

APPENDIX D

FORM OF ANNUAL REPORT

ANNUAL COMPLIANCE REPORT RE: DEBT COMPLIANCE AND MANAGEMENT POLICY

To: Board of Trustees of Western Illinois University

Pursuant to its responsibilities as set forth in the Debt Compliance and Management Policy (the “Policy”) adopted by Western Illinois University (“WIU”), on _____, 201_, the Compliance Committee has conducted the annual review required by the Policy and has prepared this report to determine whether Debt (as defined in the Policy) comply with covenants and other ongoing requirements applicable to each issue of Debt. The following sets forth a summary demonstrating the WIU’s compliance with such covenants and requirements. Some of the data available to the Board of Trustees is considered confidential. The Compliance Officer acts as the Board’s spokesperson when communicating financial information to the public. Board members should refrain from communicating nonpublic information with the public or the investor community.

RECORDS

[The Compliance Committee has all of the records required under the Policy.]

[The Compliance Committee is taking appropriate action to recover the records required under the Policy.]

TAX COMPLIANCE

(a) *Arbitrage Rebate Liability.* At this time, the Board:

[does not have any rebate liability to the U.S. Treasury.]

[has a rebate liability of approximately \$_____ to the U.S. Treasury.]

[is exempt from arbitrage rebate liability under the _____ exemption.]

(b) *Contract Review.* The Compliance Committee has reviewed copies of all contracts and agreements of the Board, including any leases, with respect to the use of any property owned by WIU and acquired, constructed or otherwise financed or refinanced with the proceeds of the Debt and other records. At this time,

[each issue of the Debt complies]

[certain Debt may not comply]

with the Federal tax requirements applicable to such issue, including restrictions on private business use and private loans.

[Specify any non-compliance.]

(c) *IRS Examinations or Inquiries.* The Internal Revenue Service (the “*IRS*”) [has not] [has] commenced an examination of any issue of the Debt. The IRS [has not] [has] requested a response to a compliance check, questionnaire or other inquiry.

CONTINUING DISCLOSURE

(a) The Compliance Committee has reviewed the agreements of the Board with respect to each issue of Debt to determine whether the Annual Financial Information and Audited Financial Statements were filed in a timely manner.

[All such information was filed within the times required by all Undertakings.]

[The following information was not timely filed as required by the Undertakings: [specify]].

(b) The Compliance Committee has conducted a review of all Reportable Event Disclosure made this year.

[No Reportable Event Disclosure has been required.]

[The following Reportable Event Disclosure was made in a timely manner: [specify]]

[The following Reportable Event(s) occurred and disclosure was not made in a timely manner, but has been remedied as follows: [specify]].

OTHER COVENANTS AND REQUIREMENTS

[Except as described in this Report, all] [All] issues of Debt are in compliance with all other covenants and other ongoing requirements applicable to each such issue under the related Debt documents.

[The Board is currently not in compliance with the following covenants: [specify]].

Based upon the foregoing, the Compliance Committee:

[believes that no further action is necessary at this time.]

[recommends that the following remedial actions be taken: [specify]]

[recommends that WIU consult with outside independent professional counsel and, if necessary, seek correction of such failures, defaults, violations or potential violations through remedial actions described in the Policy].

This report will be entered into the records of the Board and made available to all members of the Board at the next regular meeting thereof.

RECOMMENDATIONS RE: EFFECTIVENESS OF THE POLICY; OTHER MATTERS

The Compliance Committee has consulted with other WIU staff, counsel, the Municipal Advisor and other professionals in order to evaluate the effectiveness of the Policy.

The Compliance Committee has

[no recommendations for change in the Policy.]

[the following recommendations for improvements in the Policy.]

Respectfully submitted this ____ day of _____, 20__.

COMPLIANCE COMMITTEE

By _____
Compliance Officer

Names and Titles of Members of the
Compliance Committee:
[list names and titles here]