

**PROPOSAL: Termination of the Western Michigan University Cooley Law School Agreements**

Background

The Western Michigan University Board of Trustees has responsibilities under the Michigan Constitution to both WMU and the State of Michigan. These responsibilities include the Board's fiduciary and administrative oversight of activities associated with WMU and specifically includes the obligation to adopt, revise or reaffirm the mission, goals, objectives and priorities of the institution and approve long-range goals. As part of fulfilling that responsibility a thorough assessment of WMU's partnership with the WMU Thomas M. Cooley Law School has been undertaken over the last year.

In 2013, following thorough due diligence by both institutions, Western Michigan University and Cooley Law School entered into an Affiliation Agreement and a Co-Branding and Cross License Agreement. These Agreements allowed Cooley Law School to use the Western Michigan University name after approval by the accrediting bodies. Both WMU and Cooley maintained complete financial and academic autonomy and they remained separate legal entities. It was the hope of both institutions that the affiliation would improve the quality of the educational experience for students at both institutions and would serve to enhance the reputation and standing of both institutions in the academic community. Several years after implementation those hopes have not been realized.

In addition, the impact of the pandemic on higher education has led each institution to focus on their core missions. Much has changed at both organizations and in the world of legal education since 2013. The affiliation was intended to be a prelude to more joint programs and a closer collaboration between the institutions. Those intentions have not materialized in seven years, and they are not on the immediate horizon. Ventures not at the center of WMU's strengths and mission have been eliminated to maintain focus and stability through these unprecedented times. The Board believes that affiliation with Cooley has become a distraction from the University's core mission. The Affiliation Agreement requires three years written notice should one institution decide to unilaterally terminate the Agreements.

Recommended Action

It is recommended the Board approve termination of the agreements with WMU Cooley and begin the three-year separation process.