate otherwise authorized by Illinois law and that the Purchase Contract is in the best interests of the District and that no person holding any office of the District, either by election or appointment, is in any manner financially interested directly in his or her own name or indirectly in the name of any other person, association, trust or corporation, in the Purchase Contract.

The Bonds before being issued shall be registered, numbered and countersigned by the Treasurer of the Board, such registration being made in a book provided for that purpose, in which shall be entered the record of the resolution authorizing the Board to borrow said money and a description of the Bonds issued, including the number, date, to whom issued, amount, rate of interest and when due.

The use by the Purchaser of any Preliminary Official Statement and any final Official Statement relating to the Bonds (the "*Official Statement*") is hereby ratified, approved and authorized; the execution and delivery of the Official Statement is hereby authorized; and the officers of the Board are hereby authorized to take any action as may be required on the part of the District to consummate the transactions contemplated by the Purchase Contract, this Resolution, said Preliminary Official Statement, the Official Statement and the Bonds.

Section 7. Tax Levy. In order to provide for the collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there be and there is hereby levied upon all the taxable property within the District a direct annual tax for each of the years while the Bonds or any of them are outstanding, in amounts sufficient for that purpose, and that there be and there is hereby levied upon all of the taxable property in the District, the following direct annual tax, to-wit:

FOR THE YEAR	A TAX SUFFICIENT TO PRODUCE THE SUM OF:	
2014	\$	for interest and principal up to and including June 1, 2016
2015	\$	for interest and principal
2016	\$	for interest and principal
2017	\$	for interest and principal

Principal or interest maturing at any time when there are not sufficient funds on hand from the foregoing tax levy to pay the same shall be paid from the general funds of the District, and the fund from which such payment was made shall be reimbursed out of the taxes hereby levied when the same shall have been collected.

The District covenants and agrees with the purchasers and the holders of the Bonds that so long as any of the Bonds remain outstanding, the District will take no action or fail to take any action which in any way would adversely affect the ability of the District to levy and collect the foregoing tax levy and the District and its officers will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended and collected as provided herein and deposited in the fund established to pay the principal of and interest on the Bonds.

Section 8. Filing of Resolution. Forthwith upon the passage of this Resolution, the Secretary of the Board is hereby directed to file a certified copy of this Resolution with the County Clerks of The Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White, Illinois (the “County Clerks”), and it shall be the duty of said County Clerks to annually in and for each of the years 2014 to 2017, inclusive, ascertain the rate necessary to produce the tax herein levied, and extend the same for collection on the tax books against all of the taxable property within the District in connection with other taxes levied in each of said years for community college purposes, in order to raise the respective amounts aforesaid and in each of said years such annual tax shall be computed,

extended and collected in the same manner as now or hereafter provided by law for the computation, extension and collection of taxes for general educational purposes of the District, and when collected, the taxes hereby levied shall be placed to the credit of a special fund to be designated "Bond and Interest Fund of 2015" (the "*Bond Fund*"), which taxes are hereby irrevocably pledged to and shall be used only for the purpose of paying the principal of and interest on the Bonds; and a certified copy of this resolution shall also be filed with the Treasurer of the Board who receives the taxes of the District.

Section 9. Use of Bond Proceeds. The District and the Board hereby covenant that all of the proceeds of the Bonds shall be used in strict compliance with all the requirements of the Act. Accrued interest received on the delivery of the Bonds and any premium received upon the sale of the Bonds is hereby appropriated for the purpose of paying interest due on the Bonds and is hereby ordered deposited into the Bond Fund. The principal proceeds of the Funding Bonds are hereby appropriated for the purpose of paying or canceling the Claims. The principal proceeds of the Project Bonds are hereby appropriated for the purpose of paying the cost of the Project, and that portion thereof not needed to pay such costs of issuance is hereby ordered deposited into the Protection, Health and Safety Fund of the District (the "*Project Fund*"). At the time of the issuance of the Bonds, the costs of issuance of the Bonds may be paid by the Purchaser on behalf of the District from the proceeds of the Bonds.

Section 10. Call of the Certificates. In accordance with the redemption provisions of the resolution authorizing the issuance of the Certificates, the District by the Board does hereby make provision for the payment of and does hereby call (subject only to the delivery of the Bonds) all of the outstanding Certificates for redemption on February ___, 2015. The certificate registrar for the Certificates is hereby authorized and directed to give timely notice of the call for redemption of the Certificates. The form and time of the giving of such notice regarding the

redemption of the Certificates shall be as specified in the resolution authorizing the issuance of the Certificates.

Section 11. Non-Arbitrage and Tax-Exemption. One purpose of this Section is to set forth various facts regarding the Bonds and to establish the expectations of the Board and the District as to future events regarding the Bonds and the use of Bond proceeds. The certifications, covenants and representations contained herein and at the time of the Closing are made on behalf of the District for the benefit of the owners from time to time of the Bonds. In addition to providing the certifications, covenants and representations contained herein, the District hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the hereinafter defined Code or would otherwise cause the interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The District acknowledges that, in the event of an examination by the Internal Revenue Service (the “IRS”) of the exemption from federal income taxation for interest paid on the Bonds, under present rules, the District is treated as the “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the IRS in connection with such an examination. The Board and the District certify, covenant and represent as follows:

1.1. Definitions. In addition to such other words and terms used and defined in this Resolution, the following words and terms used in this Section shall have the following meanings unless, in either case, the context or use clearly indicates another or different meaning is intended:

“*Affiliated Person*” means a Person that is affiliated with another Person (including the District) because either (a) at any time during the six months prior to the execution and delivery of the Bonds, more than five percent of the voting power of the governing body of either Person is in the aggregate vested in the other Person and its directors, officers, owners, and employees, or (b) during the one-year period beginning

six months prior to the execution and delivery of the Bonds, the composition of the governing body of the Person (or any Person that controls the Person) is modified or established to reflect (directly or indirectly) representation of the interests of the other Person (or there is an agreement, understanding, or arrangement relating to such a modification or establishment during that one-year period).

“*Bond Counsel*” means Chapman and Cutler LLP or any other nationally recognized firm of attorneys experienced in the field of municipal bonds whose opinions are generally accepted by purchasers of municipal bonds.

“*Capital Expenditures*” means costs of a type that would be properly chargeable to a capital account under the Code (or would be so chargeable with a proper election) under federal income tax principles if the District were treated as a corporation subject to federal income taxation, taking into account the definition of Placed-in-Service set forth herein.

“*Claims Proceeds*” means amounts actually or constructively received from the Claims, including (a) amounts used to pay underwriters’ discount or compensation and accrued interest, other than accrued interest for a period not greater than one year before the Claims were issued but only if it is to be paid within one year after the Claims were issued and (b) amounts derived from the sale of any right that is part of the terms of a Claim or is otherwise associated with a Claim (*e.g.*, a redemption right).

“*Closing*” means the first date on which the District is receiving the purchase price for the Bonds.

“*Code*” means the Internal Revenue Code of 1986, as amended.

“*Commingled Fund*” means any fund or account containing both Gross Proceeds and an amount in excess of \$25,000 that are not Gross Proceeds if the amounts in the fund or account are invested and accounted for, collectively, without regard to the source of funds deposited in the fund or account. An open-ended regulated investment company under Section 851 of the Code is not a Commingled Fund.

“*Control*” means the possession, directly or indirectly through others, of either of the following discretionary and non-ministerial rights or powers over another entity:

- (a) to approve and to remove without cause a controlling portion of the governing body of a Controlled Entity; or
- (b) to require the use of funds or assets of a Controlled Entity for any purpose.

“*Controlled Entity*” means any entity or one of a group of entities that is subject to Control by a Controlling Entity or group of Controlling Entities.

“*Controlled Group*” means a group of entities directly or indirectly subject to Control by the same entity or group of entities, including the entity that has Control of the other entities.

“*Controlling Entity*” means any entity or one of a group of entities directly or indirectly having Control of any entities or group of entities.

“*Costs of Issuance*” means the costs of issuing the Bonds, including underwriters’ discount and legal fees.

“*De minimis Amount of Original Issue Discount or Premium*” means with respect to an obligation (a) any original issue discount or premium that does not exceed two percent of the stated redemption price at maturity of the Bonds plus (b) any original issue premium that is attributable exclusively to reasonable underwriter’s compensation.

“*External Commingled Fund*” means a Commingled Fund in which the District and all members of the same Controlled Group as the District own, in the aggregate, not more than ten percent of the beneficial interests.

“*Funding Bonds*” means that portion of the Bonds being issued for the purpose of paying the Claims.

“*GIC*” means (a) any investment that has specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate and (b) any agreement to supply investments on two or more future dates (*e.g.*, a forward supply contract).

“*Gross Proceeds*” means amounts in the Bond Fund and the Project Fund.

“*Net Sale Proceeds*” means amounts actually or constructively received from the sale of the Bonds reduced by any such amounts that are deposited in a reasonably required reserve or replacement fund for the Bonds.

“*Person*” means any entity with standing to be sued or to sue, including any natural person, corporation, body politic, governmental unit, agency, authority, partnership, trust, estate, association, company, or group of any of the above.

“*Placed-in-Service*” means the date on which, based on all facts and circumstances (a) a facility has reached a degree of completion that would permit its operation at substantially its design level and (b) the facility is, in fact, in operation at such level.

“*Prior Project*” means the facilities financed, directly or indirectly with the proceeds of the Claims.

“*Private Business Use*” means any use of the Project by any Person (including the federal government) other than a state or local governmental unit, including as a

result of (i) ownership, (ii) actual or beneficial use pursuant to a lease or a management, service, incentive payment, research or output contract or (iii) any other similar arrangement, agreement or understanding, whether written or oral, except for use of the Project on the same basis as the general public. Private Business Use includes any formal or informal arrangement with any Person other than a state or local governmental unit (i) that conveys special legal entitlements to any portion of the Project, or (ii) under which any Person other than a state or local governmental unit has any special economic benefit with respect to any portion of the Project that is not available for use by the general public.

“*Project Portion of the Bonds*” means that portion of the Bonds to be used for the Project.

“*Qualified Administrative Costs of Investments*” means (a) reasonable, direct administrative costs (other than carrying costs) such as separately stated brokerage or selling commissions but not legal and accounting fees, recordkeeping, custody and similar costs; or (b) all reasonable administrative costs, direct or indirect, incurred by a publicly offered regulated investment company or an External Commingled Fund.

“*Qualified Tax Exempt Obligations*” means (a) any obligation described in Section 103(a) of the Code, the interest on which is excludable from gross income of the owner thereof for federal income tax purposes and is not an item of tax preference for purposes of the alternative minimum tax imposed by Section 55 of the Code; (b) an interest in a regulated investment company to the extent that at least ninety-five percent of the income to the holder of the interest is interest which is excludable from gross income under Section 103 of the Code of any owner thereof for federal income tax purposes and is not an item of tax preference for purposes of the alternative minimum tax imposed by Section 55 of the Code; and (c) certificates of indebtedness issued by the United States Treasury pursuant to the Demand Deposit State and Local Government Series program described in 31 C.F.R. pt. 344.

“*Rebate Fund*” means the fund, if any, identified and defined in paragraph 4.2 herein.

“*Rebate Provisions*” means the rebate requirements contained in Section 148(f) of the Code and in the Regulations.

“*Regulations*” means United States Treasury Regulations dealing with the tax-exempt bond provisions of the Code.

“*Reimbursed Expenditures*” means expenditures of the District paid prior to Closing to which Sale Proceeds or investment earnings thereon are or will be allocated.

“*Reserve Portion of the Bond Fund*” means the portion of the Bond Fund funded in excess of the amount of debt service payable each year.

“*Sale Proceeds*” means amounts actually or constructively received from the sale of the Bonds, including (a) amounts used to pay underwriters’ discount or compensation and accrued interest, other than accrued interest for a period not greater than one year before Closing but only if it is to be paid within one year after Closing and (b) amounts derived from the sale of any right that is part of the terms of a Bond or is otherwise associated with a Bond (e.g., a redemption right).

“*Transferred Proceeds*” means amounts actually or constructively received from the sale of the Claims, plus investment earnings thereon, which have not been spent prior to the date principal on the Claims is discharged by the Bonds.

“*Yield*” means that discount rate which when used in computing the present value of all payments of principal and interest paid and to be paid on an obligation (using semiannual compounding on the basis of a 360-day year) produces an amount equal to the obligation’s purchase price (or in the case of the Bonds, the issue price as established in paragraph 5.1 hereof), including accrued interest.

“*Yield Reduction Payment*” means a rebate payment or any other amount paid to the United States in the same manner as rebate amounts are required to be paid or at such other time or in such manner as the Internal Revenue Service may prescribe that will be treated as a reduction in Yield of an investment under the Regulations.

2.1. *Purpose of the Bonds.* The Bonds are being issued to finance the Project and to pay the Claims in a prudent manner consistent with the revenue needs of the District. A breakdown of the sources and uses of funds is set forth in the preceding Section of this Resolution. Except for any accrued interest on the Bonds used to pay first interest due on the Bonds, no proceeds of the Bonds will be used more than 30 days after the date of issue of the Bonds for the purpose of paying any principal or interest on any issue of bonds, notes, certificates or warrants or on any installment contract or other obligation of the District or for the purpose of replacing any funds of the District used for such purpose.

2.2. *The Project — Binding Commitment and Timing.* TThe District has incurred or will, within six months of the Closing, incur a substantial binding obligation (not subject to contingencies within the control of the District or any member of the same Controlled Group as the District) to a third party to expend at least five percent of the Net Sale Proceeds of the Project Portion. It is expected that the work of acquiring and constructing the Project and the expenditure of amounts deposited into the Project Fund will continue to proceed with due diligence through _____, 2018, at which time it is anticipated that all Sale Proceeds of the Project Portion of the Bonds and investment earnings thereon will have been spent.

2.3. *Reimbursement.* With respect to expenditures for the Project paid within the 60 day period ending on this date and with respect to which no declaration of intent was previously made, the District hereby declares its intent to reimburse such expenditures and hereby allocates Sale Proceeds in the amount indicated in the Treasurer’s Receipt to

be delivered in connection with the issuance of the Bonds to reimburse said expenditures. Otherwise, none of the Sale Proceeds or investment earnings thereon will be used for Reimbursed Expenditures.

2.4. *Working Capital.* All Sale Proceeds and investment earnings thereon will be used, directly or indirectly, to finance Capital Expenditures or to pay principal of, interest on and redemption premium (if any) on the Claims, other than the following:

(a) an amount not to exceed five percent of the Sale Proceeds of the Project Portion Bonds for working capital expenditures directly related to Capital Expenditures financed by the Bonds;

(b) payments of interest on the Bonds for a period commencing at Closing and ending on the date one year after the date on which the Prior Project is Placed-in-Service;

(c) Costs of Issuance and Qualified Administrative Costs of Investments;

(d) payments of rebate or Yield Reduction Payments made to the United States under the Regulations;

(e) principal of or interest on the Bonds paid from unexpected excess Sale Proceeds and investment earnings thereon; and

(f) investment earnings that are commingled with substantial other revenues and are expected to be allocated to expenditures within six months; and

2.5. *Consequences of Contrary Expenditure.* The District acknowledges that if Sale Proceeds and investment earnings thereon are spent for non-Capital Expenditures other than as permitted by paragraph 2.4 hereof, a like amount of then available funds of the District will be treated as unspent Sale Proceeds.

2.6. *Payments to District or Related Persons.* The District acknowledges that if Sale Proceeds or investment earnings thereon are transferred to or paid to the District or any member of the same Controlled Group as the District, those amounts will not be treated as having been spent for federal income tax purposes. However, Sale Proceeds or investment earnings thereon will be allocated to expenditures for federal income tax purposes if the District uses such amounts to reimburse itself for amounts paid to persons other than the District or any member of the same Controlled Group as the District, *provided* that the original expenditures were paid on or after Closing or are permitted under Section 2.3 of this Tax Agreement, and *provided* that the original expenditures were not otherwise paid out of Sale Proceeds or investment earnings thereon or the proceeds of any other borrowing. Any Sale Proceeds or investment earnings thereon that are transferred to or paid to the District or any member of the same Controlled Group as the District (other than as reimbursement permitted by Section 2.3 of this Tax Agreement or as a result of investment earnings commingling under Section 2.4(f) of this Tax

Agreement) will remain Sale Proceeds or investment earnings thereon, and thus Gross Proceeds, until such amounts are allocated to expenditures for federal income tax purposes. If the District does not otherwise allocate any such amounts to expenditures for the Project or other expenditures permitted under this Tax Agreement, any such amounts will be allocated for federal income tax purposes to the next expenditures, not otherwise paid out of Sale Proceeds or investment earnings thereon or the proceeds of any other borrowing, for interest on the Bonds prior to the later of the date three years after Closing or one year after the date on which the Project is Placed-in-Service. The District will consistently follow this accounting method for federal income tax purposes.

2.7. *Investment of Bond Proceeds.* Not more than 50% of the Sale Proceeds and investment earnings thereon are or will be invested in investments (other than Qualified Tax Exempt Obligations) having a Yield that is substantially guaranteed for four years or more. No portion of the Bonds is being issued solely for the purpose of investing a portion of Sale Proceeds or investment earnings thereon at a Yield higher than the Yield on the Bonds.

It is expected that the Sale Proceeds deposited into the Project Fund, including investment earnings on the Project Fund, will be spent to pay costs of the Project and interest on the Bonds not later than the date set forth in paragraph 2.2 hereof, the investment earnings on the Bond Fund will be spent to pay interest on the Bonds, or to the extent permitted by law, investment earnings on amounts in the Project Fund and the Bond Fund will be commingled with substantial revenues from the governmental operations of the District, and the earnings are reasonably expected to be spent for governmental purposes within six months of the date earned. Interest earnings on the Project Fund and the Bond Fund have not been earmarked or restricted by the Board for a designated purpose.

2.8. *No Grants.* None of the Sale Proceeds or investment earnings thereon will be used to make grants to any person.

2.9. *Hedges.* Neither the District nor any member of the same Controlled Group as the District has entered into or expects to enter into any hedge (*e.g.*, an interest rate swap, interest rate cap, futures contract, forward contract or an option) with respect to the Bonds. The District acknowledges that any such hedge could affect, among other things, the calculation of Bond Yield under the Regulations. The Internal Revenue Service could recalculate Bond Yield if the failure to account for the hedge fails to clearly reflect the economic substance of the transaction.

The District also acknowledges that if it acquires a hedging contract with an investment element (including *e.g.*, an off-market swap agreement, or any cap agreement for which all or a portion of the premium is paid at, or before the effective date of the cap agreement), then a portion of such hedging contract may be treated as an investment of Gross Proceeds of the Bonds, and be subject to the fair market purchase price rules, rebate and yield restriction. The District agrees not to use proceeds of the Bonds to pay for any such hedging contract in whole or in part. The District also agrees that it will not

give any assurances to any Bond holder or any other credit or liquidity enhancer with respect to the Bonds that any such hedging contract will be entered into or maintained. The District recognizes that if a portion of a hedging contract is determined to be an investment of gross proceeds, such portion may not be fairly priced even if the hedging contract as a whole is fairly priced.

2.10. Internal Revenue Service Audits. The District represents that the Internal Revenue Service has not contacted the District regarding any obligations issued by or on behalf of the District. To the best of the knowledge of the District, no such obligations of the District are currently under examination by the Internal Revenue Service.

3.1. Use of Proceeds. (a) The use of the Sale Proceeds and investment earnings thereon and the funds held under the Bond Resolution at the time of Closing are described herein. No Sale Proceeds will be used to pay for goods or services to be received over a period of years prior to the date such goods or services are to be received. No Sale Proceeds and no investment earnings thereon will be used to pay for or otherwise acquire goods or services from the District, any member of the same Controlled Group as the District, or an Affiliated Person.

(b) Only the funds and accounts described in Section 2.2 hereof will be funded at Closing. There are no other funds or accounts created under the Bond Resolution, other than the Rebate Fund if it is created as provided in Section 4.1 hereof.

(c) Principal of and interest on the Bonds will be paid from the Bond Fund.

(d) Any Costs of Issuance incurred in connection with the issuance of the Bonds to be paid by the District will be paid at the time of Closing.

(e) The costs of the Project will be paid from the Project Fund and no other moneys (except for investment earnings on amounts in the Project Fund) are expected to be deposited therein.

3.2. Purpose of Bond Fund. The Bond Fund (other than the Reserve Portion of the Bond Fund) will be used primarily to achieve a proper matching of revenues and earnings with principal and interest payments on the Bonds in each bond year. It is expected that the Bond Fund (other than the Reserve Portion of the Bond Fund) will be depleted at least once a year, except for a reasonable carry over amount not to exceed the greater of (a) the earnings on the investment of moneys in the Bond Fund (other than the Reserve Portion of the Bond Fund) for the immediately preceding bond year or (b) 1/12th of the principal and interest payments on the Bonds for the immediately preceding bond year.

The District will levy taxes to produce an amount sufficient to pay all principal of and interest on the Bonds in each bond year. To minimize the likelihood of an insufficiency, the amount extended to pay the Bonds may in most years be in excess of the amount required to pay principal and interest within one year of collection. This

over-collection (if any) may cause the Bond Fund as a whole to fail to function as a bona fide debt service fund. Nevertheless, except for the Reserve Portion of the Bond Fund, the Bond Fund will be depleted each year as described above. The Reserve Portion of the Bond Fund will be treated as a separate account not treated as part of the bona fide debt service fund. The Reserve Portion of the Bond Fund is subject to yield restriction requirements except as it may otherwise be excepted as provided in 5.2 below. It is also subject to the rebate requirements.

Section 3.3. The Claims. (a) As of the date hereof, certain Claim Proceeds remain unexpended and such proceeds will become Transferred Proceeds of the Bonds on the date the Claims are discharged with Sale Proceeds of the Bonds to the extent such proceeds are not expended prior to such discharge date.

(b) Except for the Transferred Proceeds of the Bonds described in paragraph 3.3(a) above, as of the date hereof, no Claims Proceeds or money or property of any kind (including cash) is on deposit in any fund or account, regardless of where held or the source thereof, with respect to the Claims or any credit enhancement or liquidity device relating to the foregoing, or is otherwise restricted to pay the District's obligations.

(c) At the time the Claims were issued, the District reasonably expected to spend at least 85% of the proceeds (including investment earnings) of the Claims to be used for non-refunding purposes for such purposes within three years of the date the Claims were issued. Not more than 50% of the proceeds of the Claims to be used for non-refunding purposes was invested in investments having a substantially guaranteed Yield for four years or more.

(d) The Claims are subject to redemption prior to maturity and will be redeemed on their earliest practicable redemption date.

(e) The Claims do not include, directly or indirectly in a series, any advance refunding obligations.

(f) The District has not been notified that the Claims are under examination by the Internal Revenue Service, and to the best of the District's knowledge the Claims are not under examination by the Internal Revenue Service.

(g) The District acknowledges that (i) the final rebate payment with respect to the Claims may be required to be made sooner than if the refunding had not occurred and (ii) the final rebate payment with respect to the Claims is due 60 days after the latest of (A) the date that the Claims are paid in full, (B) the date that is 8 months after the issue date of the Claims, or (C) the earliest date on which the District does not reasonably expect that any of the spending exceptions (6 month, 18 month or 2 year) to arbitrage rebate will apply to the Claims.

3.4. *No Other Gross Proceeds.* (a) Except for the Bond Fund and the Project Fund, and except for investment earnings that have been commingled as described in paragraph 2.2 and any credit enhancement or liquidity device related to the Bonds, after the issuance of the Bonds, neither the District nor any member of the same Controlled Group as the District has or will have any property, including cash, securities or any other property held as a passive vehicle for the production of income or for investment purposes, that constitutes:

(i) Sale Proceeds;

(ii) amounts in any fund or account with respect to the Bonds (other than the Rebate Fund);

(iii) Transferred Proceeds;

(iv) amounts that have a sufficiently direct nexus to the Bonds or to the governmental purpose of the Bonds to conclude that the amounts would have been used for that governmental purpose if the Bonds were not used or to be used for that governmental purpose (the mere availability or preliminary earmarking of such amounts for a governmental purpose, however, does not itself establish such a sufficient nexus);

(v) amounts in a debt service fund, redemption fund, reserve fund, replacement fund or any similar fund to the extent reasonably expected to be used directly or indirectly to pay principal of or interest on the Bonds or any amounts for which there is provided, directly or indirectly, a reasonable assurance that the amount will be available to pay principal of or interest on the Bonds or any obligations under any credit enhancement or liquidity device with respect to the Bonds, even if the District encounters financial difficulties;

(vi) any amounts held pursuant to any agreement (such as an agreement to maintain certain levels of types of assets) made for the benefit of the Bondholders or any credit enhancement provider, including any liquidity device or negative pledge (*e.g.*, any amount pledged to pay principal of or interest on an issue held under an agreement to maintain the amount at a particular level for the direct or indirect benefit of holders of the Bonds or a guarantor of the Bonds); or

(vii) amounts actually or constructively received from the investment and reinvestment of the amounts described in (i) or (ii) above.

(b) No compensating balance, liquidity account, negative pledge of property held for investment purposes required to be maintained at least at a particular level or similar arrangement exists with respect to, in any way, the Bonds or any credit enhancement or liquidity device related to the Bonds.

(c) The term of the Bonds is not longer than is reasonably necessary for the governmental purposes of the Bonds. The average reasonably expected economic life of the Project is at least ___ years, and the average reasonably expected remaining economic life of the Prior Project is at least ___ years. The weighted average maturity of the Bonds does not exceed ___ years and does not exceed 120 percent of the average reasonably expected economic life of the Project or the Prior Project. The maturity schedule of the Bonds (the "*Principal Payment Schedule*") is based on an analysis of revenues expected to be available to pay debt service on the Bonds. The Principal Payment Schedule is not more rapid (*i.e.*, having a lower average maturity) because a more rapid schedule would place an undue burden on tax rates and cause such rates to be increased beyond prudent levels, and would be inconsistent with the governmental purpose of the Bonds as set forth in Section 2.1 hereof.

3.5. *Final Allocation of Proceeds.* Subject to the requirements of this Tax Agreement, including those concerning working capital expenditures in paragraph 2.4, the District may generally use any reasonable, consistently applied accounting method to account for Gross Proceeds, investments thereon, and expenditures. The District must account for the final allocation of proceeds of the Bonds to expenditures not later than 18 months after the later of the date the expenditure is paid or the date the property with respect to which the expenditure is made is Placed-in-Service. This allocation must be made in any event by the date 60 days after the fifth anniversary of the issue date of the Bonds or the date 60 days after the retirement of the Bonds, if earlier.

Reasonable accounting methods for allocating funds include any of the following methods if consistently applied: a specific tracing method; a Gross Proceeds spent first method; a first-in, first-out method; or a ratable allocation method. The District may also reallocate proceeds of the Bonds from one expenditure to another until the end of the period for final allocation, discussed above. Unless the District has taken an action to use a different allocation method by the end of the period for a final allocation, proceeds of the Bonds will be treated as allocated to expenditures using the specific tracing method.

4.1. *Compliance with Rebate Provisions.* The District covenants to take such actions and make, or cause to be made, all calculations, transfers and payments that may be necessary to comply with the Rebate Provisions applicable to the Bonds. The District will make, or cause to be made, rebate payments with respect to the Bonds in accordance with law.

The District is hereby authorized to create and establish a special fund to be known as the Rebate Fund (the "*Rebate Fund*"), which, if created, shall be continuously held, invested, expended and accounted for in accordance with this Resolution. Moneys in the Rebate Fund shall not be considered moneys held for the benefit of the owners of the Bonds. Except as provided in the Regulations, moneys in the Rebate Fund (including earnings and deposits therein) shall be held in trust for payment to the United States as required by the Rebate Provisions and by the Regulations and as contemplated under the provisions of this Resolution.

4.2. *Records.* The District agrees to keep and retain or cause to be kept and retained for the period described in paragraph 7.9 adequate records with respect to the investment of all Gross Proceeds and amounts in the Rebate Fund. Such records shall include: (a) purchase price; (b) purchase date; (c) type of investment; (d) accrued interest paid; (e) interest rate; (f) principal amount; (g) maturity date; (h) interest payment date; (i) date of liquidation; and (j) receipt upon liquidation.

If any investment becomes Gross Proceeds on a date other than the date such investment is purchased, the records required to be kept shall include the fair market value of such investment on the date it becomes Gross Proceeds. If any investment is retained after the date the last Bond is retired, the records required to be kept shall include the fair market value of such investment on the date the last Bond is retired. Amounts or investments will be segregated whenever necessary to maintain these records.

4.3. *Fair Market Value; Certificates of Deposit and Investment Agreements.* The District will continuously invest all amounts on deposit in the Rebate Fund, together with the amounts, if any, to be transferred to the Rebate Fund, in any investment permitted under this Resolution. In making investments of Gross Proceeds or of amounts in the Rebate Fund the District shall take into account prudent investment standards and the date on which such moneys may be needed. Except as provided in the next sentence, all amounts that constitute Gross Proceeds and all amounts in the Rebate Fund shall be invested at all times to the greatest extent practicable, and no amounts may be held as cash or be invested in zero yield investments other than obligations of the United States purchased directly from the United States. In the event moneys cannot be invested, other than as provided in this sentence due to the denomination, price or availability of investments, the amounts shall be invested in an interest bearing deposit of a bank with a yield not less than that paid to the general public or held uninvested to the minimum extent necessary.

Gross Proceeds and any amounts in the Rebate Fund that are invested in certificates of deposit or in GICs shall be invested only in accordance with the following provisions:

- (a) Investments in certificates of deposit of banks or savings and loan associations that have a fixed interest rate, fixed payment schedules and substantial penalties for early withdrawal shall be made only if either (i) the Yield on the certificate of deposit (A) is not less than the Yield on reasonably comparable direct obligations of the United States and (B) is not less than the highest Yield that is published or posted by the provider to be currently available from the provider on reasonably comparable certificates of deposit offered to the public or (ii) the investment is an investment in a GIC and qualifies under paragraph (b) below.

(b) Investments in GICs shall be made only if

(i) the bid specifications are in writing, include all material terms of the bid and are timely forwarded to potential providers (a term is material if it may directly or indirectly affect the yield on the GIC);

(ii) the terms of the bid specifications are commercially reasonable (a term is commercially reasonable if there is a legitimate business purpose for the term other than to reduce the yield on the GIC);

(iii) all bidders for the GIC have equal opportunity to bid so that, for example, no bidder is given the opportunity to review others bids (a last look) before bidding;

(iv) any agent used to conduct the bidding for the GIC does not bid to provide the GIC;

(v) at least three of the providers solicited for bids for the GIC are reasonably competitive providers of investments of the type purchased (*i.e.*, providers that have established industry reputations as competitive providers of the type of investments being purchased);

(vi) at least three of the entities that submit a bid do not have a financial interest in the Bonds;

(vii) at least one of the entities that provided a bid is a reasonably competitive provider that does not have a financial interest in the Bonds;

(viii) the bid specifications include a statement notifying potential providers that submission of a bid is a representation that the potential provider did not consult with any other provider about its bid, that the bid was determined without regard to any other formal or informal agreement that the potential provider has with the District or any other person (whether or not in connection with the Bonds) and that the bid is not being submitted solely as a courtesy to the District or any other person for purposes of satisfying the federal income tax requirements relating to the bidding for the GIC;

(ix) the determination of the terms of the GIC takes into account the reasonably expected deposit and drawdown schedule for the amounts to be invested;

(x) the highest-yielding GIC for which a qualifying bid is made (determined net of broker's fees) is in fact purchased; and

(xi) the obligor on the GIC certifies the administrative costs that it is paying or expects to pay to third parties in connection with the GIC.

A single investment, or multiple investments awarded to a provider based on a single bid, may not be used for funds subject to different rules relating to rebate or yield restriction.

(c) If a GIC is purchased, the District will retain the following records with its bond documents until three years after the Bonds are redeemed in their entirety:

(i) a copy of the GIC;

(ii) the receipt or other record of the amount actually paid for the GIC, including a record of any administrative costs paid, and the certification under subparagraph (b)(xi) of this paragraph;

(iii) for each bid that is submitted, the name of the person and entity submitting the bid, the time and date of the bid, and the bid results; and

(iv) the bid solicitation form and, if the terms of the GIC deviated from the bid solicitation form or a submitted bid is modified, a brief statement explaining the deviation and stating the purpose for the deviation.

All investments made with Gross Proceeds or amounts in the Rebate Fund shall be bought and sold at fair market value. The fair market value of an investment is the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction. Except for investments specifically described in (a) or (b) of this Section and United States Treasury obligations that are purchased directly from the United States Treasury, only investments that are traded on an established securities market, within the meaning of regulations promulgated under Section 1273 of the Code, will be purchased with Gross Proceeds. In general, an investment is traded on an established securities market only if at any time during the 31-day period ending 15 days after the purchase date: (i) within a reasonable period of time after the sale, the price for an executed purchase or sale of the investment (or information sufficient to calculate the sales price) appears in a medium that is made available to issuers of debt instruments, persons that regularly purchase or sell debt instruments (including a price provided only to certain customers or to subscribers), or persons that broker purchases or sales of debt instruments; (ii) there are one or more firm quotes for the investment (a firm quote is considered to exist when a price quote is available from at least one broker, dealer, or pricing service (including a price provided only to certain customers or to subscribers) for property and the quoted price is substantially the same as the price for which the person receiving the quoted price could purchase or sell the property; a price quote is considered to be available whether the quote is initiated by a person providing the quote or provided at the request of the person receiving the quote; the identity of the

person providing the quote must be reasonably ascertainable for a quote to be considered a firm quote for this purpose; a quote will be considered a firm quote if the quote is designated as a firm quote by the person providing the quote or if market participants typically purchase or sell, as the case may be, at the quoted price, even if the party providing the quote is not legally obligated to purchase or sell at that price); or (iii) there are one or more indicative quotes for the investment (an indicative quote is considered to exist when a price quote is available from at least one broker, dealer, or pricing service (including a price provided only to certain customers or to subscribers) for property and the price quote is not a firm quote described in the prior clause). However, a maturity of a debt instrument is not treated as traded on an established market if at the time the determination is made the outstanding stated principal amount of the maturity that includes the debt instrument does not exceed \$100,000,000 (or, for a debt instrument denominated in a currency other than the U.S. dollar, the equivalent amount in the currency in which the debt instrument is denominated).

An investment of Gross Proceeds in an External Commingled Fund shall be made only to the extent that such investment is made without an intent to reduce the amount to be rebated to the United States Government or to create a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the rebate or Yield restriction requirements not been relevant to the District. An investment of Gross Proceeds shall be made in a Commingled Fund other than an External Commingled Fund only if the investments made by such Commingled Fund satisfy the provisions of this Section.

The foregoing provisions of this Section satisfy various safe harbors set forth in the Regulations relating to the valuation of certain types of investments. The safe harbor provisions of this Section are contained herein for the protection of the District, who has covenanted not to take any action to adversely affect the tax-exempt status of the interest on the Bonds. The District may contact Bond Counsel if it does not wish to comply with the provisions of this Section

4.4. Arbitrage Elections. The Chairman, Secretary and Treasurer of the Board are hereby authorized to execute one or more elections regarding certain matters with respect to arbitrage.

4.5. Small Issuer Exception. The Issuer is a governmental unit that has the power to impose a tax or to cause another entity to impose a tax of general applicability that, when collected, may be used for the governmental purposes of the Issuer. The power to impose such tax is not contingent on approval by another governmental unit; a tax of general applicability is one that is not limited to a small number of persons. The Issuer is not subject to Control by any other governmental unit or political subdivision. None of the Bonds is or will be a "private activity bond" (as defined in Section 141 of the Code). Ninety-five percent or more of the Sale Proceeds and investment earnings thereon will be used for local governmental activities of the Issuer. None of the Issuer, any entity that issues tax-exempt bonds, qualified tax credit bonds or direct pay bonds on behalf of the Issuer or any entity subject to Control by the Issuer will issue, during the calendar

year 2015, any tax-exempt bonds (other than current refunding bonds to the extent of the aggregate face amount of the tax exempt bonds currently refunded thereby), qualified tax credit bonds or direct pay bonds in an aggregate face amount in excess of the *maximum aggregate face amount* (as hereinafter defined). As used herein, (a) “*tax-exempt bonds*” means obligations of any kind, the interest on which is excludable from gross income of the holders or owners thereof for federal income tax purposes pursuant to Section 103 of the Code but not including (i) “private activity bonds” (as defined in Section 141 of the Code) or (ii) obligations issued to refund another obligation if it is issued not more than 90 days before the redemption of the refunded obligation to the extent the amount of the refunding obligation does not exceed the outstanding amount of the refunded obligation, (b) “*aggregate face amount*” means, if an issue has more than a De minimis Amount of Original Issue Discount or Premium, the issue price of the issue and otherwise means the principal amount of the issue, (c) “*maximum aggregate face amount*” means, the sum of (i) \$5,000,000 and (ii) the aggregate face amount of bonds issued during the calendar year that are allocable to financing construction expenditures for public school facilities, but in no event can the *maximum aggregate face amount* exceed \$10,000,000, (d) “*qualified tax credit bonds*” means any qualified tax credit bond (as defined in Section 54A(d) of the Code) or any “build America bond” that is not a qualified bond under Section 6431 of the Code and (e) “*direct pay bonds*” means any bond treated as a qualified bond as defined in Section 6431 of the Code. As of the date hereof, no tax-exempt bonds, qualified tax credit bonds, direct pay bonds or other obligations subject to arbitrage restrictions (other than the Bonds) have been issued by the Issuer, any entity that issues bonds on behalf of the Issuer or any entity subject to Control by the Issuer during the calendar year 2015. The Issuer does not reasonably expect that it, any entity that issues bonds on behalf of the Issuer or any entity subject to Control by the Issuer (including but not limited to the Issuer) will issue any tax-exempt bonds, qualified tax credit bonds, direct pay bonds or other obligations subject to arbitrage restrictions within calendar year 2015. Therefore, subject to compliance with all the terms and provisions of this Section 4.6, the Issuer is excepted from the required rebate of arbitrage profits on the Project Portion of the Bonds under Section 148(f)(4)(D) of the Code and from the terms and provisions of the Resolution that need only be complied with if the Issuer is subject to the arbitrage rebate requirement.

5.1. *Issue Price.* For purposes of determining the Yield on the Bonds, the purchase price of the Bonds is equal to the first offering price (including accrued interest) at which the Purchaser sold at least ten percent of the principal amount of each maturity of the Bonds to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters, placement agents or wholesalers). All of the Bonds have been the subject of a bona fide initial offering to the public (excluding bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters, placement agents or wholesalers) at prices equal to those set forth in the Official Statement. Based upon prevailing market conditions, such prices are not less than the fair market value of each Bond as of the sale date for the Bonds.

5.2. *Yield Limits.* (a) Except as provided in paragraph (b), all Gross Proceeds shall be invested at market prices and at a Yield (after taking into account any Yield

Reduction Payments) not in excess of the Yield on the Bonds plus, if only amounts in the Project Fund are subject to this yield limitation, 1/8th of one percent.

(b) The following may be invested without Yield restriction:

(i) amounts qualifying for a temporary period consisting of:

(A) amounts on deposit in the Bond Fund (except for capitalized interest) (other than the Reserve Portion of the Bond Fund) that have not been on deposit under the Resolution for more than 13 months, so long as the Bond Fund continues to qualify as a bona fide debt service fund as described in Section 3.2 hereof;

(B) amounts on deposit in the Project Fund prior to the earlier of three years after Closing or the date the District no longer expects to spend all such amounts;

(C) amounts in the Bond Fund to be used to pay capitalized interest on the Bonds prior to the earlier of three years after Closing or the payment of all capitalized interest;

(D) amounts that are used to pay the Claims prior to the date the Claims are redeemed;

(ii) amounts qualifying for other exceptions consisting of:

(A) an amount not to exceed the lesser of \$100,000 or five percent of the Sale Proceeds;

(B) amounts invested in Qualified Tax Exempt Obligations;

(C) amounts in the Rebate Fund;

(D) all amounts other than Sale Proceeds for the first 30 days after they become Gross Proceeds; and

(E) all amounts derived from the investment of Sale Proceeds or investment earnings thereon for a period of one year from the date received.

5.3. *Federally Guaranteed Investments.* (a) Certain Gross Proceeds may not be invested in a manner that is considered to create a federal guarantee. The restrictions in this Section 5.4 apply to all Gross Proceeds except:

(i) amounts on deposit in the Project Fund prior to the earlier of three years after Closing or the date the District no longer expects to spend all such amount;

(ii) amounts on deposit in the Bond Fund (other than the Reserve Portion of the Bond Fund) to the extent the Bond Fund qualifies as a bona fide debt service fund described in Section 3.2; and

(iii) amounts in the Bond Fund to be used to pay capitalized interest on the Bonds prior to the earlier of three years after Closing or the payment of all capitalized interest.

(b) If the District holds any Gross Proceeds other than those listed in the preceding paragraph (a), then any such Gross Proceeds in an amount in excess of five percent of the Sale Proceeds shall not be invested in:

(i) federally insured deposits or accounts, such as bank accounts and C.D.s;

(ii) Obligations of or directly or indirectly guaranteed, in whole or in part, by the United States (or any agency or instrumentality of the United States), other than the following:

(a) United States Treasury Obligations;

(b) obligations issued by the Resolution Funding Corporation pursuant to Section 21B(d)(3) of the Federal Home Loan Bank Act, as amended by Section 511 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, or any successor provision (*e.g.*, Refcorp Strips); and

(c) obligations guaranteed by the Federal Housing Administration, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, the Student Loan Marketing Association or the Bonneville Power Administration pursuant to the Northwest Power Act (16 U.S.C. 839d) as in effect on the date of enactment of the Tax Reform Act of 1984.

Because of these investment limitations, after the date three years after Closing, any amounts remaining in the Project Fund must be invested in U.S. Treasury obligations (including obligations of the State and Local Government Series, known as SLGS) or otherwise invested to avoid violating the restrictions set forth in this section

6.1. Payment and Use Tests. (a) No more than five percent of the Sale Proceeds plus investment earnings thereon (not including amounts used to pay Costs of Issuance and other common costs (such as capitalized interest and fees paid for a qualified guarantee or qualified hedge) and amounts invested in a reserve or replacement fund), will be used, directly or indirectly, in whole or in part, in any Private Business Use.

(b) The payment of more than five percent of the principal of or the interest on the Bonds will not be, directly or indirectly (i) secured by any interest in (A) property

used or to be used in any Private Business Use or (B) payments in respect of such property or (ii) on a present value basis, derived from payments (whether or not to the District or a member of the same Controlled Group as the District) in respect of property, or borrowed money, used or to be used in any Private Business Use.

(c) No more than the lesser of five percent of the sum of the Sale Proceeds and investment earnings thereon (not including amounts used to pay costs of issuance and other common costs (such as capitalized interest and fees paid for a qualified guarantee or qualified hedge) and amounts invested in a reserve or replacement fund) or \$5,000,000 will be used, directly or indirectly, to make or finance loans to any persons.

(d) No user of the Project other than a state or local governmental unit will use more than five percent of the Project, in the aggregate, on any basis other than the same basis as the general public.

6.2. *I.R.S. Form 8038-G.* The information contained in the Information Return for Tax-Exempt Governmental Obligations, Form 8038-G, is true and complete. The District will file Form 8038-G (and all other required information reporting forms) in a timely manner.

6.3. *Bank Qualification.* (a) The Issuer hereby designates each of the Bonds as a “qualified tax-exempt obligation” for the purposes and within the meaning of Section 265(b)(3) of the Code. In support of such designation, the Issuer hereby certifies that (i) none of the Bonds will be at any time a “private activity bond” (as defined in Section 141 of the Code), (ii) as of the date hereof in calendar year 2015, other than the Bonds, no tax-exempt obligations of any kind have been issued (A) by or on behalf of the Issuer, (B) by other issuers, any of the proceeds of which have been or will be used to make any loans to the Issuer or (c) any portion of which has been allocated to the Issuer for purposes of Section 265(b) of the Code and (iii) not more than \$10,000,000 of obligations of any kind (including the Bonds) issued (A) by or on behalf of the Issuer (B) by other issuers any of the proceeds of which have been or will be used to make any loans to the Issuer or (C) any portion of which has been allocated to the Issuer for purposes of Section 265(b) of the Code during calendar year 2015 will be designated for purposes of Section 265(b)(3) of the Code.

(b) The District is not subject to Control by any entity, and there are no entities subject to Control by the District.

(c) On the date hereof, the Issuer does not reasonably anticipate that for calendar year 2015 it will issue, have another entity issue on behalf of the Issuer, borrow the proceeds of or have allocated to the Issuer for purposes of Section 265(b) of the Code more than \$10,000,000 Section 265 Tax-Exempt Obligations (including the Bonds). “*Section 265 Tax-Exempt Obligations*” are obligations the interest on which is excludable from gross income of the owners thereof under Section 103 of the Code, *except for* private activity bonds other than qualified 501(c)(3) bonds, both as defined in Section 141 of the Code. The Issuer will not, in calendar year 2015 issue, permit the

issuance on behalf of it or by any entity subject to Control by the Issuer (which may hereafter come into existence), borrow the proceeds of or have allocated to it for purposes of Section 265(b) of the Code Section 265 Tax-Exempt Obligations (including the Bonds) that exceed the aggregate amount of \$10,000,000 during calendar year 2015 unless it first obtains an opinion of Bond Counsel to the effect that such issuance, borrowing or allocation will not adversely affect the treatment of the Bonds as “qualified tax-exempt obligations” for the purpose and within the meaning of Section 265(b)(3) of the Code.

(d) The Bonds have not been sold in conjunction with any other obligation.

7.1. Termination; Interest of District in Rebate Fund. The terms and provisions set forth in this Tax Agreement shall terminate at the later of (a) 75 days after the Bonds have been fully paid and retired or (b) the date on which all payments, if any, required to satisfy the Rebate Provisions of the Code have been made to the United States. Notwithstanding the foregoing, the provisions of Sections 4.2, 4.3(c) and 7.9 hereof shall not terminate until the third anniversary of the date the Bonds are fully paid and retired.

7.2. Separate Issue. Since a date that is 15 days prior to the date of sale of the Bonds by the District to the Purchaser, neither the District nor any member of the same Controlled Group as the District has sold or delivered any tax-exempt obligations other than the Bonds that are reasonably expected to be paid out of substantially the same source of funds as the Bonds. Neither the District nor any member of the same Controlled Group as the District will sell or deliver within 15 days after the date of sale of the Bonds any tax-exempt obligations other than the Bonds that are reasonably expected to be paid out of substantially the same source of funds as the Bonds.

7.3. No Sale of the Project. (a) Other than as provided in the next sentence, neither the Project nor any portion thereof has been, is expected to be, or will be sold or otherwise disposed of, in whole or in part, prior to the earlier of (i) the last date of the reasonably expected economic life to the District of the property (determined on the date of issuance of the Bonds) or (ii) the last maturity date of the Bonds. The District may dispose of personal property in the ordinary course of an established government program prior to the earlier of (i) the last date of the reasonably expected economic life to the District of the property (determined on the date of issuance of the Bonds) or (ii) the last maturity of the Bonds, provided: (A) the weighted average maturity of the Bonds financing the personal property is not greater than 120 percent of the reasonably expected actual use of that property for governmental purposes; (B) the District reasonably expects on the issue date that the fair market value of that property on the date of disposition will be not greater than 25 percent of its cost; (C) the property is no longer suitable for its governmental purposes on the date of disposition; and (D) the District deposits amounts received from the disposition in a commingled fund with substantial tax or other governmental revenues and the District reasonably expects to spend the amounts on governmental programs within six months from the date of the commingling.

(b) The District acknowledges that if Bond-financed property is sold or otherwise disposed of in a manner contrary to (a) above, such sale or disposition may constitute a “deliberate action” within the meaning of the Regulations that may require remedial actions to prevent the Bonds from becoming private activity bonds. The District shall promptly contact Bond Counsel if a sale or other disposition of bond-financed property is considered by the District.

7.4. Purchase of Bonds by District. The District will not purchase any of the Bonds except to cancel such Bonds.

7.5. Final Maturity. The period between the date of Closing and the final maturity of the Bonds is not more than 10-1/2 years.

7.6. Registered Form. The District recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon be exempt from federal income taxation under laws in force at the time the Bonds are delivered. In this connection, the District agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

7.7. Future Events. The District acknowledges that any changes in facts or expectations from those set forth herein may result in different Yield restrictions or rebate requirements from those set forth herein. The District shall promptly contact Bond Counsel if such changes do occur.

7.8. Permitted Changes; Opinion of Bond Counsel. Any restriction or covenant contained herein need not be observed, and any provision of this Tax Agreement may be changed or amended, only if (in addition to any requirements for a particular change contained elsewhere in this Tax Agreement) such nonobservance, change or amendment will not result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Bonds or the inclusion of interest on the Bonds as an item of tax preference in computing the alternative minimum tax for individuals and corporations under the Code and the District receives an opinion of Bond Counsel to such effect. Unless the District otherwise directs, such opinion shall be in such form and contain such disclosures and disclaimers as may be required so that such opinion will not be treated as a covered opinion for purposes of Treasury Department regulations governing practice before the Internal Revenue Service (Circular 230) 31 C.F.R. pt. 10.

7.9. Records Retention. The District agrees to keep and retain or cause to be kept and retained sufficient records to support the continued exclusion of the interest paid on the Bonds from federal income taxation, to demonstrate compliance with the covenants in this Resolution and to show that all tax returns related to the Bonds submitted or required to be submitted to the Internal Revenue Service are correct and timely filed. Such records shall include, but are not limited to, basic records relating to the Bond transaction (including this Resolution and the Bond Counsel opinion); documentation evidencing the expenditure of Bond proceeds; documentation evidencing the use of Bond-financed property by public and private entities (*i.e.*, copies of leases,

management contracts and research agreements); documentation evidencing all sources of payment or security for the Bonds; and documentation pertaining to any investment of Bond proceeds (including the information required under paragraphs 4.3 and 4.4 hereof and in particular information related to the purchase and sale of securities, SLGs subscriptions, yield calculations for each class of investments, actual investment income received from the investment of proceeds, guaranteed investment contracts and documentation of any bidding procedure related thereto and any fees paid for the acquisition or management of investments and any rebate calculations). Such records shall be kept for as long as the Bonds are outstanding, plus three (3) years after the later of the final payment date of the Bonds or the final payment date of any obligations or series of obligations issued to refund directly or indirectly all or any portion of the Bonds.

7.10. Post-Issuance Compliance Policy. The District acknowledges that the Internal Revenue Service encourages issuers of tax-exempt bonds to adopt written post-issuance compliance policies in addition to its bond documents, and provides certain potential benefits to issuers that do so. For example, issuers may receive more favorable terms on any voluntary settlement pursuant to the Internal Revenue Service's voluntary closing agreement program if an issuer has adopted written procedures that, at a minimum, specify the official(s) with responsibility for monitoring compliance, a description of the training provided to such responsible official(s) with regard to monitoring compliance, the frequency of compliance checks (must be at least annual), the nature of the compliance activities required to be undertaken, the procedures used to timely identify and elevate the resolution of a violation when it occurs or is expected to occur, procedures for the retention of all records material to substantiate compliance with the applicable federal tax requirements, and an awareness of the availability of Internal Revenue Service's voluntary closing agreement program and other remedial actions to resolve violations. Generally, a reference to reliance on the bond documents, without more, will not qualify as sufficient written procedures for these purposes.

The District has adopted written post-issuance compliance policies that meet the foregoing, which are contained in the Resolution. The post-issuance compliance policies do not constitute part of this Tax Agreement, and the District may modify or eliminate any post-issuance compliance policies without the consent of the holders of the Bonds and without regard to Section 7.8 of this Tax Agreement.

7.11. Successors and Assigns. The terms, provisions, covenants and conditions of this Section shall bind and inure to the benefit of the respective successors and assigns of the Board and the District.

7.12. Expectations. The Board has reviewed the facts, estimates and circumstances in existence on the date of issuance of the Bonds. Such facts, estimates and circumstances, together with the expectations of the District as to future events, are set forth in summary form in this Section. Such facts and estimates are true and are not incomplete in any material respect. On the basis of the facts and estimates contained herein, the District has adopted the expectations contained herein. On the basis of such facts, estimates, circumstances and expectations, it is not expected that Sale Proceeds,

investment earnings thereon or any other moneys or property will be used in a manner that will cause the Bonds to be arbitrage bonds within the meaning of the Rebate Provisions and the Regulations. Such expectations are reasonable and there are no other facts, estimates and circumstances that would materially change such expectations.

The District also agrees and covenants with the purchasers and holders of the Bonds from time to time outstanding that, to the extent possible under Illinois law, it will comply with whatever federal tax law is adopted in the future which applies to the Bonds and affects the tax-exempt status of the Bonds.

The Board hereby authorizes the officials of the District responsible for issuing the Bonds, the same being the Chairman and Secretary of the Board and the Treasurer of the District, to make such further covenants and certifications as may be necessary to assure that the use thereof will not cause the Bonds to be arbitrage bonds and to assure that the interest in the Bonds will be exempt from federal income taxation. In connection therewith, the District and the Board further agree: (a) through their officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Bonds and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the District in such compliance.

Section 12. List of Bondholders. The Bond Registrar shall maintain a list of the names and addresses of the holders of all Bonds and upon any transfer shall add the name and address of the new Bondholder and eliminate the name and address of the transferor Bondholder.

Section 13. Duties of Bond Registrar. If requested by the Bond Registrar, the President and Secretary of the Board are authorized to execute the Bond Registrar's standard form of

agreement between the District and the Bond Registrar with respect to the obligations and duties of the Bond Registrar hereunder which may include the following:

- (a) to act as bond registrar, authenticating agent, paying agent and transfer agent as provided herein;
- (b) to maintain a list of Bondholders as set forth herein and to furnish such list to the District upon request, but otherwise to keep such list confidential;
- (c) to cancel and/or destroy Bonds which have been paid at maturity or submitted for exchange or transfer;
- (d) to furnish the District at least annually a certificate with respect to Bonds cancelled and/or destroyed; and
- (e) to furnish the District at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

Section 14. Municipal Bond Insurance. In the event the payment of principal and interest on the Bonds is insured pursuant to a municipal bond insurance policy (the “*Municipal Bond Insurance Policy*”) issued by a bond insurer (the “*Bond Insurer*”), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the District and the Bond Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer upon payment of the Bonds by the Bond Insurer, amendment hereof, or other terms, as approved by the President of the Board on advice of counsel, his or her approval to constitute full and complete acceptance by the District of such terms and provisions under authority of this Section.

Section 15. Continuing Disclosure Undertaking. The Chairman of the Board is hereby authorized, empowered and directed to execute and deliver a Continuing Disclosure Undertaking under Section (b)(5) of Rule 15c2-12 adopted by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended (the “*Continuing Disclosure Undertaking*”). When the Continuing Disclosure Undertaking is executed and delivered on

behalf of the District as herein provided, the Continuing Disclosure Undertaking will be binding on the District and the officers, employees and agents of the District, and the officers, employees and agents of the District are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking as executed. Notwithstanding any other provision of this Resolution, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order to cause the District to comply with its obligations under the Continuing Disclosure Undertaking.

Section 16. Record-Keeping Policy and Post-Issuance Compliance Matters. It is necessary and in the best interest of the District to maintain sufficient records to demonstrate compliance with its covenants and expectations to ensure the appropriate federal tax status for the Certificates and other debt obligations of the District, the interest on which is excludable from “gross income” for federal income tax purposes or which enable the District or the holder to receive federal tax benefits, including, but not limited to, qualified tax credit bonds and other specified tax credit bonds (including the Certificates, the “*Tax Advantaged Obligations*”). Further, it is necessary and in the best interest of the District that (i) the Board adopt policies with respect to record-keeping and post issuance compliance with the District’s covenants related to its Tax Advantaged Obligations and (ii) the Compliance Officer (as hereinafter defined) at least annually review the District’s Contracts (as hereinafter defined) to determine whether the Tax Advantaged Obligations comply with the federal tax requirements applicable to each issue of the Tax Advantaged Obligations. The Board and the District hereby adopt the following Record-Keeping Policy and, in doing so, amend any similar Record-Keeping Policy or Policies heretofore adopted:

(a) *Compliance Officer Is Responsible for Records.* The Chief Financial Officer of the District (the “*Compliance Officer*”) is hereby designated as the keeper of all records of the District with respect to each issue of the Tax Advantaged Obligations, and such officer shall report to the Board at least annually that he/she has all of the required records in his/her possession, or is taking appropriate action to obtain or recover such records.

(b) *Closing Transcripts.* For each issue of Tax Advantaged Obligations, the Compliance Officer shall receive, and shall keep and maintain, a true, correct and complete counterpart of each and every document and agreement delivered in connection with the issuance of the Tax Advantaged Obligations, including without limitation (i) the proceedings of the District authorizing the Tax Advantaged Obligations, (ii) any offering document with respect to the offer and sale of the Tax Advantaged Obligations, (iii) any legal opinions with respect to the Tax Advantaged Obligations delivered by any lawyers, and (iv) all written representations of any person delivered in connection with the issuance and initial sale of the Tax Advantaged Obligations.

(c) *Arbitrage Rebate Liability.* The Compliance Officer shall review the agreements of the District with respect to each issue of Tax Advantaged Obligations and shall prepare a report for the Board stating whether or not the District has any rebate liability to the United States Treasury, and setting forth any applicable exemptions that each issue of Tax Advantaged Obligations may have from rebate liability. Such report shall be updated annually and delivered to the Board.

(d) *Recommended Records.* The Compliance Officer shall review the records related to each issue of Tax Advantaged Obligations and shall determine what requirements the District must meet in order to maintain the tax-exemption of interest paid on its Tax Advantaged Obligations, its entitlement to direct payments by the United States Treasury of the applicable percentages of each interest payment due and owing on its Tax Advantaged Obligations, and applicable tax credits or other tax benefits arising from its Tax Advantaged Obligations. The Compliance Officer shall then prepare a list of the contracts, requisitions, invoices, receipts and other information that may be needed in order to establish that the interest paid on the Tax Advantaged Obligations is entitled to be excluded from “gross income” for federal income tax purposes, that the District is entitled to receive from the United States Treasury direct payments of the applicable percentages of interest payments coming due and owing on its Tax Advantaged Obligations, and the entitlement of holders of any Tax Advantaged Obligations to any tax credits or other tax benefits, respectively. Notwithstanding any other policy of the District, such retained records shall be kept for as long as the Tax Advantaged Obligations relating to such records (and any obligations issued to refund the Tax Advantaged Obligations) are outstanding, plus three years, and shall at least include:

(i) complete copies of the transcripts delivered when any issue of Tax Advantaged Obligations is initially issued and sold;

(ii) copies of account statements showing the disbursements of all Tax Advantaged Obligation proceeds for their intended purposes, and records showing the assets and other property financed by such disbursements;

(iii) copies of account statements showing all investment activity of any and all accounts in which the proceeds of any issue of Tax Advantaged Obligations has been held or in which funds to be used for the payment of principal of or interest on any Tax Advantaged Obligations has been held, or which has provided security to the holders or credit enhancers of any Tax Advantaged Obligations;

(iv) copies of all bid requests and bid responses used in the acquisition of any special investments used for the proceeds of any issue of Tax Advantaged Obligations, including any swaps, swaptions, or other financial derivatives entered into in order to establish that such instruments were purchased at *fair market value*;

(v) copies of any subscriptions to the United States Treasury for the purchase of State and Local Government Series (SLGS) obligations;

(vi) any calculations of liability for *arbitrage rebate* that is or may become due with respect to any issue of Tax Advantaged Obligations, and any calculations prepared to show that no arbitrage rebate is due, together, if applicable, with account statements or cancelled checks showing the payment of any rebate amounts to the United States Treasury together with any applicable IRS Form 8038-T; and

(vii) copies of all contracts and agreements of the District, including any leases (the "*Contracts*"), with respect to the use of any property owned by the District and acquired, constructed or otherwise financed or refinanced with the proceeds of the Tax Advantaged Obligations effective at any time when such Tax Advantaged Obligations are, will or have been outstanding. Copies of contracts covering no more than 50 days of use and contracts related to District employees need not be retained.

(e) *IRS Examinations or Inquiries.* In the event the IRS commences an examination of any issue of Tax Advantaged Obligations or requests a response to a compliance check, questionnaire or other inquiry, the Compliance Officer shall inform the Board of such event, and is authorized to respond to inquiries of the IRS, and to hire outside, independent professional counsel to assist in the response to the examination or inquiry.

(f) *Annual Review.* The Compliance Officer shall conduct an annual review of the Contracts and other records to determine for each issue of Tax Advantaged Obligations then outstanding whether each such issue complies with the federal tax requirements applicable to such issue, including restrictions on private business use,

private payments and private loans. The Compliance Officer is expressly authorized, without further official action of the Board, to hire outside, independent professional counsel to assist in such review. To the extent that any violations or potential violations of federal tax requirements are discovered incidental to such review, the Compliance Officer may make recommendations or take such actions as the Compliance Officer shall reasonably deem necessary to assure the timely correction of such violations or potential violations through remedial actions described in the United States Treasury Regulations, or the Tax Exempt Bonds Voluntary Closing Agreement Program described in Treasury Notice 2008-31 or similar program instituted by the IRS.

(g) *Training.* The Compliance Officer shall undertake to maintain reasonable levels of knowledge concerning the rules related to tax-exempt bonds (and build America bonds and tax credit bonds to the extent the District has outstanding build America bonds or tax-credit bonds) so that such officer may fulfill the duties described in this Section. The Compliance Officer may consult with counsel, attend conferences and presentations of trade groups, read materials posted on various web sites, including the web site of the Tax Exempt Bond function of the IRS, and use other means to maintain such knowledge. Recognizing that the Compliance Officer may not be fully knowledgeable in this area, the Compliance Officer may consult with outside counsel, consultants and experts to assist him or her in exercising his or her duties hereunder. The Compliance Officer will endeavor to make sure that the District's staff is aware of the need for continuing compliance. The Compliance Officer will provide copies of this Resolution and the Tax Exemption Certificate and Agreement or other applicable tax documents for each series of Tax Advantaged Obligations then currently outstanding (the "*Tax Agreements*") to staff members who may be responsible for taking actions described in such documents. The Compliance Officer should assist in the education of any new Compliance Officer and the transition of the duties under these procedures. The Compliance Officer will review this Resolution and each of the Tax Agreements periodically to determine if there are portions that need further explanation and, if so, will attempt to obtain such explanation from counsel or from other experts, consultants or staff.

(h) *Amendment and Waiver.* The procedures described in this Section are only for the benefit of the District. No other person (including an owner of a Tax Advantaged Obligation) may rely on the procedures included in this Section. The District may amend this Section and any provision of this Section may be waived, without the consent of the holders of any Tax Advantaged Obligations and as authorized by passage of a resolution by the Board. Additional procedures may be required for Tax Advantaged Obligations the proceeds of which are used for purposes other than capital governmentally owned projects or refundings of such, including tax increment financing bonds, bonds financing output facilities, bonds financing working capital, or private activity bonds. The District also recognizes that these procedures may need to be revised in the event the District enters into any derivative products with respect to its Tax Advantaged Obligations.

Section 17. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 18. Repeal. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed and this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted January 20, 2015.

Chairman, Board of Trustees

Secretary, Board of Trustees

Trustee _____ moved and Trustee _____
seconded the motion that said resolution as presented be adopted.

After a full discussion thereof, the Chairman directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following Trustees voted AYE: G. Andrew Fischer, Marilyn Wolfe, Brenda Culver, John D. Brooks, Michael Correll, Gary Carter and Alan Henager and the following Trustees voted NAY: _____

Whereupon the Chairman declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records of the Board of Trustees of Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

Secretary, Board of Trustees

STATE OF ILLINOIS)
) SS
COUNTY OF RICHLAND)

CERTIFICATION OF MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Trustees of Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois (the “Board”), and as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 20th day of January, 2015, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION providing for the issue of \$_____ General Obligation Community College Bonds, Series 2015, of Illinois Eastern Community College District No. 529, Counties of Richland, Clark, Clay, Crawford, Cumberland, Edwards, Hamilton, Jasper, Lawrence, Wabash, Wayne and White and State of Illinois, for the purpose of paying claims against said Community College District and altering and repairing the District’s physical facilities for energy conservation, health or safety, environmental protection or handicap accessibility purposes and the levy of a direct annual tax sufficient to pay the principal and interest on said bonds, and authorizing an agreement for the sale of said bonds.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 96 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 96-hour period preceding said meeting, that a true, correct and complete copy of the agenda as so posted being attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Public Community College Act of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Acts and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 20th day of January, 2015.

Secretary, Board of Trustees

Agenda Item #8C

Affiliation Agreement with Crawford Memorial Hospital – CNA

MEMORANDUM

TO: Board of Trustees
FROM: Terry L. Bruce
DATE: January 20, 2015
RE: Affiliation Agreement with Crawford Memorial Hospital - CNA

IECC wishes to enter into a new affiliation agreement with Crawford Memorial Hospital, located in Robinson, Illinois.

This affiliation agreement is for the Basic Nurse Assistant Program – CNA located at Lincoln Trail College and is our standard affiliation agreement utilized by the District.

I ask the Board's approval of this affiliation agreement.

TLB/rs

Attachment

ILLINOIS EASTERN COMMUNITY COLLEGES, DISTRICT #529
LINCOLN TRAIL COLLEGE
BASIC NURSE ASSISTANT PROGRAM #NA-5

AFFILIATION AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 2015, by and between ILLINOIS EASTERN COMMUNITY COLLEGES, DISTRICT #529, LINCOLN TRAIL COLLEGE, for its Basic Nurse Assistant Program #NA-5 (hereinafter referred to as LTC) and Crawford Memorial Hospital Robinson, IL (hereinafter referred to as AGENCY). *Agency* *City* *State*

WITNESSETH THAT:

WHEREAS, LTC desires to make use of the AGENCY's facilities for clinical nursing assistant laboratory practice by students of the Basic Nurse Assistant Program for the COLLEGE and

WHEREAS, the AGENCY has agreed to make its facilities available to the nursing assistant students and faculty of LTC for the desired purpose,

NOW THEREFORE, for consideration of the mutual covenants and acts to be kept and performed by the parties hereto, the parties do herewith agree as follows:

1. The AGENCY agrees to make its facilities available in all areas of patient care for observation and participation by the students and faculty of LTC'S Basic Nurse Assistant Program subject to the conditions and limitations contained herein.
2. The arrangements for use of said facilities of the AGENCY will be made by the Dean of Instruction on behalf of Lincoln Trail College and the Director of Nursing Service on behalf of the AGENCY. The plan and program will be organized and agreed to by said persons prior to the commencement of the courses.
3. LTC will be responsible for the teaching and guidance of the students in the clinical nursing assistant laboratory practice, and will be available to the nursing assistant students.

The specific assignment of learning experiences to specific students will be made and arranged by the Nursing Assistant Faculty on behalf of LTC, in consultation with the Head Nurse, Supervisor or Coordinator on behalf of the AGENCY. Nursing Assistant Faculty assumes full responsibility and supervision of the nursing assistant students during their laboratory experience in the AGENCY.

4. The use of AGENCY facilities will be consistent with, and in conformity with all applicable rules, regulations, and policies of the AGENCY, and the Nursing Assistant Faculty on behalf of LTC will be responsible for maintaining proper standards of nursing assistant care and safeguard of patients assigned to students. The AGENCY nursing personnel will retain full and final decisions for patient care assigned to nursing assistant students.
5. Supervision of the health of all students making use of any of the AGENCY'S facilities, as contemplated herein; will be the responsibility of LTC, and will comply with the policies of the health AGENCY.

Nursing assistant students and Nursing Assistant Faculty assigned to, or making use of any clinical area of the AGENCY under the contemplated program, will meet the health requirements of the AGENCY.

Students who have physical or emotional disabilities which may negate success in nursing assistant practice will not be permitted to use the AGENCY'S facilities. Students who have disabilities which may not negate success in nursing assistant practice may participate in the contemplated program if approved by the AGENCY.

Prior to the use of any AGENCY facilities, under the contemplated program, LTC will furnish the AGENCY, upon request, a medical record for each participating student showing that said student fully complies with the health requirements required by the AGENCY.

6. The faculty of LTC participating in the program will receive an orientation to the AGENCY by the appropriate AGENCY staff. LTC Nursing Assistant Faculty participating in the program may be included in demonstrations of new equipment and techniques. Each new Nursing Assistant Faculty member of LTC participating in the program will arrange with the Director of Nursing Service, on behalf of the AGENCY, for an orientation prior to the assignment of the new Nursing Assistant Faculty member to any clinical area.
7. LTC will provide orientation for the educational program for the AGENCY staff.
8. The students and instructors will respect the confidential nature of all information which may come to them with regard to patients and AGENCY records.

9. Neither party hereto will be paid any monetary reimbursement as such by the other party heretofore for the contemplated program, or for use of either party's facilities by the other party. Neither party heretofore will have any responsibilities or liabilities to the other party, or its employees, or students, or anyone participating in the contemplated program. Nursing Assistant Faculty and nursing assistant students shall be covered by malpractice insurance prior to any assignment for practice at the AGENCY.
10. The AGENCY will supply dressing rooms and space for storage of clothing not in use while students are practicing at the AGENCY, and conference room facilities for use of faculty and students.
11. A review of the agreement will be made annually. Either party hereto may terminate this AGREEMENT with a 90 day written termination notice to the other party.

IN WITNESS WHEREOF, the undersigned signatures have caused this instrument to be executed by its duly authorized officials the ____ day of _____, 2015.

AGENCY

LINCOLN TRAIL COLLEGE

Director of Nursing Services

Nursing Assistant Faculty Member

Administrator, Hospital or Agency

Dean of Instruction

College President

Chairman, Board of Trustees
Illinois Eastern Community Colleges

Agenda Item #8D

Affiliation Agreement with Heritage Health – CNA

MEMORANDUM

TO: Board of Trustees
FROM: Terry L. Bruce
DATE: January 20, 2015
RE: Affiliation Agreement with Heritage Health - CNA

IECC wishes to enter into a new affiliation agreement with Heritage Health, located in Robinson, Illinois.

This affiliation agreement is for the Basic Nurse Assistant Program – CNA located at Lincoln Trail College and is our standard affiliation agreement utilized by the District.

I ask the Board's approval of this affiliation agreement.

TLB/rs

Attachment

ILLINOIS EASTERN COMMUNITY COLLEGES, DISTRICT #529
LINCOLN TRAIL COLLEGE
BASIC NURSE ASSISTANT PROGRAM #NA-5

AFFILIATION AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 2015, by and between ILLINOIS EASTERN COMMUNITY COLLEGES, DISTRICT #529, LINCOLN TRAIL COLLEGE, for its Basic Nurse Assistant Program #NA-5 (hereinafter referred to as LTC) and Heritage Health Robinson, IL (hereinafter referred to as AGENCY). *Agency* *City* *State*

WITNESSETH THAT:

WHEREAS, LTC desires to make use of the AGENCY's facilities for clinical nursing assistant laboratory practice by students of the Basic Nurse Assistant Program for the COLLEGE and

WHEREAS, the AGENCY has agreed to make its facilities available to the nursing assistant students and faculty of LTC for the desired purpose,

NOW THEREFORE, for consideration of the mutual covenants and acts to be kept and performed by the parties hereto, the parties do herewith agree as follows:

1. The AGENCY agrees to make its facilities available in all areas of patient care for observation and participation by the students and faculty of LTC'S Basic Nurse Assistant Program subject to the conditions and limitations contained herein.
2. The arrangements for use of said facilities of the AGENCY will be made by the Dean of Instruction on behalf of Lincoln Trail College and the Director of Nursing Service on behalf of the AGENCY. The plan and program will be organized and agreed to by said persons prior to the commencement of the courses.
3. LTC will be responsible for the teaching and guidance of the students in the clinical nursing assistant laboratory practice, and will be available to the nursing assistant students.

The specific assignment of learning experiences to specific students will be made and arranged by the Nursing Assistant Faculty on behalf of LTC, in consultation with the Head Nurse, Supervisor or Coordinator on behalf of the AGENCY. Nursing Assistant Faculty assumes full responsibility and supervision of the nursing assistant students during their laboratory experience in the AGENCY.

4. The use of AGENCY facilities will be consistent with, and in conformity with all applicable rules, regulations, and policies of the AGENCY, and the Nursing Assistant Faculty on behalf of LTC will be responsible for maintaining proper standards of nursing assistant care and safeguard of patients assigned to students. The AGENCY nursing personnel will retain full and final decisions for patient care assigned to nursing assistant students.
5. Supervision of the health of all students making use of any of the AGENCY'S facilities, as contemplated herein; will be the responsibility of LTC, and will comply with the policies of the health AGENCY.

Nursing assistant students and Nursing Assistant Faculty assigned to, or making use of any clinical area of the AGENCY under the contemplated program, will meet the health requirements of the AGENCY.

Students who have physical or emotional disabilities which may negate success in nursing assistant practice will not be permitted to use the AGENCY'S facilities. Students who have disabilities which may not negate success in nursing assistant practice may participate in the contemplated program if approved by the AGENCY.

Prior to the use of any AGENCY facilities, under the contemplated program, LTC will furnish the AGENCY, upon request, a medical record for each participating student showing that said student fully complies with the health requirements required by the AGENCY.

6. The faculty of LTC participating in the program will receive an orientation to the AGENCY by the appropriate AGENCY staff. LTC Nursing Assistant Faculty participating in the program may be included in demonstrations of new equipment and techniques. Each new Nursing Assistant Faculty member of LTC participating in the program will arrange with the Director of Nursing Service, on behalf of the AGENCY, for an orientation prior to the assignment of the new Nursing Assistant Faculty member to any clinical area.
7. LTC will provide orientation for the educational program for the AGENCY staff.
8. The students and instructors will respect the confidential nature of all information which may come to them with regard to patients and AGENCY records.

9. Neither party hereto will be paid any monetary reimbursement as such by the other party heretofore for the contemplated program, or for use of either party's facilities by the other party. Neither party heretofore will have any responsibilities or liabilities to the other party, or its employees, or students, or anyone participating in the contemplated program. Nursing Assistant Faculty and nursing assistant students shall be covered by malpractice insurance prior to any assignment for practice at the AGENCY.
10. The AGENCY will supply dressing rooms and space for storage of clothing not in use while students are practicing at the AGENCY, and conference room facilities for use of faculty and students.
11. A review of the agreement will be made annually. Either party hereto may terminate this AGREEMENT with a 90 day written termination notice to the other party.

IN WITNESS WHEREOF, the undersigned signatures have caused this instrument to be executed by its duly authorized officials the ____ day of _____, 2015.

AGENCY

LINCOLN TRAIL COLLEGE

Director of Nursing Services

Nursing Assistant Faculty Member

Administrator, Hospital or Agency

Dean of Instruction

College President

Chairman, Board of Trustees
Illinois Eastern Community Colleges

Agenda Item #9

Bid Committee Report

None

Agenda Item #10

District Finance

A. Financial Report

B. Approval of Financial Obligations

**ILLINOIS EASTERN COMMUNITY COLLEGES
DISTRICT #529**

**TREASURER'S REPORT
December 31, 2014**

FUND	BALANCE
Educational	\$4,871,728.73
Operations & Maintenance	\$5,814,979.59
Operations & Maintenance (Restricted)	(\$129,853.16)
Bond & Interest	\$155,439.26
Auxiliary	\$615,644.32
Restricted Purposes	(\$71,529.68)
Working Cash	\$200,394.54
Trust & Agency	\$445,741.67
Audit	(\$12,315.72)
Liability, Protection & Settlement	\$644,873.30
TOTAL ALL FUNDS	\$12,535,102.85

Respectfully submitted,

Roger Browning, Treasurer

ILLINOIS EASTERN COMMUNITY COLLEGES
Combined Balance Sheet - All Funds
December 31, 2014

		ALL FUNDS
		Fiscal
		Year
		2015
ASSETS:		
CASH		12,535,103
IMPREST FUND		21,400
CHECK CLEARING		12,500
INVESTMENTS		22,590,000
RECEIVABLES		2,870,620
ACCRUED REVENUE		-
INTERFUND RECEIVABLES		-
INVENTORY		729,697
OTHER ASSETS		1,020,934
TOTAL ASSETS AND OTHER DEBITS:		39,780,254
 LIABILITIES:		
PAYROLL DEDUCTIONS PAYABLE		236,035
ACCOUNTS PAYABLE		12,249
ACCRUED EXPENSES		-
INTERFUND PAYABLES		-
DEFERRED REVENUE		-
OTHER LIABILITIES		3,394,826
TOTAL LIABILITIES:		3,643,110
 EQUITY AND OTHER CREDITS:		
INVESTMENT IN PLANT		3,083,078
PR YR BDGTED CHANGE TO FUND BALANCE		431,011
 FUND BALANCES:		
FUND BALANCE		24,323,061
RESERVE FOR ENCUMBRANCES		8,299,994
TOTAL EQUITY AND OTHER CREDITS		36,137,144
TOTAL LIABILITIES, EQUITY, AND OTHER CREDITS		39,780,254

ILLINOIS EASTERN COMMUNITY COLLEGES
 Combined Statement of Revenues, Expenses,
 and Changes in Net Assets
 AS OF December 31, 2014

ALL FUNDS

FY 2015
 YEAR-TO-DATE

REVENUES:

LOCAL GOVT SOURCES	5,837,179
STATE GOVT SOURCES	2,907,679
STUDENT TUITION & FEES	10,572,158
SALES & SERVICE FEES	1,810,559
FACILITIES REVENUE	1,795
INVESTMENT REVENUE	74,123
OTHER REVENUES	<u>144,756</u>
TOTAL REVENUES:	21,348,249

EXPENDITURES:

INSTRUCTION	5,274,192
ACADEMIC SUPPORT	238,314
STUDENT SERVICES	833,974
PUBLIC SERV/CONT ED	28,834
OPER & MAINT PLANT	1,210,802
INSTITUTIONAL SUPPORT	5,239,208
SCH/STUDENT GRNT/WAIVERS	4,597,484
AUXILIARY SERVICES	<u>2,928,873</u>
TOTAL EXPENDITURES:	20,351,681

TRANSFERS AMONG FUNDS:

INTERFUND TRANSFERS	<u>0</u>
TOTAL TRANSFERS AMONG FUNDS:	0

NET INCREASE/DECREASE IN NET ASSETS	<u>996,568</u>
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Illinois Eastern Community Colleges
Operating Fund Analysis
CASH BASIS
July 1, 2014 -- June 30, 2015

REVENUES:	Education Fund	O & M Fund	Total Operating Funds
Local Government Sources	2,386,738	1,022,652	3,409,390
State Government Sources - Current Year	1,452,778	1,454,900	2,907,678
State Government Sources - Prior Year	4,544,272	-	4,544,272
Net Tuition and Fees	3,147,834	-	3,147,834
Sales & Service Fees	10,888	-	10,888
Facilities Revenue	-	1,455	1,455
Investment Revenue	40,370	13,627	53,997
Other Revenues	24,338	1,673	26,011
TOTAL REVENUES:	11,607,218	2,494,307	14,101,525
EXPENDITURES:			
Salaries	6,720,202	379,876	7,100,078
Employee Benefits	961,058	82,866	1,043,924
Contractual Services	194,658	121,297	315,955
Materials	720,692	118,204	838,896
Travel & Staff Development	132,325	1,931	134,256
Fixed Charges	92,876	27,539	120,415
Utilities	30,493	445,038	475,531
Capital Outlay	111,514	8,257	119,771
Other	66,003	65	66,068
TOTAL EXPENDITURES:	9,029,821	1,185,073	10,214,894
TRANSFERS :			
Interfund Transfers	(1,324,211)	-	(1,324,211)
TOTAL TRANSFERS:	(1,324,211)	-	(1,324,211)
NET INCREASE/DECREASE IN NET ASSETS	1,253,186	1,309,234	2,562,420

**OPERATING FUNDS
COMPARISON REPORT FY13-15**

College	Category	FISCAL YEAR 2013			FISCAL YEAR 2014			FISCAL YEAR 2015			
		Anticipated Budget	Spent Thru December	% of Bdgt	Anticipated Budget	Spent Thru December	% of Bdgt	Anticipated Budget	Spent Thru December	% of Bdgt	% of Year
Frontier	Bills		\$ 874,755			\$ 633,028			\$ 914,006		
	Payroll		1,010,498			888,713			979,528		
	Totals	\$ 4,312,683	1,885,253	44%	\$ 3,458,802	1,521,741	44%	\$ 4,283,530	1,893,534	44%	50%
Lincoln Trail	Bills		1,000,577			919,932			1,196,359		
	Payroll		1,175,493			1,179,359			1,047,585		
	Totals	\$ 4,498,201	2,176,070	48%	\$ 4,494,153	2,099,291	47%	\$ 4,540,934	2,243,944	49%	50%
Olney Central	Bills		1,361,792			1,432,197			1,473,888		
	Payroll		2,365,933			2,548,916			2,126,034		
	Totals	\$ 7,396,633	3,727,725	50%	\$ 7,789,976	3,981,113	51%	\$ 7,866,901	3,599,922	46%	50%
Wabash Valley	Bills		1,551,804			1,471,123			1,669,710		
	Payroll		1,484,662			1,524,852			1,438,097		
	Totals	\$ 6,083,520	3,036,466	50%	\$ 6,078,045	2,995,975	49%	\$ 6,111,313	3,107,807	51%	50%
Workforce Educ.	Bills		1,574,827			1,937,902			1,532,677		
	Payroll		628,988			755,535			642,876		
	Totals	\$ 5,297,022	2,203,815	42%	\$ 6,192,255	2,693,437	43%	\$ 5,597,344	2,175,553	39%	50%
District Office	Bills		127,833			147,941			154,578		
	Payroll		439,680			457,344			471,185		
	Totals	\$ 1,266,150	567,513	45%	\$ 1,289,241	605,285	47%	\$ 1,278,178	625,763	49%	50%
District Wide	Bills		869,010			924,746			760,440		
	Payroll		418,144			359,002			394,773		
	Totals	\$ 3,329,156	1,287,154	39%	\$ 2,813,846	1,283,748	46%	\$ 2,811,649	1,155,213	41%	50%
GRAND TOTALS		\$32,183,365	\$ 14,883,996	46%	\$32,116,317	\$ 15,180,590	47%	\$32,489,850	\$14,801,736	46%	50%

ILLINOIS EASTERN COMMUNITY COLLEGES
Operating Funds Expense Report
December 31, 2014

	<u>FY 2015</u>		<u>FY 2014</u>		<u>Increase (Decrease)</u>
	Amount	% of Total	Amount	% of Total	
Salaries	7,100,078	47.97%	7,713,721	50.81%	(613,643)
Employee Benefits	1,043,924	7.05%	955,825	6.30%	88,099
Contractual Services	315,955	2.13%	356,903	2.35%	(40,948)
Materials	838,896	5.67%	980,716	6.46%	(141,820)
Travel & Staff Development	134,256	0.91%	123,791	0.82%	10,465
Fixed Charges	120,415	0.81%	139,123	0.92%	(18,708)
Utilities	475,531	3.21%	456,421	3.01%	19,110
Capital Outlay	119,771	0.81%	36,972	0.24%	82,799
Other	4,652,910	31.43%	4,417,118	29.10%	235,792
	<u>14,801,736</u>	<u>100.00%</u>	<u>15,180,590</u>	<u>100.00%</u>	<u>(378,854)</u>

Agenda Item #11

Chief Executive Officer's Report

Agenda Item #12

Executive Session

Agenda Item #13

Approval of Executive Session Minutes

- A. Written Executive Session Minutes**
- B. Audio Executive Session Minutes**

Agenda Item #14

Approval of Personnel Report

Agenda Item #15

Collective Bargaining

Agenda Item #16

Litigation







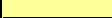
Agenda Item #17

Other Items

Agenda Item #18

Adjournment

**Locally Funded, CDB, & PHS Projects
Projects Schedule**

	Funding Source	Estimated Budget								
FY 2012 Capital Renewal @ LTC & WVC	CDB	\$397,900								
OCC - Collision Repair Tech Center	CDB	\$1,500,000								
Asbestos Abatement - LTC	PHS	\$150,700								
Flooring Replacement	PHS	\$107,200								
General PHS Work - FLOW	PHS	\$728,541								
Fire & Electrical PHS Work - FLOW	PHS	\$556,772								
HVAC Replacements	Funding Bonds	\$3,174,919								
GRAND TOTAL		\$6,616,032	Board Approval	Materials	Begin Construction	30% Completed	60% Completed	80% Completed	100% Completed	Fully Accepted

12/31/2014