

Draft

STATE OF ILLINOIS

ADMISSIONS REVIEW COMMISSION

Commission Meeting: 1:00 p.m.

Tuesday, July 21, 2009

James R. Thompson Center
100 West Randolph Street, 16-503
Chicago, Illinois 60606

BEFORE PANEL

Abner Mikva, Chairman

Ricardo Estrada, Commissioner

Bernard Judge, Commission

Doris Lowry, Commissioner

Chuck Scholz, Commissioner

Maribeth Vander Weele, Commissioner

Robert Ellis

Theodore Chung

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1 CHAIRMAN MIKVA: I think we're ready to get
2 started. So the Commission will come to order.

3 I believe that our first witness is
4 going to be Representative Boland.

5 Mr. Boland, we welcome you here. And
6 I appreciate you taking your time out of what we
7 know is a busy schedule to testify.

8 And pursuant to our usual, if you want
9 to make a short statement. And then we'll let
10 Mr. Chung start the ball rolling.

11 REPRESENTATIVE BOLAND: Thank you very
12 much. And thank you all for your service on
13 this Commission.

14 Obviously to all of us in the state,
15 me in particular, this was an earth-shaking
16 revelation. My background and that of my family is
17 in the area of education.

18 I spent 25 years or more in public
19 school education. And also about 25 years or more
20 at night and on Saturday mornings teaching from 8:00
21 to 12:00 at a local community college on the Iowa
22 side of the river where I live. And also at a now
23 defunct, unfortunately, Catholic women's college.
24 It was called Mary Cress College at the time.

1 I served on a local school board. My
2 wife is a retired school librarian. One of our
3 daughters is a law school professor in Indiana.

4 The other one, unfortunately, is a
5 tragedy of the recession and was running a
6 Montessori school in Indiana. So my whole life and
7 existence, you might say, is tied with education.

8 And before I entered the field of
9 politics, my drift was to eventually -- after
10 retiring from public school teaching was to go into
11 teaching probably at the community college level.

12 So I have a love of education, a
13 belief that higher education in particular should be
14 sacrosanct from the political arena.

15 Perhaps that's from my formative
16 years. 25 years growing up in Iowa where it's a
17 different political culture than right across the
18 river where my office is in Moline, Illinois.

19 I'm here in my own capacity as an
20 individual and as chair of Higher Ed Committee and
21 expressing my own beliefs. They're not the beliefs
22 of any other legislators.

23 A few have talked to me. But probably
24 a lot of them are shunning me partly because,

1 perhaps, of my views on this particular episode.

2 So with that, I do have some ideas for
3 reform. I know all of you folks have taken a much
4 greater amount of time and energy and built a
5 stronger data of information so that you, I'm sure,
6 have plenty of recommendations of your own. And I
7 will be very happy and interested to see those.

8 But when the time comes where if you
9 ask me about those, I'll be glad to give my view.

10 With that, I'm more than happy to try
11 to answer any questions you might have.

12 MR. CHUNG: Representative Boland, you are
13 an elected state official, is that correct?

14 REPRESENTATIVE BOLAND: Yes. I'm in my
15 15th year as a state representative from the 71st
16 District which is a 100-mile long district,
17 stretching from basically near Galesburg, Illinois,
18 in Knox County, far to the north to the Joe Davies
19 county line. It's a mix of rural, small town and
20 urban environment.

21 MR. CHUNG: As a representative, do you
22 have to run every two years to maintain office?

23 REPRESENTATIVE BOLAND: Yes. I think
24 that's a reform outside of this Commission. But

1 it's a reform that, I think, if we really want to
2 get ahold of campaign finance, that's one thing that
3 should be changed.

4 I believe that on the federal level,
5 as well. You're on a treadmill is what you're on
6 right now.

7 CHAIRMAN MIKVA: You're where
8 Thomas Jefferson advocated one-year terms.

9 REPRESENTATIVE BOLAND: I'm a lover of
10 Jefferson. But I'd have to disagree with him on
11 that.

12 CHAIRMAN MIKVA: He never ran for Congress.

13 MR. CHUNG: Are there any colleges or
14 university within your district?

15 REPRESENTATIVE BOLAND: I have two
16 colleges. One, Blackhawk Community College and a
17 private -- well, actually isn't in my district.
18 It's right over the edge -- Augustana College.

19 MR. CHUNG: Do you have any official role
20 with regard to either of those colleges?

21 REPRESENTATIVE BOLAND: I do not. I'm a
22 big supporter of community colleges. In fact, I'm a
23 big supporter of what I call education from nursery
24 school to graduate school.

1 I served two terms on the elementary
2 and secondary education committee and then this year
3 asked to be the chair of the Higher Ed Committee.

4 MR. CHUNG: Can you describe for the
5 members of the Commission what that position
6 entails; being the chair of the Higher Ed Committee
7 for the House.

8 REPRESENTATIVE BOLAND: Basically you deal
9 with all and any issues that come before the
10 committee that is legislation that would affect
11 higher education.

12 So, for example, one reason I chose to
13 move from the committee that I was chair of -- I've
14 been the chair of two other committees before this
15 one -- was because I have a concept called challenge
16 scholarships that I wanted to develop. And,
17 unfortunately, we got kind of diverted into this
18 area instead.

19 MR. CHUNG: Now, prior to becoming chair of
20 the Higher Ed Committee, did you have experience
21 with that same committee? Where were you a member,
22 for instance?

23 REPRESENTATIVE BOLAND: I was not. As I
24 said, I have a -- I guess you'd call it my body of

1 legislation that I want to promote to increase the
2 access to higher education, particularly in the
3 community colleges through this idea of challenge
4 scholarships. So that was why I chose that. And to
5 be of a general support to all higher education.

6 MR. CHUNG: Do you know if the House
7 Committee on Higher Ed has ever taken up the issue
8 of university admissions practices or policies
9 either this year or at any time in the past?

10 REPRESENTATIVE BOLAND: We have not this
11 year since I have been the chair. As far as I know,
12 it has never come to the floor, if it did come
13 before the Committee. My guess would be that it did
14 not.

15 MR. CHUNG: The Senate has its own Higher
16 Ed Committee, is that true?

17 REPRESENTATIVE BOLAND: That is true.

18 MR. CHUNG: Who is the chair of the Senate
19 Higher Ed Committee?

20 REPRESENTATIVE BOLAND: I believe it is
21 Senator Mahoney. I'm not sure.

22 MR. CHUNG: Who is the ranking minority
23 member of the House Higher Ed Committee?

24 REPRESENTATIVE BOLAND: Bob Pritchard. He

1 is in the DeKalb area. He is a Republican. I am
2 a Democrat.

3 MR. CHUNG: Representative Boland, are
4 there current plans looking forward for the House
5 Higher Ed Committee to take up the issue of
6 admissions practices and policies for state
7 universities?

8 REPRESENTATIVE BOLAND: I have not planned
9 that. I'm interested to see what comes from this
10 Commission and if we should get involved.

11 I must tell you my philosophy was very
12 hesitant about legislators in general or even the
13 executive branch. I used to teach history and
14 Poli Sci.

15 There were episodes back in the 1930s,
16 1940s in Georgia and in Texas where the legislature
17 and the Governor got deeply involved in the
18 inner-workings of the University there; the
19 University of Georgia and University of Texas.

20 It was not a good thing. It was not a
21 pretty thing. And it resulted, at least from what
22 I've read, in a lot of damage.

23 So I'm rather hesitant for us to get
24 into the detailed workings of an institution of

1 higher education. I don't think that's our role.

2 Our role is more what we do to
3 support it, what ideas maybe do we have for
4 increasing access to it, that type of thing.

5 MR. CHUNG: Very early on soon after the
6 Commission was formed, it was announced that you had
7 been appointed essentially the House democratic
8 liaison to this Commission to House Speaker Madigan.

9 REPRESENTATIVE BOLAND: Yes.

10 MR. CHUNG: But as you just said a few
11 minutes ago, you're testifying here today in your
12 own capacity as a representative of a particular
13 district?

14 REPRESENTATIVE BOLAND: Right.

15 MR. CHUNG: To what extent then do you feel
16 comfortable also speaking on behalf of at least some
17 of your colleagues within the House?

18 REPRESENTATIVE BOLAND: Well, I've had two
19 reactions from fellow colleagues. And that's why I
20 say I couldn't speak on behalf of them.

21 One reaction has been from some people
22 who were -- had the same reaction as me. They were
23 really astounded by this. Felt, I think as I did,
24 that this was an injustice that was done to students

1 who may have been well-qualified, better qualified
2 and somehow got passed over for somebody who was
3 admitted who was either less qualified or maybe even
4 unqualified.

5 And, of course, my feeling also is
6 that even for those who are granted that favoritism,
7 this may not have been good for them, in that if in
8 the case of what I read in the newspaper of a law
9 student that, I believe it was the law dean or
10 professors had said that was not destined for
11 success, was most likely going to fail, could not
12 pass the bar, so on and so forth, that was in a
13 sense -- that person was destined for failure. So
14 that was in a sense an injustice done to them.

15 I had personal experience in my
16 college teaching when I would have students who -- I
17 had two that I think of right off the bat, two young
18 men who had flunked out -- one out of the University
19 of Iowa; one out of the University of Wisconsin --
20 came to my class and ended up being A students.

21 The different situation -- different
22 people can succeed in different situations. So
23 probably the smaller class size, more direct
24 interaction with an instructor, that type of thing

1 may have made the difference.

2 So in that case there was a second
3 injustice. And then, of course, I think the prime
4 thing -- or maybe not the prime thing -- but the
5 prime thing would be those who missed out on the
6 opportunity who should have been there, is the
7 message that much of the public -- I probably have
8 had more comments made to me, E-mails, calls, people
9 stopping me on the street.

10 When I go out for my three-mile walk
11 they stop me -- can't get my exercise in -- and tell
12 me that, you know, well, my kid, you know, got all
13 As and was rejected. How come that was? Because it of
14 this?this sent doesn't make sense?

15 And I can't tell them what the reason
16 was. And, in fact, I will give you a personal
17 story. Our oldest daughter, who is now a professor
18 of law in Indiana, IUPUI, and who had clerked for
19 the Iowa Supreme Court, she had gone through a
20 private college, gotten one B the entire time, got a
21 masters at U of I in their computers and
22 technology -- library science department.

23 And then decided she wanted to be an
24 English professor. So she applied to get into the

1 master's program in English. Well, she was passed
2 over. We just sort of accepted it. We thought,
3 well, it must have been some good reason, Susie, so
4 you need to look at something else.

5 And it worked out well. She looked at
6 law school, went to law school and has enjoyed her
7 life ever since.

8 So there's other people out there I
9 think that have put that thought in my head and in
10 my wife's head that, well, who knows why she got
11 rejected.

12 CHAIRMAN MIKVA: That's clearly one of the
13 real losses of this whole matter is the lack of and
14 loss in confidence that people have if the
15 University is making decisions on the merits and
16 then every parent of every rejected child for
17 whatever reason feels that they've been victimized,
18 too.

19 And we can't tell them that they
20 weren't until we get a handle on how to put this
21 system back on track.

22 REPRESENTATIVE BOLAND: Absolutely,
23 Mr. Chairman. I've had that said to me. People
24 stopping me literally on the street calling,

1 E-mailing and saying that why was my kid rejected?

2 Was it because of this? I don't know.

3 CHAIRMAN MIKVA: I should also tell you
4 that while I don't want you to have to claim
5 responsibility for the whole House of
6 Representatives, when I spoke to Speaker Madigan, we
7 had invited out the leadership. They declined and
8 couldn't. But he was very happy to hear that you
9 were planning to come and sit.

10 And he had talked to you and he was
11 very comfortable with your views. And he was sure
12 you would express the sentiments of the majority of
13 the House; if not the actual views.

14 REPRESENTATIVE BOLAND: I'm happy to hear
15 that. He didn't express that to me, but I'm happy
16 to hear that.

17 CHAIRMAN MIKVA: He doesn't come across
18 with confidence very often.

19 COMMISSIONER JUDGE: You said there was two
20 reactions from your colleagues, and one was the
21 astounded thing.

22 What was the other reaction?

23 REPRESENTATIVE BOLAND: The other reaction
24 is some of them have been very hesitant to, I think,

1 let's say, hang out with me anymore. A few have
2 actually come up to me and said, you know, hey,
3 well, all I did was write this letter or whatever
4 they did, you know.

5 And I didn't take down notes or
6 anything. But just kind of listened to them. So
7 they were the minority, I would say. As I said,
8 there were some who said this is good, we should end
9 this, blah, blah, blah.

10 And then a few who tried to justify
11 whatever they had done. But most really have just
12 nothing.

13 CHAIRMAN MIKVA: If the University had a
14 clear stated policy on admissions and made it clear
15 that political influence was not a coin of the
16 realm, wouldn't that make your job easier?

17 REPRESENTATIVE BOLAND: Absolutely. In
18 fact, that's one of the reforms I recommend is that
19 there be a clear written policy what are the
20 standards for admission, what are any exceptions.

21 For example, if -- you know, I'm not
22 an admissions expert. But if you have somebody who
23 is a C student, but they're a prodigy in music or
24 art or theater, you name it, you want that person

1 maybe in your university. But it should be a
2 statement.

3 I even believe that we should have in
4 our ethics training and the ethics training that
5 Trustees go through and maybe top administrators,
6 whatever, executive branch, all of us have that as
7 one particular line or question that, you know, this
8 is not to be done.

9 MR. CHUNG: Representative Boland, how many
10 people do you serve in your district?

11 REPRESENTATIVE BOLAND: Right now it's
12 105,254. Probably after the next census, it will be
13 115,000 something.

14 MR. CHUNG: You know down to the
15 individual. But who's counting. That's impressive.

16 The term constituent service has been
17 talked about a little bit in the context of this
18 Commission.

19 How would you define constituent
20 service from the standpoint of a state-elected
21 official?

22 REPRESENTATIVE BOLAND: Well, what we do in
23 my office is I have a rule. And that is when I hire
24 somebody, I say we're here to help people in

1 whatever capacity we can do that's legal and moral
2 that doesn't put us or the office in jeopardy.

3 And we're to be courteous. We don't
4 have to take abuse. So I tell them if somebody
5 calls on the phone and they start cussing you out
6 you can say good-bye. But we're there to serve
7 people.

8 In my office we have a large number of
9 elderly constituents. My population tends to be an
10 aging population. We don't have any, I should say,
11 population growth in the area so far. Economically
12 the area has been hard hit since the '80s.

13 And so we do a lot of -- we do about
14 600 a year, what we call, circuit breaker
15 applications where a senior will come in and bring
16 us their information. And then my staff or I --
17 mainly my staff because I'm usually gone -- will
18 help them fill out their form and, you know, send it
19 in for them or tell them where to send it, that type
20 of thing.

21 The staff also, of course, answers any
22 type of E-mail or telephone messages that we get.
23 Again, I have the rule that even if they're from
24 within this the district and they want my views or they

1 want, you know, whatever information, we are to try
2 to respond to them because they are a tax payor.

3 So those are the main things. Helping
4 people in those regards. Once in awhile if somebody
5 has some problem with state government and they need
6 to contact an agency for whatever reason, they
7 didn't get their income tax refund or whatever the
8 situation is, if we can intervene and help in that
9 regard, we do it.

10 CHAIRMAN MIKVA: How many requests do you
11 get a year, say, for people asking about university
12 admission?

13 REPRESENTATIVE BOLAND: I actually cannot
14 recall any myself. Nobody has asked me to write a
15 letter of recommendation that I can recall as far as
16 that, as far as admissions into any of the colleges.

17 I don't know if I would do it. I
18 probably would not do it even. I just don't think
19 that that is the role.

20 And I would hope that any college
21 admissions personnel, whether it's private, public,
22 if they saw a letter coming from a legislature
23 unless that person knew them, you know, had somehow
24 worked in their office or that type of thing.

1 For example, I have interns. We have
2 two American Indian interns right now. They do good
3 work. You know, we'll write a letter of
4 recommendation to the next employer or whoever they
5 ask.

6 CHAIRMAN MIKVA: What about private
7 colleges, do you have any requests for letters of
8 recommendation from private colleges?

9 REPRESENTATIVE BOLAND: I actually haven't.
10 One just this year from a young man who is working
11 in my office part time and he has applied to Drake
12 University, which is actually an Iowa school.

13 So I don't know how much my
14 recommendation, if I write one, will mean anyway. I
15 would think if I can explore that a little further.

16 I would think recommendations written
17 by a teacher, a principal, or an employer, you work
18 at the corner grocery store, you know, the person
19 knows you're honest, hard working, that type of
20 thing, would be meaningful.

21 I don't think -- this is just my own
22 view. If I was an admissions counselor or something
23 getting a letter from the mayor or state legislature
24 or the Governor or somebody, what's that mean? You

1 know, he's just doing it as a political favor
2 probably.

3 MR. CHUNG: Representative Boland, you
4 talked about your own sense of what constituent
5 service is.

6 Do you know if there's any document,
7 for instance, a written policy that would lay out
8 any guidance for legislators like yourself to follow
9 when determining whether or not something is
10 appropriate constituent service?

11 REPRESENTATIVE BOLAND: We have to go
12 through ethics training. And there are certain
13 things. Mainly most of the focus is on the idea of
14 separating your use of the office as a public
15 service and campaign activities.

16 So, you know, you would be -- some of
17 the training would say, you know, you can't have
18 somebody come in and give you a check in the office,
19 that type of thing.

20 Or any number of things where you
21 might use your public office for a campaign purpose.
22 That seems to be most of the focus.

23 As I said, I think it would be well if
24 in the ethics training there was a part that said,

1 you know, this is not a good thing to do.

2 MR. CHUNG: It's fair to say that there is
3 nothing that's part of the ethics training that
4 touches on admissions practices or admissions
5 policies?

6 REPRESENTATIVE BOLAND: As far as I can
7 recall, no.

8 COMMISSIONER VANDER WEELE: Just out of
9 curiosity, is there anything on contracts as well?
10 Is there anything that talks about using political
11 influence to -- in other areas and that might
12 encompass admissions by saying this, this, this and
13 other things?

14 REPRESENTATIVE BOLAND: You know, I don't
15 recall right offhand. I guess as a politician, the
16 thing I'm always concerned about and I would guess
17 my fellow legislators would be, is that line --
18 making sure we're not getting into the line of using
19 public facilities for campaign purposes. That's my
20 own --

21 COMMISSIONER VANDER WEELE: So then there's
22 nothing on employment or using political influence
23 in accomplishment or anything else -- what I'm
24 really interested in -- and counsel has really hit

1 on this point -- I'm really interested in knowing
2 how the culture -- the political culture is
3 reflected in the policies or vice versa.

4 And is there a political culture that
5 accepts the use or accepts legislators involving
6 themselves in day-to-day management decisions,
7 whether it be contracts, whether it be admissions,
8 whether it be jobs.

9 Is there anything that addresses that
10 whole area as a group that may not specify
11 admissions?

12 REPRESENTATIVE BOLAND: Again, not that I
13 recall. I think you've hit on something. And that
14 is, I think we have in the State of Illinois a
15 political culture that probably dates back quite a
16 long time of patronage hiring, for example, and
17 things like that.

18 For example, we might have people who
19 want some type of a job; and, therefore, usually
20 they go through the county Chairman more, I would
21 think than, a legislator.

22 At least in my case, that seems to be
23 the way that they focus on jobs and probably
24 contracts as well.

1 COMMISSIONER SCHOLZ: Representative
2 Boland, in terms of the University, there are
3 certain things, I think, that the institution can do
4 by way of reform through policy that prohibit fund
5 raising, governmental relations Trustee involvement.

6 But how do we deal with the General
7 Assembly? Or what recommendation do you have as far
8 as requests for inquiry all they way through to what
9 we've heard here in testimony about influence?

10 REPRESENTATIVE BOLAND: Well, my
11 recommendations is, one, that there be something in
12 the ethics training that this is not acceptable
13 behavior; it crosses the line.

14 The second thing is I think as
15 Chairman Mikva had pointed out about there being a
16 written statement that university people could -- if
17 an inquiry was made, they could very easily just
18 point to that and say, sorry, like to help you, but
19 we're forbidden to do that or something like that.

20 COMMISSIONER SCHOLZ: You would welcome
21 that, I think, was your response to Chairman Mikva?

22 REPRESENTATIVE BOLAND: I would welcome
23 that. Myself, I think that in my eyes as an
24 individual -- I can only speak as an individual.

1 But to put pressure on an institution
2 to admit somebody, even if they are qualified --
3 because I've had a few legislators come up to me and
4 say, hey, I've tried to get in this person
5 Mr. Smith. And Mr. Smith had all As, and he never
6 got in. You know, what about that?

7 And sort of in a sense, I guess,
8 trying to make me feel guilty about that they --
9 that that did not happen.

10 So I think if we make clear that
11 interference on behalf of admittance or applicants
12 is not ethical or acceptable behavior on the part of
13 a legislator or a member of the executive branch, as
14 well.

15 CHAIRMAN MIKVA: You've been around 15
16 years. So you know your colleagues. Don't you
17 think most of them would welcome it?

18 REPRESENTATIVE BOLAND: I think so.

19 CHAIRMAN MIKVA: There are a few who want
20 to throw their weight around.

21 REPRESENTATIVE BOLAND: There are. And you
22 absolutely have hit on it. There are some who like
23 that type of thing.

24 I would think most of them would feel

1 a sense of relief that, hey, somebody calls the
2 office. I mean, this is what we feel in my office
3 when anybody calls us to do something we think is
4 inappropriate. We just say, sorry, we just can't do
5 that, that's not allowed.

6 CHAIRMAN MIKVA: You're off the hook, you
7 haven't been a bad guy --

8 REPRESENTATIVE BOLAND: Yeah. I think it
9 would be good, as I said, to have those two things.
10 One in ethical training. A second, a clear written
11 statement of what are the admission standards and
12 that, you know, perhaps recommendations other than
13 employers and school officials is really not
14 welcomed.

15 COMMISSIONER ESTRADA: I'm going to read
16 back a statement that you made. And it simply says,
17 "the most disturbing thing to me was that throughout
18 the decades that this was going on there were no
19 heroes for the University; no one stood up and
20 shouted no."

21 So my question comes to the essence of
22 this, why not and who should have stood up?

23 REPRESENTATIVE BOLAND: I stand by that
24 statement. I think that was probably, if anything

1 the most disturbing thing as the stories came more
2 and more out that there was nobody there really
3 saying, hey, wait a minute, we're not going to go
4 along with this.

5 Even to the extent of maybe even
6 saying I'm not going to go along with this, and I'm
7 out of here if you pressure me to do this.

8 So I would have hoped that, number
9 one, that Trustees in particular would not have
10 engaged in that behavior.

11 In my eyes, being a Trustee of a
12 college or university is a tremendous honor. And
13 it's your job really to protect and promote that
14 institution.

15 And you shouldn't be using it as some
16 sort of what can I get out of this or how can I help
17 my friends type thing. I think as Maribeth had --
18 there's a political culture that we've had in
19 Illinois that sort of permeates everything in a way
20 that way.

21 But it is sad. It's very sad, I
22 think, that no one stood up. Why was there not
23 another Trustee who, if they knew about this, didn't
24 stand up and shout, hey, wait a minute, you know, we

1 can't do that.

2 Or even to say to them in privately
3 are you sure you're doing -- this is the right thing
4 to do, something like that.

5 That to me, again, sad to say, there
6 was no real hero in this.

7 COMMISSIONER JUDGE: You've asked certain
8 Trustees who are involve flat to resign. Who?

9 REPRESENTATIVE BOLAND: I think any of the
10 Trustees that were actually involved in scandal
11 itself that use their influence improperly, that
12 they should hopefully voluntarily resign.

13 If that doesn't happen, I would hope
14 the Governor would take it upon himself to remove
15 those individuals.

16 And then, lastly, if those steps were
17 not taken, then it probably is incumbent upon us as
18 legislators to pass legislation to remove those
19 people.

20 COMMISSIONER VANDER WEELE: Can I ask a
21 question about that?

22 Would you draw a distinction between a
23 Trustee who is bringing in -- sponsoring students
24 that were the relatives of friends or their own

1 relatives versus a Trustee who may have been going
2 out to communities and recruiting underprivileged
3 students using the same system but for different
4 motivation?

5 REPRESENTATIVE BOLAND: I think so, yeah.
6 I think there's a different -- definitely a
7 difference there. So, I mean, that to me seems
8 clearcut.

9 COMMISSIONER VANDER WEELE: Just for the
10 record, there have been some people who stood up
11 along the way. And there was an individual
12 Mr. Montoya from the admissions who left. And
13 possibly in part --

14 MR. CHUNG: I don't believe the record
15 would suggest he left because of any pressure that
16 he felt.

17 COMMISSIONER VANDER WEELE: But there were
18 a number of people in our testimony that said, no,
19 I'm not going to do this. But they haven't received
20 a lot of play.

21 Is that fair?

22 MR. CHUNG: In varying degrees, perhaps.

23 REPRESENTATIVE BOLAND: I had not heard of
24 that.

1 COMMISSIONER VANDER WEELE: And then one
2 other thing. And that is, I'd just like to respond
3 to your statement about setting specific standards.

4 Our testimony showed that there needs
5 to be some wiggle room because, for example, the law
6 school one year, they may want to look for engineers
7 and focus on engineering students in response to
8 some national trends.

9 Another year it may be another type of
10 student. So the admissions people do want to
11 maintain some flexibility to focus on some
12 credentials over the others.

13 And then, of course, there's a lot of
14 questions about specific groups of people. For
15 example, should veterans have preference in
16 admissions? Should they get any points? In my
17 opinion they should.

18 Should underprivileged students who
19 are at the top of their classes but they've not had
20 the opportunities of really strong education --
21 education environment, should they get any sort of
22 preference or at least something to make up for the
23 fact that they went to a deplorable school setting.

24 REPRESENTATIVE BOLAND: I think some of the

1 states have done things to diversify their student
2 body by having admissions slots for 10 percent of
3 each high school so they get a diversified.

4 And I realize, of course, you want
5 students from not just many different economic and
6 ethnic groups, but you want foreign students to
7 come.

8 You want a -- that's part of the whole
9 educational process is learning about other people
10 and learning how to get along with other people and
11 so forth. So that all can be taken in.

12 But I think, again, there should be at
13 least a clear statement of what the standards are.
14 The standards may change from year to year.

15 Perhaps, as you said, there might be a
16 different group that you want to emphasize next year
17 versus this year. But as long as it is written out
18 there, I think, for all to see I think is an
19 important --

20 COMMISSIONER VANDER WEELE: Who should make
21 the decision on what the changing rules or changing
22 standards should be --

23 REPRESENTATIVE BOLAND: I think the
24 University should do that.

1 COMMISSIONER VANDER WEELE: Would it be the
2 Trustees or the Admissions Group? Because it could
3 be a controversial process year after year after
4 year you're changing the mix in each of the
5 colleges. It would take an enormous amount of time,
6 it seems to me --

7 REPRESENTATIVE BOLAND: It probably is a
8 complicated procedure. And obviously you want to
9 have the admissions people. You want to have the
10 administration. You may want to have the
11 Trustees --

12 CHAIRMAN MIKVA: Do you really want the
13 trustees involved in day-to-day operations? I like
14 your original view when you said that the
15 legislature should --

16 REPRESENTATIVE BOLAND: You're right. I'm
17 learning about this as much as you are.

18 CHAIRMAN MIKVA: But I share your views.
19 In the '30s and '40s and '60s and '70s was trying to
20 tell universities in high school what to teach and
21 what kind of admissions policies they have.

22 And I think that ought to be left to
23 the University people. We want -- I think --

24 REPRESENTATIVE BOLAND: We want the pros

1 doing the job.

2 CHAIRMAN MIKVA: And we want a policy
3 saying the non-pros should not get involved.

4 REPRESENTATIVE BOLAND: Absolutely.

5 COMMISSIONER LOWRY: I have a question.

6 Are legislators trained on the do's
7 and don'ts on how to use the lobbyists from various
8 special interest groups?

9 REPRESENTATIVE BOLAND: Not really. The
10 whole legislative and lobbying atmosphere is pretty
11 lase fare and wide open in the State of Illinois.
12 There aren't any set rules.

13 On the Metra trip in today, I sat with
14 a lawyer from Chicago here. And he was giving me
15 his views. And he said there ought to be a 500-foot
16 limit.

17 Sort of like in a campaign there's a
18 sign 150 feet away from the polling place. He
19 thought there should be a 500-foot limit from the
20 lobbyist to the legislators.

21 CHAIRMAN MIKVA: That's what that fancy
22 glass is for.

23 COMMISSIONER LOWRY: My concern would be
24 that if we institute policy that bars legislators

1 themselves from engaging in this process, it seems
2 to be using lobbyists as an obvious alternative.

3 And, of course, the testimony that
4 we've had has shown that that's part of the problem;
5 lobbyists engaging.

6 What do you see as a way that -- can
7 legislators be barred from having these kinds of
8 discussions with lobbyists? And can you put --

9 REPRESENTATIVE BOLAND: I would sure hope
10 so. I would sure hope that the restriction in that
11 regard of admissions and this type of internal
12 interference with the youth --

13 COMMISSIONER LOWRY: Is that something that
14 your body can do within itself from the leadership
15 of your own body?

16 REPRESENTATIVE BOLAND: We probably could.
17 That's an idea. As I said, I'm learning in this
18 process as much as any of you are. And so I'm
19 picking up ideas.

20 COMMISSIONER LOWRY: Because it seems as if
21 that's part of the orientation for legislators
22 coming in. And if there is no limitations now, if
23 there aren't any, that certainly would be a great
24 beginning step to include something like this.

1 REPRESENTATIVE BOLAND: And you hit on
2 something good there. This is a little bit into
3 more of the political reforms that I think we need.

4 But in the orientation, I think that
5 all freshman our new legislators get, perhaps there
6 should be statements like that.

7 The only thing that I can recall from
8 my own -- of course this is 15 years ago, so I may
9 be a little bit forgetful -- was that, well, when
10 you tell a lobbyist -- if you say yes and you change
11 your mind, you've got to go back and tell them, you
12 know, why you changed your mind.

13 Well, you know, I think that's less
14 important than, perhaps, what you're getting at as
15 to not putting pressure on a lobbyist to do, you
16 might say, the dirty work for you, even if we forbid
17 you from doing it.

18 MR. CHUNG: Representative Boland, just so
19 we're quite clear, are you proposing or advocating
20 that legislators have no role whatsoever in
21 university admissions?

22 REPRESENTATIVE BOLAND: Absolutely. I
23 don't think that's an area we should be involved in
24 at all. Number one, most of us don't know what

1 we're doing about that anyway. We don't have any
2 real expertise or knowledge in that.

3 And unfortunately as what has
4 happened, you know, there were abuses where the kid
5 who has studied hard, played by the rules and maybe
6 parents and we know this is a great American story,
7 you know, of the first generation that -- to go to
8 college, and they taught the kid all these things.

9 And then, you know, to be passed over
10 because of somebody exerting some influence, that's
11 an abomination in my view.

12 MR. CHUNG: Would you say, though, that
13 letters of recommendation are okay?

14 REPRESENTATIVE BOLAND: No. I would like
15 to see that off the table, as well. I don't
16 think -- as I previously point out, number one, I
17 would hope any college administrator getting a
18 letter from a legislature, a Governor, or somebody
19 recommending somebody, unless, as I said, in a case
20 maybe where the person actually worked for them.
21 They're a lawyer and this person was an intern in
22 their office or something and they knew their work
23 or something rather intimately --

24 CHAIRMAN MIKVA: So general letters of

1 recommendations?

2 REPRESENTATIVE BOLAND: Yeah, general
3 recommendations, I think they should be thrown out,
4 first of all, by any admissions personnel. They
5 shouldn't even be sent.

6 I think the Chairman has made a great
7 point that I believe -- and I hope I'm right in
8 this -- that most of my colleagues would just say
9 this is great, man, I don't have anybody putting
10 pressure on me to make sure that this kid who I know
11 is a bozo in ahead of this person who is a great
12 student.

13 MR. CHUNG: When we met just a few minutes
14 ago before the hearing started, you indicated that
15 you do not know the lobbyists for the University.

16 REPRESENTATIVE BOLAND: I mean, I know
17 their names. I've never been personally lobbied by
18 them. And I don't know that that's necessarily a
19 good thing.

20 I mean, I would think -- I would have
21 expected lobbyists for various institutions to have
22 come up and introduced themselves, come to the
23 office.

24 Now, the executive director of the

1 Board of Higher Education has come. And we've spent
2 some time talking about various policies and things
3 like that.

4 In fact, I would say particularly in
5 the higher ed community, the leaders there may wish
6 to do more personal lobbying themselves in that, for
7 example, I took it upon myself as a new chair to go
8 around and visit various campuses.

9 And I've been on one four-year school,
10 Chicago State University. All the rest have been
11 community colleges so far, from Malcolm X here in
12 the city on down to Decatur and so forth. And I'm
13 trying to get around eventually to all of them.

14 But one of the things I found was --
15 and they're wonderful people. They welcome you.
16 And they're happy to sit down and talk to you and
17 tell their needs and so forth, what they're doing.

18 And great things are happening on
19 those campuses. But maybe they need to get to the
20 legislature themselves more often. And outside of
21 even their local legislature, maybe come around and
22 tell their needs.

23 For example, this is a little bit off
24 our topic. But the community colleges, which enroll

1 about 75 percent of the students in higher education
2 only get about 20 some percent, I think it is --
3 maybe even less than that -- I'll get probably
4 hammered at my next visit -- of the funding.

5 So that story needs to get out more.
6 And so I would recommend to them more personal
7 communication themselves.

8 I think it has more effect in my eyes
9 than lobbyists anyway. Lobbyists is a hired gun.
10 But a president of a college, a Trustee of a college
11 who comes and actually visits, wow, that has a big
12 impact on me.

13 COMMISSIONER JUDGE: Do you have control of
14 the budget for the schools?

15 REPRESENTATIVE BOLAND: I do not. There
16 are two committees; the Higher Education Committee
17 and the Higher Ed Appropriation Committee, they're
18 the ones with the money.

19 MR. CHUNG: Who chairs those committees?

20 REPRESENTATIVE BOLAND: It slipped my mind
21 right offhand right now. I know there was a new
22 chair, as I'm a new chair. I can't recall it right
23 off the bat.

24 MR. CHUNG: Representative, I think the

1 record would support that certain legislators worked
2 more regularly with governmental affairs personnel
3 through the University in terms of presenting
4 applicants for admission.

5 From where you sit, do you have a
6 perspective on why that would be?

7 REPRESENTATIVE BOLAND: Well, I think that
8 those who know the lobbyists you mean more
9 personally? I would guess they feel that's a more
10 effective way. Maybe it keeps them out of the
11 spotlight, that type of thing.

12 MR. CHUNG: The final question I have for
13 you, sir. There's been some testimony before this
14 Commission with regard to General Assembly
15 scholarships and the connection, if any, between
16 scholarship and admission.

17 And there's been some reports about
18 your own situation with regard to the giving of
19 General Assembly scholarships.

20 Based on what you now know that's come
21 out of this Commission, have you changed your opinion
22 or perspective at all with regard to General
23 Assembly scholarships?

24 REPRESENTATIVE BOLAND: Yes, I have

1 actually. They're more bother than they're worth in
2 my eyes. You're going to make more people mad at
3 you for the -- you're allowed to give two per year.

4 I split mine up into eight one year at
5 a time to try to give more folks a shot at higher
6 ed.

7 But, you know, you're going to have
8 twice as many applicants. And you're going to make
9 you know, somebody mad. The ones you give it to
10 usually aren't grateful, surprisingly. I've had
11 ones that have never even said thank you.

12 And yet the ones that don't get it
13 often come and scream at you. So to me they're more
14 bother than they're worth. I wish we would just
15 give it back to the schools and be done with it.

16 CHAIRMAN MIKVA: I represent
17 Representative Cury's bill. She's had a bill to
18 that effect for some years.

19 It's been in effect for reasons that
20 only the legislature knows. But I think that for
21 the same reasons that the legislators don't know
22 much about admissions, they really don't know who
23 are the most deserving students in their district.
24 And I would rather let the University make those

1 decisions.

2 COMMISSIONER VANDER WEELE: I do have one
3 more question.

4 COMMISSIONER LOWRY: Can I just ask a
5 question and finish this out?

6 When you mentioned that you split most
7 of yours into the eight, one-year awards, it also
8 says that half the scholarships are for the
9 University of Illinois and the rest for other state
10 universities.

11 Is that your choice? Or is that for
12 all legislators?

13 REPRESENTATIVE BOLAND: I believe that was
14 changed so that now they can go anywhere -- the
15 scholarship can go anywhere.

16 COMMISSIONER LOWRY: Is that a recent
17 change?

18 REPRESENTATIVE BOLAND: I think it is in
19 the last year or two or three. A while back I think
20 that changed.

21 I basically have my staff go through
22 the applicants and then forward the ones that they
23 think are the best qualified.

24 And then we try to take in certain

1 elements as a factor in it. For example, I don't
2 have a large African American community in my area,
3 but I have some.

4 And so we always try to, if possible,
5 if there is an applicant, to reward that person with
6 it. We try to put some income guidelines, as well,
7 in there, that type of thing.

8 COMMISSIONER LOWRY: When those
9 scholarships are sent to, say, the University of
10 Illinois, are these applicants that specifically are
11 applying to the University of Illinois?

12 Or are they -- when they request a
13 scholarship, are these advised that this is an
14 opportunity for you to attend the University of
15 Illinois?

16 REPRESENTATIVE BOLAND: Each legislator can
17 handle their situation according to their own
18 guidelines or beliefs.

19 In my case, you have to be accepted
20 first into whatever college you're applying for.
21 And then you come to us.

22 And a lot of mine end up being --
23 because we usually have a waiting list. As I said,
24 there's more apply than there are available. And so

1 I may have somebody that's in a third year at U of I
2 or Southern or Western or wherever.

3 And so in my office we try to take
4 that into consideration. So if somebody has gone
5 through three years and they need help that fourth
6 year to get out, we do that.

7 COMMISSIONER VANDER WEELE: Chairman, you
8 said that Speaker Madigan was very comfortable with
9 you representing the legislature today, and that he
10 was comfortable with your viewpoints. But yet he
11 sponsored quite a number of these candidates, and
12 you didn't sponsor any.

13 Did he say anything to you about his
14 view of those that he sponsored or his role in the
15 process?

16 REPRESENTATIVE BOLAND: He has not. I have
17 communicated with him just twice on this. The first
18 time when he asked me to be liaison for the House,
19 and I said I would. And then the second time was
20 after one of our caucuses.

21 Of course the speaker is a very
22 powerful person. And when he says at the end I'd
23 like to speak to Representative Mike Boland and
24 somebody else, everybody kind of turns and looks at

1 you like in school the principal is calling you or
2 something to be punished.

3 But there all he did was -- I went up
4 to him afterwards. And he said did you get this
5 letter which invited me to appear. And I said yes.
6 And I said I was going to be there.

7 And he said, well, I'm not going to be
8 there, so he said I'm glad you're going to be there.
9 That's all he said.

10 COMMISSIONER VANDER WEELE: Thank you.

11 CHAIRMAN MIKVA: Thank you very much,
12 Representative Boland.

13 REPRESENTATIVE BOLAND: I thank all of you
14 for what you're doing.

15 CHAIRMAN MIKVA: We hope we can muddle
16 through this.

17 Thank you for agreeing to participate
18 in this hearing and accept our invitation. I
19 understand you have a short statement that you would
20 like to read.

21 TRUSTEE SHAH: A quick statement,
22 Mr. Chairman.

23 Good afternoon and thank you for
24 inviting me here. I also want to thank you for

1 giving me a few minutes to make brief remarks. And
2 I'm going to make four basic points.

3 First, I'm deeply committed to
4 education. Especially higher education and need to
5 provide highest quality and most affordable public
6 education opportunity to the most diverse group of
7 people in our society.

8 I grew up in a little village in India
9 without electricity and water. And when I left
10 India in 1970, still the village didn't have any
11 water or electricity.

12 But since I was a little kid, my
13 father taught me you, even though he didn't even
14 have grammar school education, that education was
15 the only part to equality in society.

16 And in India at that time, equality
17 means the social equality, as well as the economic
18 equality. And, of course, the education combined
19 with hard work.

20 For last 20 years, I serve on many
21 boards of educational institutions at the local,
22 state and federal levels. I'm extremely proud of my
23 contributions.

24 Second, I appreciate very much that

1 all of you here as volunteers giving your valuable
2 time to an important matter of public interest.

3 Like you, I have been volunteering my
4 time in the services of the University of Illinois
5 for the last six and a half years.

6 I have done so now -- for six years I
7 was spending one or two days a week until I became
8 the board chair.

9 And one of the other things I believe,
10 I have personally helped save the University
11 millions of dollars through my work as a Chairman of
12 Buildings and Ground Committee.

13 Since I came the Chairman in January,
14 I almost work full time; more than 40 hours for the
15 University.

16 Third, I'm here to answer any
17 questions you may have about the admission letter
18 issues at the University of Illinois.

19 I want you to know the following about
20 admission letter issues.

21 After I became a member of the Board
22 of Trustees in 2003, I received some requests for
23 assistance with regard to admissions. Even though I
24 served on several university boards prior to that, I

1 never received the request for admission assistance;
2 to give somebody assistance related to the
3 admissions.

4 I asked President John Stukel, who was
5 the president then in 2003, what should I do with
6 this request. And President Stukel advised me that
7 I should forward those requests to him and he would
8 look into it.

9 That's what I did. If he told me that
10 the Trustees were not to do that or there is another
11 procedure which people who inquired about their
12 admissions status, I would have followed those
13 instructions.

14 Unfortunately, I didn't get that
15 advice at that moment. I have no knowledge of any
16 such thing as Category 1 or special consideration.

17 I never wanted anyone to be obliged or
18 pressured to do anything special for any applicant
19 about whom I sought the review.

20 Never in the last six years have any
21 political figures or elected officials contacted me
22 with a request for my assistance with regard to
23 admissions.

24 At no time in last six years have I

1 ever inquired or sought any special treatment for a
2 member of my family in the admissions process.

3 And fourth, Mr. Chairman and
4 Commissioners, I very much welcome your review.
5 It's very clear that mistakes have been made and
6 reform is necessary.

7 I pledge to you that I will personally
8 do everything in my power to implement in the most
9 prompt manner the recommendation adopted by your
10 Commission and Governor Quinn.

11 We have the new admission season
12 starting in September. And like anything else, any
13 time there is the problem, there's always a good
14 thing behind it.

15 It occurred at the time when we are
16 not taking any application. The new application
17 will start coming after Labor Day.

18 And we like to give a jump start and
19 start doing things right and restore the reputation.

20 Thank you so much.

21 MR. ELLIS: Would you state your name and
22 your current occupation.

23 TRUSTEE SHAH: Niranjan S. Shah. S-h-a-h
24 and I'm the Chairman of Board of Trustees of

1 University of Illinois. That's my volunteer job;
2 public service.

3 And to make a living, I work as a
4 president of Globe Trotters Group of Companies.

5 MR. ELLIS: Would you describe what Globe
6 Trotters does?

7 TRUSTEE SHAH: We do architectural
8 engineering design. And the professional services
9 during construction.

10 And the third area we do through one
11 of the other companies Globe Trotters Engineering.
12 We take those projects the projects designed or
13 built by someone else, and we try to -- not we try
14 to -- we provide the property management or I would
15 say facility management services. That's what we
16 do.

17 MR. ELLIS: You said you were the
18 president. Are you also the owner of the company?

19 TRUSTEE SHAH: I'm the principal owner,
20 yes.

21 MR. ELLIS: Your current affiliation with
22 the University of Illinois is Trustee and
23 specifically Chairman of the Board, correct?

24 TRUSTEE SHAH: That is correct.

1 MR. ELLIS: How long have you been
2 Chairman?

3 TRUSTEE SHAH: Since January of this year.

4 MR. ELLIS: How long have you been on the
5 Board of Trustees?

6 TRUSTEE SHAH: Since January of 2003. So
7 six and a half years.

8 MR. ELLIS: You mentioned in your statement
9 that you have served on boards that were related to
10 education prior to your time on the board at the
11 University of Illinois.

12 Would you describe that service,
13 please.

14 TRUSTEE SHAH: Yes, sir. First I started
15 with serving on the board of laboratory schools of
16 the University of Chicago. And I served on that
17 board for almost six years.

18 I also served on the Visiting
19 Committee of University of Chicago for university
20 and public schools, because I was very much
21 interested in the public school programs.

22 And then in -- during that
23 administration, I believe in '90 right up to when
24 Governor was elected, I was invited to serve on the

1 Illinois Board of Regents, which is governing board
2 of Illinois State University -- which was a
3 governing board of Illinois State University,
4 Northern Illinois University, and University of --
5 Sangamon State University, which has now become the
6 University of Illinois at Springfield after the
7 reorganization, I believe, in '95.

8 MR. ELLIS: The Board of Regents no longer
9 exists, is that correct?

10 TRUSTEE SHAH: Is that is correct, yes.

11 MR. ELLIS: You served on the Board of
12 Regents until it no longer existed, is that correct?

13 TRUSTEE SHAH: That is correct, yes.

14 MR. ELLIS: Did you also spend some time
15 affiliated with the Board for Eastern Illinois?

16 TRUSTEE SHAH: Yes. Up to, I believe,
17 in -- I'm not exactly correct with the date. But I
18 think in '98 Governor Ryan -- Ryan's office --
19 naturally not the Governor -- but someone from
20 Governor Ryan's office called me and said that you
21 have experience on Board of Regents, we are opening
22 Northeastern Illinois University.

23 And I said, yeah, I will serve on
24 that. And I served on that board until I was

1 appointed by Governor Blagojevich on the University
2 of Illinois board. And then I resigned from
3 Northeastern.

4 MR. ELLIS: During your time on the Eastern
5 Illinois University board, did you ever get
6 inquiries from folks about admissions?

7 TRUSTEE SHAH: No.

8 MR. ELLIS: During the time that you served
9 on the Board of Regents, did you ever get inquiries
10 from folks about admissions?

11 TRUSTEE SHAH: No, never I received any
12 inquiries for admissions.

13 MR. ELLIS: In fact, the only time you've
14 gotten admissions-related inquiries as a Trustee
15 member has been your time with the University of
16 Illinois, is that correct?

17 TRUSTEE SHAH: That is correct.

18 MR. ELLIS: When did you first express
19 interest in becoming a member of the University of
20 Illinois Board of Trustees?

21 TRUSTEE SHAH: Well, I'll give you a
22 shorter version.

23 MR. ELLIS: Than you did yesterday.

24 TRUSTEE SHAH: Yes.

1 Back in the -- when I was serving on
2 the Board of Regents, U of I board was elected
3 board. The University of Illinois -- and I don't
4 have the year that I'm the Chairman, I don't have
5 the current numbers.

6 But back then in '93 U of I had almost
7 20 plus percent Asian students and significant
8 number of faculty members.

9 And there was not a representation of
10 any Asian on either -- on the board. So the -- I
11 thought I would run for the public office.

12 And I contacted a friend of mine. I
13 was talking with him about it, David Wilhelm, who
14 later on became the Chairman of the NC. And I
15 appeared before the alumni association.

16 And since I was not the alum of the
17 association of Illinois, they say I'm extremely
18 qualified, but they will not.

19 And then after the Board of Regents
20 was reorganized, I had expressed interest to fill in
21 the U of I board. And Governor Edgar had -- and I'm
22 not expert about this, because I don't know the
23 inner-working of the Governor's office. But I was
24 told I was -- my name was recommended for the Board of

1 Trustees of University of Illinois.

2 And then one of the elected board
3 members filed a lawsuit in that all the terms of the
4 elected Trustees cannot be terminated by
5 legislators.

6 So there were only three vacancies.
7 And I didn't get the spot. I was not top three
8 candidates.

9 And then so I think later on when
10 Governor Blagojevich got elected and David Wilhelm
11 was the Chairman of -- co-chair of transition team,
12 I had expressed my desire to get a consideration of
13 University of Illinois.

14 CHAIRMAN MIKVA: You knew Mr. Wilhelm?

15 TRUSTEE SHAH: Yes.

16 CHAIRMAN MIKVA: Did you know
17 Governor Blagojevich at the time?

18 TRUSTEE SHAH: Yes.

19 CHAIRMAN MIKVA: Did Governor Blagojevich
20 meet with you, or did you meet with him during that
21 period?

22 TRUSTEE SHAH: No. During that time -- at
23 that time he was elected Governor when I expressed
24 my desire.

1 CHAIRMAN MIKVA: You expressed them to
2 Mr. Wilhelm?

3 TRUSTEE SHAH: Right.

4 CHAIRMAN MIKVA: Then what happened?

5 TRUSTEE SHAH: So he say he will keep me in
6 mind. And then one day after a few weeks -- I don't
7 remember the exact time period -- but I got a call
8 from transition office -- Governor elects transition
9 office -- said I should come there for the
10 interview.

11 CHAIRMAN MIKVA: Did you meet with
12 Governor Blagojevich at that point?

13 TRUSTEE SHAH: No.

14 CHAIRMAN MIKVA: Who did you meet with?

15 TRUSTEE SHAH: Well, since I was invited,
16 the person who called, he said he's calling me on
17 behalf of David Wilhelm and to meet with some people
18 for that University of Illinois position.

19 I asked for David Wilhelm. And I
20 talked with him for like about 25 minutes.

21 CHAIRMAN MIKVA: You what?

22 TRUSTEE SHAH: I talked to David Wilhelm
23 about 20 minutes.

24 CHAIRMAN MIKVA: This is at the transition

1 headquarters.

2 TRUSTEE SHAH: That is correct, sir.

3 CHAIRMAN MIKVA: And then what happened?

4 TRUSTEE SHAH: And then two other people
5 interviewed me.

6 CHAIRMAN MIKVA: Do you remember who they
7 were?

8 TRUSTEE SHAH: I don't recognize them.

9 Naturally I don't remember them then.

10 CHAIRMAN MIKVA: You don't know who they
11 were today?

12 TRUSTEE SHAH: No, I don't.

13 CHAIRMAN MIKVA: Then what happened?

14 TRUSTEE SHAH: Well, then they send me some
15 forms. Actually I went to a wrong interview for
16 about two hours asking various questions; what are
17 my views on the higher education, what are my
18 concerns.

19 And my concerns are simple, which is
20 what I told you today. Quality education at
21 affordable price. You can charge more money from
22 people who can afford to pay.

23 But anyone who wants to get the higher
24 education must -- as wealthy as we are and as

1 resourceful as we are, we have to be able educate
2 anyone who wants to get it.

3 CHAIRMAN MIKVA: So then you told them
4 that. And then what happened? Did they say you're
5 now a Trustee?

6 TRUSTEE SHAH: No. They send me some forms
7 to do the background check. And maybe after three
8 weeks, four weeks I got forms. And I fill out those
9 forms.

10 And they say it's just we have to do
11 the background check. And I got a call, I believe,
12 day before or maybe two days before the Board
13 meeting -- first Board meetings and said that
14 Governor is going to nominate you.

15 CHAIRMAN MIKVA: Who was that call from?
16 Do you remember?

17 TRUSTEE SHAH: No, I don't remember. It
18 was not somebody who I knew.

19 CHAIRMAN MIKVA: So then you went to the
20 Board meeting?

21 TRUSTEE SHAH: Yes, then I went to the
22 Board meeting.

23 CHAIRMAN MIKVA: Who nominated you? What
24 happened at the Board meeting?

1 TRUSTEE SHAH: I'm sorry. I miss --

2 CHAIRMAN MIKVA: Well, when you get to the
3 Board meeting, did you know some of the other
4 Trustees?

5 TRUSTEE SHAH: Well, I didn't -- I knew the
6 names.

7 CHAIRMAN MIKVA: So you walk in there. Do
8 you say I'm Mr. Shah. And you have to tell them
9 what you're doing there, don't you? What did you
10 tell them?

11 TRUSTEE SHAH: Well, I tell -- I think
12 Mr. Chairman, they had -- they knew the sitting
13 administration. They had, I think, assured the
14 release to everybody who are the new Board
15 members --

16 CHAIRMAN MIKVA: Did somebody introduce you
17 as the new Board member?

18 TRUSTEE SHAH: No. I went in a big room.
19 That's where the meeting takes place. And I think
20 Michelle Thompson, when she saw me, she probably
21 figured out I'm being -- only Indian -- person of
22 Indian origin, that I'm Mr. Shah. And she brought
23 me to my seat. And then I said hello to everybody.

24 COMMISSIONER LOWRY: So your seat as a

1 Board member comma here?--read a seat at the Board member table?

2 TRUSTEE SHAH: Yeah.

3 CHAIRMAN MIKVA: Did you ever go through a
4 Senate confirmation?

5 TRUSTEE SHAH: I didn't go there
6 personally. I know it happened. And I don't know
7 when it happened.

8 CHAIRMAN MIKVA: So you're now a Board
9 member?

10 TRUSTEE SHAH: Right.

11 CHAIRMAN MIKVA: Was there an orientation?

12 TRUSTEE SHAH: No.

13 CHAIRMAN MIKVA: Did they give you any
14 ethics material?

15 TRUSTEE SHAH: No. Ethics actually didn't
16 come up until late, because I think -- somebody
17 contacted me at University of Illinois. I don't
18 know why did they contact me. But the University of
19 Illinois was one of the agencies behind in
20 completing all the ethics forms.

21 And I went and I met with the
22 Inspector Yendelze Scott. And I said what do we
23 have to do. And she said you are talking to the
24 president. So I ended up meeting for Mr. Stukel and

1 myself.

2 And we -- and they took care of it
3 then. But no there was no ethics. There was no
4 training.

5 CHAIRMAN MIKVA: Did you talk to President
6 Stukel about ethics?

7 TRUSTEE SHAH: I talked to him when the
8 question came about the University of Illinois
9 didn't feel was behind in completing the ethics
10 training.

11 But not in reference to the ethics
12 that, okay, now, Mr. Shah Niranjan, you're got on
13 the Board of Trustees, and this is the ethics
14 training you have to go through.

15 CHAIRMAN MIKVA: There was nothing like
16 that?

17 TRUSTEE SHAH: No. But ultimately the
18 prompts everybody was going through that was sent to
19 me, I did the online training. I did take the
20 online training.

21 CHAIRMAN MIKVA: Up to this point nobody
22 had ever asked you about admissions to the
23 University of Illinois?

24 TRUSTEE SHAH: No. This was just a month

1 of March or April, yeah.

2 CHAIRMAN MIKVA: Before that you had been
3 involved in education for many years.

4 TRUSTEE SHAH: No.

5 CHAIRMAN MIKVA: Nobody has ever said I'd
6 like to get into the University of Illinois or I
7 have a son that would like to get into the
8 University of Illinois?

9 TRUSTEE SHAH: No. Nor on any other
10 school.

11 CHAIRMAN MIKVA: But they never asked you?
12 Nobody who ever worked for you wanted to go to the
13 University of Illinois?

14 TRUSTEE SHAH: I cannot recall that.

15 CHAIRMAN MIKVA: So at that point you had
16 no idea of what the admissions policy was or whether
17 there was any preferences for anybody, is that
18 correct?

19 TRUSTEE SHAH: That is correct, yes.

20 CHAIRMAN MIKVA: When was the first time
21 you had a conversation with President Stukel about
22 admissions?

23 TRUSTEE SHAH: I don't remember the date.
24 But after I got maybe couple of inquiries.

1 CHAIRMAN MIKVA: Was that during your first
2 year as a Trustee?

3 TRUSTEE SHAH: It might be more in fall,
4 fall of that year. Or it might be in the late
5 spring.

6 CHAIRMAN MIKVA: Do you remember who they
7 were from? I don't want the names, but what kind of
8 people. Where they neighbors or friends?

9 TRUSTEE SHAH: The first inquiry I remember
10 because I sort of -- it was from the person I --
11 family I knew.

12 CHAIRMAN MIKVA: So you got those requests.
13 You didn't have an idea of how you should handle
14 them, is that correct?

15 TRUSTEE SHAH: Yeah.

16 CHAIRMAN MIKVA: So you talked to
17 President Stukel, is that correct?

18 TRUSTEE SHAH: That is correct. I talked
19 to him on the phone.

20 CHAIRMAN MIKVA: What is it that he said to
21 you at that time?

22 TRUSTEE SHAH: He said send me a note, and
23 I will look into it.

24 CHAIRMAN MIKVA: So you sent him a note

1 about those particular people?

2 TRUSTEE SHAH: That is correct.

3 CHAIRMAN MIKVA: Did they get in, do you
4 know?

5 TRUSTEE SHAH: The first one I think -- I
6 sent him three or four candidates. And I believe
7 one of them got in. And, Mr. Chairman, I cannot be
8 sure on that, because I never followed through --

9 CHAIRMAN MIKVA: You didn't follow through?
10 Or you did?

11 TRUSTEE SHAH: No, I did not.

12 CHAIRMAN MIKVA: President Stukel never
13 sent you a letter or anything about --

14 TRUSTEE SHAH: He might have. And to me
15 my -- I saw my role if somebody is concerned about
16 admission, about their son or daughter, I wanted to
17 make sure that that application gets the review or
18 proper consideration.

19 I forward to the president --

20 CHAIRMAN MIKVA: Obviously the president
21 didn't look through all 26,000 applications, did he?

22 TRUSTEE SHAH: Right.

23 CHAIRMAN MIKVA: Didn't you think that was
24 some kind of special consideration that you were

1 getting for that person?

2 TRUSTEE SHAH: Mr. Chairman, at that time I
3 didn't think that way. Now knowing what we know
4 everything today --

5 CHAIRMAN MIKVA: Well, here is somebody --
6 you've been involved in business and in education.

7 What do you think is a message you
8 sent to the president of the flagship university of
9 the State of Illinois when you send it to him -- I
10 don't know. Did you send it on Trustee letterhead,
11 or did you call him up or what?

12 TRUSTEE SHAH: I send him a regular --

13 CHAIRMAN MIKVA: So you probably sent it on
14 letterhead?

15 TRUSTEE SHAH: Not on University
16 letterhead.

17 CHAIRMAN MIKVA: On your other than private
18 letterhead?

19 TRUSTEE SHAH: Right.

20 CHAIRMAN MIKVA: Here he gets a letter from
21 the Trustees of the University, his boss really,
22 because if he's responsible to anybody, he's
23 responsible to the Trustees, right?

24 TRUSTEE SHAH: Yeah.

1 CHAIRMAN MIKVA: And you say look into this
2 person. Is that what you said, something like that?

3 TRUSTEE SHAH: No. I said here are the
4 names. I don't remember exactly what the E-mail
5 says. And it changed over the period of time.

6 CHAIRMAN MIKVA: What do you think that
7 President Stukel is going -- what's going to be his
8 state of mind when he gets that letter? Is that
9 just one of 26,000?

10 TRUSTEE SHAH: And I think that's a very
11 good question today.

12 CHAIRMAN MIKVA: And it wasn't a good
13 question when you got it?

14 TRUSTEE SHAH: When I requested, it was a
15 question in my mind are there -- do we have any
16 procedures, how do you handle the inquiries?

17 CHAIRMAN MIKVA: That was the first
18 conversation you had. But he said send them to me?

19 TRUSTEE SHAH: Right.

20 CHAIRMAN MIKVA: What did you think would
21 happen when you sent them to him?

22 TRUSTEE SHAH: I really don't know,
23 Mr. Chairman. What my learning on this was came
24 from what all the lifetime experience we all

1 accumulate on different situations.

2 And many years ago -- I don't remember
3 now. But many, many years ago I used to do lots of
4 federal work, trying to get the federal work.

5 Also, there are lots of people who are
6 Indian community who are involved in immigration --
7 there are many people of Indian origin, they get --
8 they have a problem getting the immigration issues
9 resolved.

10 In India they want to visit here. And
11 they cannot get the visa. So we -- it's perfectly
12 normal anyone today, you can work in any
13 congressional office and say, you know, my family is
14 there, these are my current circumstances, can you
15 request a review of the counselor.

16 Sometimes they take a second look at
17 it and you find everything is all right. Other
18 times, they made a mistake and they just turn you
19 down.

20 CHAIRMAN MIKVA: Is that what your are sending
21 President Stukel letters about, to see whether or
22 not there had been a mistake made?

23 TRUSTEE SHAH: To some extent that was the
24 thinking in the back of my behind.

1 CHAIRMAN MIKVA: Did you ever talk to other
2 Trustees about those letters or about these requests
3 for admissions?

4 TRUSTEE SHAH: No. Never.

5 CHAIRMAN MIKVA: Never to anyone?

6 TRUSTEE SHAH: No.

7 CHAIRMAN MIKVA: The question never came up
8 before any of the Trustee meetings?

9 TRUSTEE SHAH: Mr. Chairman, on six and a
10 half years, we have never discussed anything related
11 to the admissions.

12 CHAIRMAN MIKVA: Not even since this
13 scandal broke?

14 TRUSTEE SHAH: Of course now. Everybody in
15 the town is talking about it.

16 CHAIRMAN MIKVA: But you're saying before,
17 say January of this year, before you became
18 Chairman, you never heard any discussion in the
19 Board of Trustees about admissions?

20 TRUSTEE SHAH: That is correct.

21 CHAIRMAN MIKVA: Were you aware that other
22 Trustees were getting similar letters to you or
23 similar requests like you were getting?

24 TRUSTEE SHAH: Maybe. I didn't give much

1 thought to it that admission was a big issue in the
2 scheme of things. We are very concerned -- I myself
3 was concerned about two or three distinct areas.

4 One was about retaining the quality of
5 faculty; trying to get more research money because
6 those are our two functions. Education, and??the
7 research.

8 And third, while you are trying to get
9 more money, you want to control that expenditure and
10 you want to get -- whatever you are buying, you want
11 to buy best. And I tell you at no time the question
12 came in my mind about the admission matter.

13 CHAIRMAN MIKVA: So during the first six
14 years that you were on the Board that you became
15 Chairman anyway, this was just -- you didn't think
16 about it very much; if a letter came in, you would
17 just send it on to President Stukel?

18 TRUSTEE SHAH: Right. And after President
19 Stukel left, since President was new and during the
20 transition, Chancellor -- or he was provost then, --?he
21 I noticed that during the last few months I would
22 get a response from Chancellor or Provost Herman --

23 CHAIRMAN MIKVA: So you started writing
24 Chancellor Herman?

1 TRUSTEE SHAH: Right. And there were three
2 or four inquiries in a year. Sometimes five.
3 Sometimes three.

4 CHAIRMAN MIKVA: Have you ever heard the
5 term -- do you know about an organization called the
6 Indian Mafia? Have you heard that term? It's said
7 in joking. It's not an organization -- an illegal
8 organization.

9 But do you know about such a political
10 organization?

11 TRUSTEE SHAH: No.

12 CHAIRMAN MIKVA: You never heard of it?

13 TRUSTEE SHAH: Not Indian Mafia. I'm
14 sorry. Am I missing something?

15 CHAIRMAN MIKVA: Well, this is a group that
16 I think is fairly well known in this city, in the
17 state of substantial contributors to political
18 campaigns.

19 And they call themselves the Indian
20 Mafia, not because they're illegal, but that's just
21 the way they identify themselves.

22 You don't know of any such group?

23 TRUSTEE SHAH: This is the first time I'm
24 hearing that word, that term. And what can I say?

1 CHAIRMAN MIKVA: Okay. You answered the
2 question.

3 COMMISSIONER JUDGE: You contributed
4 \$50,000, you told us, to Governor Blagojevich?

5 TRUSTEE SHAH: Yes.

6 COMMISSIONER JUDGE: But also when he was a
7 congressman?

8 TRUSTEE SHAH: Yes.

9 COMMISSIONER JUDGE: Do you live there in this
10 district?

11 TRUSTEE SHAH: No.

12 COMMISSIONER JUDGE: There's so many
13 congressmen. Why would you pick him out?

14 TRUSTEE SHAH: I support many members of
15 the Congress. And I support many senators, whether
16 they are in my district, they are in New York.

17 Somebody who is approaching me with a
18 contribution, then they represent the interest of
19 the Indian community in the United States, I support
20 them.

21 COMMISSIONER JUDGE: When you supported him
22 when he was in Congress, what other congressmen from
23 Illinois did you support?

24 TRUSTEE SHAH: I must supported several of

1 them.

2 COMMISSIONER JUDGE: Do you remember any of
3 them?

4 TRUSTEE SHAH: I think Congressman Hyde I
5 supported. Henry Hyde.

6 COMMISSIONER LOWRY: Would you say you've
7 supported other congressmen to the same level of
8 \$50,000?

9 TRUSTEE SHAH: No, ma'am. I didn't support
10 congressman -- Congressman Blagojevich with \$50,000.
11 \$50,000 was the contribution from the time he was
12 the Governor until he was arrested.

13 COMMISSIONER LOWRY: Did you contribute to
14 him any more during that period than you did others?

15 TRUSTEE SHAH: I'm sorry?

16 COMMISSIONER LOWRY: Did you contribute
17 more to Blagojevich at any time than you did others
18 during that period?

19 Sometimes we have our favorites. And
20 because we like this particular candidate more than
21 another, we support them at a higher level.

22 So was Blagojevich one that you
23 supported at a higher level than you did others?

24 TRUSTEE SHAH: There are two parts to the

1 Blagojevich story. When he was a member of the
2 Congress, I supported him as a member of Congress.

3 Somewhat -- not any different than I
4 would support, let's say, Senator Dublin or any of
5 the -- Senator Obama or whoever the other --
6 Congressman Bobby Rush, for example.

7 Let's see who else comes to my mind.
8 Congressman Danny Davis, I have supported him. So I
9 supported some of these candidates.

10 Am I answering your question?

11 COMMISSIONER LOWRY: No.

12 TRUSTEE SHAH: Let me try again.

13 COMMISSIONER LOWRY: Did you support
14 Blagojevich at a higher level than you did other
15 candidates? Did you give him more money than you
16 gave others?

17 TRUSTEE SHAH: As a congressman, no. And
18 as a Governor, he was the only Governor then, right?

19 If your question is did I support
20 Governor Ryan more -- as much as I supported
21 Blagojevich, no, I didn't supporter Governor Ryan as
22 much, no.

23 Did I supporter Governor Edgar -- you
24 know, over the period of time, what is happening is

1 the body is rising. Back in Lincoln's time, you
2 can -- they're looking for smaller amount of money.
3 And the campaign expenses has gone higher. And they
4 are looking for more and more money.

5 COMMISSIONER LOWRY: Thank you.

6 COMMISSIONER VANDER WEELE: I have a
7 question. Would you agree with the statement that
8 the role of a Trustee is to set policy? Is that the
9 key role?

10 TRUSTEE SHAH: Of course, yes.

11 COMMISSIONER VANDER WEELE: Ethics policy
12 is a policy, right?

13 TRUSTEE SHAH: Yeah.

14 COMMISSIONER VANDER WEELE: So wouldn't it
15 be the role of the Trustees to create an ethics
16 policy that prohibits political influence; not the
17 role of the Chancellor or the President?

18 TRUSTEE SHAH: I think in hindsight with
19 what was happening, I would say yes. And when we
20 found out that there was something going wrong
21 before Governor appointed this Commission, the -- we
22 were going to appoint -- President Stukel had
23 announced that we would appoint the panel with the
24 advice of Trustees to give you the policy for the

1 admissions.

2 COMMISSIONER VANDER WEELE: I guess what is
3 concerning to me is that over and over we've heard
4 the Trustees say, well, I went to the Chancellor, I
5 went to the president, they told me how it was done.

6 But we're really talking policy here.
7 And it seems to be reversed. It seems to be that
8 the role of the Trustee is to set the policy.

9 And yet, the Trustees are saying, no,
10 we waited for the Chancellor or the President to
11 tell us what to do.

12 It seems to me you should have been
13 dictating to the President what the policies should
14 be --

15 TRUSTEE SHAH: The University of Illinois
16 is a very large organization. To some extent, Board
17 of Trustees are -- if there is a compelling issue
18 which comes to their mind or brought it to their
19 attention, then we handle those definitely.

20 I don't think those issues are
21 ignored. Other than that, like any other body, the
22 Trustee -- and I must speak for my colleagues, for
23 the most part they're very passionate about serving
24 on the Board.

1 They spent a significant amount of
2 time. And there are so many things going on at
3 University at a given time, that all the issues
4 are -- I think it didn't occur to us.

5 It didn't occur to me -- I can speak
6 for myself. I cannot speak for other trustees that
7 the admission was the issue.

8 And to me the big issue was to get the
9 research dollar. Even after I became the Chairman,
10 if you ask me what are my priorities, we're
11 Democratic administration after eight years now.
12 And we got on the Board about six years ago or eight
13 years ago with some of the other Trustees.

14 And let's get more research funding.
15 And the state funding is declining. That's one way
16 for us to maintain our leadership.

17 And today we are one of the largest
18 from something -- business in midwest University of
19 Illinois. We get \$700 million from the federal
20 government between Chicago and Urbana. So the
21 emphasis was there.

22 COMMISSIONER VANDER WEELE: One more
23 question. I have some others, but I'll wait on
24 those.

1 What is the role of the ethics
2 officer? I didn't realize until I read today's
3 report that there is an ethics office or ethics
4 officer. Can you describe that for me?

5 TRUSTEE SHAH: What I have seen as a
6 Trustee, that she is creating certain document tours
7 for us to review and sign in terms of ethics
8 requirement.

9 And the second thing is -- I'm
10 guessing now, I don't know what exactly what other
11 thing she did -- but she's currently working on some
12 of the ethics violation within the University of
13 Illinois.

14 COMMISSIONER VANDER WEELE: Who is that
15 person?

16 TRUSTEE SHAH: I think her name is
17 Donna McNelli.

18 COMMISSIONER VANDER WEELE: Ms. McNelli has
19 never approached the Board and said we really need a
20 code of ethics for the Board of Trustees?

21 TRUSTEE SHAH: There is a code of ethics,
22 what -- the standard code of ethics. And one
23 suggestion I'm going to make to all of you
24 Commissioners and Chairman, that part of this is --

1 also, we need to come up with training. Whether it
2 is a training in ethics or orientation training for
3 the Board member, which is applicable to the
4 University, which is applicable to the higher
5 education.

6 The standard generic package doesn't
7 work. We need a specific described package, which
8 can be applicable.

9 If you ask me my little advice on
10 this -- and I'm not privy to everything what you
11 know, Mr. Chairman and this Panel knows.

12 But one of the recommendations I would
13 want to do is provide the proper training and let
14 the training material be prepared who have the
15 knowledge of higher education and who understands
16 the role.

17 You think our President --

18 COMMISSIONER VANDER WEELE: But that's your
19 role. You're telling us that we should recommend
20 that you create a training and ethics code
21 specifically to University.

22 Most agencies would know that that's
23 the role of the Trustee. That's your job.

24 TRUSTEE SHAH: We haven't done it so far.

1 Let me say that. And I think we have the ethics
2 training. But we like to do it, which is -- because
3 I'm looking at myself right now in this situation.

4 And I think if you have the proper
5 information and proper training, I think most of the
6 human being wants to do the right thing --

7 COMMISSIONER VANDER WEELE: I agree with
8 that.

9 MR. ELLIS: Trustee Shah, you were
10 discussing earlier the campaign contributions. Some
11 of those were made by you personally, but others
12 were made by your company, Globe Trotters, is that
13 correct?

14 TRUSTEE SHAH: Most of them were made by my
15 company.

16 MR. ELLIS: Most of them were made by your
17 company?

18 TRUSTEE SHAH: Right.

19 MR. ELLIS: That company does state
20 contracting work?

21 TRUSTEE SHAH: That is right, yes.

22 MR. ELLIS: What would be the percentage of
23 work that your company Globe Trotters does for state
24 contracting?

1 TRUSTEE SHAH: About 20 percent.

2 MR. ELLIS: Was that the percentage at the
3 time that you were appointed as the Trustee?

4 TRUSTEE SHAH: I think that percentage has
5 been steady for last 15 years now, about last --
6 yeah.

7 In -- until '93, I used to do lots of
8 international work or the company used to do. And
9 we were doing federal work and doing percentage of
10 federal appointments. So I stopped doing federal
11 work.

12 MR. ELLIS: You were appointed, you
13 mentioned, a day or two before the first Board
14 meeting you attended, correct?

15 TRUSTEE SHAH: I was informed day or two
16 before.

17 MR. ELLIS: Was one of the items on the
18 agenda for your first meeting selecting a
19 chairperson of the Board?

20 TRUSTEE SHAH: That is correct, yes.

21 MR. ELLIS: Did you have discussions before
22 your Board meeting about electing a chairperson with
23 anybody?

24 TRUSTEE SHAH: I believe the day before a

1 friend of mine, who I respect very much -- do you
2 want me to share the name here?

3 The gentleman's name -- he's no
4 longer -- he passed on now -- Earl Neal. And I've
5 known him for almost -- I've known him for 30 years;
6 since I was a young man.

7 And he was always a good counselor and
8 advisor. So he called me. He said, Niranjana, I
9 understand you are appointed on the Board of
10 University of Illinois, and he congratulated. And
11 he said one of the first things you'll do when you
12 walk in the board meeting is you'll elect a new
13 chair.

14 And he says what are you going to do.
15 I said I don't know anybody. And I wouldn't know
16 what to do. Why? He says, well, there is gentleman
17 who I know I recommend very strongly. And maybe you
18 can support him.

19 MR. ELLIS: Did he tell you how he learned
20 that you had been appointed to the Board of
21 Trustees?

22 TRUSTEE SHAH: No.

23 MR. ELLIS: Who was the person that he
24 identified as his friend who you should support for

1 Chairman?

2 TRUSTEE SHAH: Dr. Schmidt. Dr. Ken
3 Schmidt. He is the Board member.

4 CHAIRMAN MIKVA: Mr. Neal told you to
5 support Ken Schmidt?

6 TRUSTEE SHAH: He asked me if I would
7 support Dr. Schmidt.

8 CHAIRMAN MIKVA: Did he say anything about
9 the Governor at that time?

10 TRUSTEE SHAH: No.

11 MR. ELLIS: Did you have additional
12 conversations with Mr. Neal about the chairmanship?

13 TRUSTEE SHAH: Well, I think on the day of
14 the meeting or late --

15 MR. ELLIS: The following day, correct?

16 TRUSTEE SHAH: The following day before the
17 meeting, because in those days, our meeting used to
18 be for two days. The first day meeting starts, I
19 believe, at 2:00 after lunch.

20 So I think I got a call in the morning
21 from him. And he says now, you know, there's some
22 change. And I said what change? And he says don't
23 worry about Dr. Schmidt. He said somebody else may
24 be the Chair.

1 MR. ELLIS: He told you there had been a
2 change of plans?

3 TRUSTEE SHAH: Right, yeah. Something like
4 that.

5 MR. ELLIS: Did he tell you how he heard
6 about the change of plans?

7 TRUSTEE SHAH: That was not my place to ask
8 him.

9 MR. ELLIS: You didn't ask him why it is
10 that things had changed overnight?

11 TRUSTEE SHAH: Of course not, no.

12 MR. ELLIS: Who did he tell you to support
13 for the chairmanship instead of Dr. Schmidt.

14 TRUSTEE SHAH: He didn't say I should
15 support. So I ask him, I volunteered and I ask him
16 the question, so who is going to be the new chair
17 then, and do you know the person.

18 Because it's important for the Board
19 member to know who the Board Chair is going to be or
20 who the Board Chair is. And this was all new,
21 because when I went to Board of Regents and also to
22 Northeastern Board in the past, they had the Chair
23 in place.

24 And so that was not the item to be

1 done, the first thing at the first meeting of the
2 year. So he mentioned Larry Eply's name. He said
3 it looks like Larry Eppley will be the Chair.

4 CHAIRMAN MIKVA: Did he tell you how this
5 was going to happen? Did you know how the Chairman
6 of the Board was elected or selected?

7 TRUSTEE SHAH: Elected.

8 CHAIRMAN MIKVA: Who elects him?

9 TRUSTEE SHAH: The Board of Trustees.

10 CHAIRMAN MIKVA: So you were one of the
11 people that was going to be choosing him?

12 TRUSTEE SHAH: That is correct, yes.

13 CHAIRMAN MIKVA: You knew less than
14 Mr. Neal, who was not on the Board?

15 TRUSTEE SHAH: Right. Yeah.

16 Mr. Chairman, maybe I was naive in a
17 lot of these things. I'm a very successful business
18 person. And I do lots of things. Very good work I
19 do.

20 But some of these things, to me I take
21 people for what -- it's only regarded yearning in
22 long life, he would be -- you and I never met. But
23 with him, he is like my father to me. And he tells
24 me something I respect. And I -- I don't ask him

1 the question.

2 CHAIRMAN MIKVA: Did you know that Mr. Neal
3 was close to Governor Blagojevich? Do you know that
4 was true or not?

5 TRUSTEE SHAH: No.

6 CHAIRMAN MIKVA: Had you seen him at the
7 campaign at any of the events or anything?

8 TRUSTEE SHAH: No.

9 CHAIRMAN MIKVA: So all you knew him was he
10 was a counselor and a friend?

11 TRUSTEE SHAH: As a friend I used to go --
12 many times I would go Saturday morning to sit down
13 with him and ask him his advice and counsel.

14 CHAIRMAN MIKVA: He was active in politics;
15 you knew that?

16 TRUSTEE SHAH: Yeah, very much so.

17 CHAIRMAN MIKVA: It never occurred to you
18 that that maybe was word coming to you from the
19 Governor's office?

20 TRUSTEE SHAH: No, it didn't occur to me.
21 Because my two previous experience, the Board Chairs
22 were already in place. I don't know who installed
23 them as a Board Chair.

24 I didn't know that the Governor's

1 office was involved. Because I seen lots of
2 conflicting. You take the chair, for example, let's
3 say another board here. McCormick Place board, the
4 chair is selected by either Mayor or Governor, the
5 Chair is designated.

6 The Board members don't pick the
7 Chair. Or you take the Park District Board, the
8 chair is designated by the Mayor. Or the Chicago
9 Public Schools, the Chair and the president of the
10 board -- to me, I was happy to be the Board member.
11 And I don't like to medal in -- I didn't think it
12 was my place.

13 COMMISSIONER LOWRY: It's not unusual in
14 influential boards for people to call expressing
15 support of one candidate or another, is it?

16 TRUSTEE SHAH: I'm sorry?

17 COMMISSIONER LOWRY: It's not unusual, is
18 it, when you're dealing with influential boards for
19 someone who may know you personally to call you or
20 anyone to express support of one candidate or
21 another?

22 TRUSTEE SHAH: No, of course not. In
23 democratic society, that's what we are all about.
24 Another thing is, I must share this, that when I

1 went for the interview in front of the alumni
2 association, the person who was sitting in the
3 chairman's position was Al Dean in '93 when I
4 went to run for the elective office.

5 Because he was a former president of
6 the Board, former president of the alumni
7 association. So he knew about University.

8 COMMISSIONER VANDER WEELE: One more
9 question. Did Chris Kelly play a role in either
10 your appointment as Trustee or your election as
11 Chairman as the head of the Board?

12 TRUSTEE SHAH: No, absolutely not.

13 MR. ELLIS: Trustee Shah, when were you
14 elected as Chairman of the Board?

15 TRUSTEE SHAH: This January.

16 MR. ELLIS: This past January?

17 TRUSTEE SHAH: Yes.

18 MR. ELLIS: When you were elected as
19 president, did you solicit support from other Board
20 members to support your chairmanship?

21 TRUSTEE SHAH: Yes.

22 MR. ELLIS: Are you aware of any calls that
23 were made to other Trustees from outside the board
24 on behalf of your chairmanship?

1 TRUSTEE SHAH: Absolutely not.

2 MR. ELLIS: So the instance you experienced
3 the first time around with Trustee Eppley was an
4 exception having an outside call made, right?

5 TRUSTEE SHAH: I didn't exactly understand
6 how the things -- how he was selected, how his name
7 came about. But I got the sense when -- that he was
8 going to be chairperson.

9 MR. ELLIS: On any of the other boards that
10 you served on, were folks from outside the board
11 involved in electing the Chairman?

12 TRUSTEE SHAH: Well, on Board of Regents,
13 they had the chairman in place when I went. And he
14 served until he passed away or he became so sick he
15 couldn't serve.

16 But Northeastern Illinois, the
17 gentleman who was serving the president of the board
18 was there for four years prior to I did.

19 I served there for about three years.
20 And he became -- he was the chair until I think -- I
21 left in January of 2003. And I think he is not
22 there anymore.

23 MR. ELLIS: When did you first learn of
24 Category I?

1 TRUSTEE SHAH: A few months ago when the
2 news came into press?See line 4.

3 MR. ELLIS: Before the news came in the
4 press, you had never heard of Category I before,
5 correct?

6 TRUSTEE SHAH: I didn't know what the
7 Category I. I didn't know that they were holding
8 the special meetings. I didn't realize that some of
9 the E-mails or the corresponds sent by somebody like
10 myself was forwarded to the staff level admissions
11 staff.

12 MR. ELLIS: So when did you first learn
13 that the identity of the person inquiring -- for
14 example, a Trustee -- would be passed onto the
15 admissions staff?

16 TRUSTEE SHAH: When I got the copy of the
17 E-mail they were going to give to the media.

18 MR. ELLIS: Within the last couple of
19 months?

20 TRUSTEE SHAH: Right. Yes.

21 MR. ELLIS: When you made your first
22 inquiries to President Stukel and later to
23 Chancellor Herman or Provost Herman, did you ask
24 whether or not the identity of the inquirer, in this

1 case you, would be known to the admission staff?

2 TRUSTEE SHAH: I did not ask. But I
3 assumed that it would be discrete.

4 MR. ELLIS: Did you ever ask to make sure
5 it would be discrete?

6 TRUSTEE SHAH: No.

7 MR. ELLIS: Did you ever make an inquiry to
8 anybody at the ethics office about whether passing
9 on those inquiries was appropriate?

10 TRUSTEE SHAH: No, I did not ask that.

11 MR. ELLIS: Did you have any discussions
12 with anybody -- any official at the University about
13 whether the inquiries were appropriate?

14 TRUSTEE SHAH: No. No one raised any
15 concern. And I didn't raise any myself.

16 MR. ELLIS: Other than Chancellor Herman or
17 Provost Herman and President Stukel, did you pass
18 inquiries along to any other individuals at the
19 University?

20 TRUSTEE SHAH: No, none whatsoever.

21 MR. ELLIS: Any discussions with deans?

22 TRUSTEE SHAH: No.

23 MR. ELLIS: Any interface with government
24 relations?

1 TRUSTEE SHAH: No.

2 CHAIRMAN MIKVA: Did you ever meet any
3 government relations people?

4 TRUSTEE SHAH: Not until I became the Board
5 Chair. I had seen them, but I did not realize what
6 they were doing.

7 CHAIRMAN MIKVA: Can we go back to that
8 Board Chair before we leave that subject.
9 Mr. Eppley had been Chair for several years,
10 correct?

11 TRUSTEE SHAH: Six years, correct.

12 CHAIRMAN MIKVA: How did it come to pass in
13 2009, did he tell you he was going to step down? Or
14 did he tell the Board he was going to step down?

15 TRUSTEE SHAH: No, he didn't.

16 CHAIRMAN MIKVA: So how did you know -- I
17 mean, I assume there were elections every year. But
18 they were pro forma, is that correct?

19 TRUSTEE SHAH: Right. And while there was
20 no sense that there is a limit how many years one
21 can serve --

22 CHAIRMAN MIKVA: So what happened in 2009
23 that was different?

24 TRUSTEE SHAH: Well, sometime in the summer

1 of 2008, I start thinking in my mind that is it --
2 you know, do I want to be re-appointed. Do I want
3 to continue to serve.

4 And if I serve, is there a possibility
5 to do any -- you know, to become the Board Chair.

6 And after I was re -- at least when I was
7 re-appointed, then I talked to several of my
8 colleagues.

9 What do they think? Are they going to
10 continue to support Mr. Eppley for the Board Chair,
11 or would they like to see the change?

12 And I did a little research that
13 Mr. Eppley had served -- probably he was one of the
14 longest serving Board Chairs in the history.

15 And I made it clear that I don't
16 intend to be there for six years. I said that after
17 I was elected Board Chair, that at the most I want
18 to serve for two years.

19 CHAIRMAN MIKVA: Let's go back to before,
20 though.

21 So you started talking to some of your
22 colleagues. And some of them indicated they would
23 support you?

24 TRUSTEE SHAH: Well, the feeling was that

1 Mr. Eppley has been there for too long.

2 CHAIRMAN MIKVA: And it was time for a
3 change?

4 TRUSTEE SHAH: It was time for the change.
5 And, you know, Mr. Chairman, you have been in
6 politician and people don't say, oh, yeah, I will
7 support you right away. But they say, yeah, we will
8 consider.

9 CHAIRMAN MIKVA: I understand.

10 TRUSTEE SHAH: They gave me a positive
11 feeling.

12 CHAIRMAN MIKVA: This is in the summer of
13 2008 or somewhere around there?

14 TRUSTEE SHAH: No, I didn't talk to people
15 until I got re-appointed.

16 CHAIRMAN MIKVA: Which was when?

17 TRUSTEE SHAH: Which was in November of
18 2008.

19 CHAIRMAN MIKVA: At that time either before
20 or after you were re-appointed, you were now
21 thinking seriously about running. Did you talk to
22 anybody in the Governor's office about running for
23 Chair?

24 TRUSTEE SHAH: No.

1 CHAIRMAN MIKVA: You never talked to
2 Mr. Harris?

3 TRUSTEE SHAH: No.

4 CHAIRMAN MIKVA: You never talked to the
5 Governor?

6 TRUSTEE SHAH: I mean about being Board
7 Chair?

8 CHAIRMAN MIKVA: About being Board Chair.

9 TRUSTEE SHAH: No, absolutely not.

10 CHAIRMAN MIKVA: Why not? You just
11 indicated before that didn't you think that was the
12 way things were done on the Board?

13 TRUSTEE SHAH: I'm sorry if I gave you that
14 impression.

15 CHAIRMAN MIKVA: I thought you said when
16 they told you it was going to be Mr. Eppley --

17 TRUSTEE SHAH: No. I must correct myself.

18 CHAIRMAN MIKVA: Please do.

19 TRUSTEE SHAH: I didn't say that's how
20 things were done. I had no knowledge of any -- the
21 Governor's office in my six years time never
22 contacted me, Mr. Chairman.

23 I'm glad you mentioned this. Because
24 that would have been a serious misunderstanding.

1 CHAIRMAN MIKVA: And you never contacted
2 them about your interests in being Chair?

3 TRUSTEE SHAH: No.

4 CHAIRMAN MIKVA: Nobody in the Governor's
5 office, nobody outside the Board of Trustees?

6 TRUSTEE SHAH: No.

7 MR. ELLIS: I'd like to talk a little bit
8 about the source of inquiries you would get from
9 applicants about the admissions process.

10 Can you explain for the Commission
11 where you would get inquiries from about admissions?

12 TRUSTEE SHAH: Some of the inquiries
13 came -- most of the inquiries came from the people
14 who are -- who really didn't have the access --
15 direct access.

16 These are not the people who are in
17 power who have a high standing in government or
18 anywhere else.

19 So these are the people. Some people
20 I knew. Or some people from the community who
21 called asking. And few times ask for the -- I ask
22 for just the status of the application. And another
23 time after I found out the status. I requested a
24 second look.

1 MR. ELLIS: These were friends or
2 acquaintances, is that correct?

3 TRUSTEE SHAH: That is correct. Someone I
4 had known.

5 MR. ELLIS: Did you get inquiries from
6 legislators?

7 TRUSTEE SHAH: No.

8 MR. ELLIS: Did you get inquiries from
9 public officials?

10 TRUSTEE SHAH: No.

11 MR. ELLIS: You did get an inquiry from one
12 state employee, correct?

13 TRUSTEE SHAH: No. He was a city employee.

14 MR. ELLIS: I'm sorry. City employee.

15 TRUSTEE SHAH: City employee.

16 MR. ELLIS: A public employee?

17 TRUSTEE SHAH: Right.

18 MR. ELLIS: Other than that, nothing from
19 city or state employees?

20 TRUSTEE SHAH: No.

21 MR. ELLIS: University donors, did you get
22 inquiries from donors?

23 TRUSTEE SHAH: No, sir, never.

24 MR. ELLIS: How many inquiries would you

1 get a year?

2 TRUSTEE SHAH: You know, from time to time
3 probably people -- anywhere between five to ten.
4 And depending on -- somebody sometimes they just
5 call you up and don't send you anything after that
6 in writing.

7 Or someone meets in a cocktail party
8 or at some reception, then I would not follow
9 through with him. But if somebody took time and
10 asked me something to do something, then I would
11 follow through and do it.

12 MR. ELLIS: Of the five or ten inquiries
13 you got per year, how many of the applicants did you
14 know personally, the applicants?

15 TRUSTEE SHAH: Out of all the applicants I
16 supported over the period of five years year, I
17 probably new three of them or four of them
18 personally.

19 MR. ELLIS: Would you say the majority you
20 did not know personally?

21 TRUSTEE SHAH: That is correct, yes.

22 MR. ELLIS: In some instances, you would
23 advocate on behalf of the applicant, correct?

24 TRUSTEE SHAH: I would ask them to take a

1 second look at it. And if that is advocacy, yes.

2 MR. ELLIS: You mentioned in your statement
3 earlier inquiries about relatives.

4 Were there every inquiries made on
5 admissions for relatives?

6 TRUSTEE SHAH: Absolutely not.

7 MR. ELLIS: Did you make inquiries for
8 relatives that were not admissions related?

9 TRUSTEE SHAH: Actually, I made a
10 recommendation for my niece if they would talk to
11 him for getting into the honor's program, because
12 she had neglected to apply for it when she filled
13 out the application.

14 MR. ELLIS: A honor's program?

15 TRUSTEE SHAH: Yes, I think that was
16 honor's program. And also she needed different a
17 different dormitory. So I asked them if they can
18 meet with her and look into it.

19 MR. ELLIS: There was an inquiry made for
20 housing, is that correct?

21 TRUSTEE SHAH: That is correct.

22 MR. ELLIS: That's one of the documents --
23 if you'd look at the one that's marked Exhibit 1.

24 TRUSTEE SHAH: Okay.

1 MR. ELLIS: Is that the document that
2 reflects the inquiry you made on behalf of a
3 relative?

4 TRUSTEE SHAH: Part of it does. It says
5 that she needed assistance with her application to
6 LSC. Was admitted. I did not recommend her for
7 admission.

8 I didn't contact them until she
9 received the letter of admissions. So this is
10 not correct.

11 MR. ELLIS: Your contact was after the
12 applicant was admitted, is that correct?

13 TRUSTEE SHAH: That is correct.

14 MR. ELLIS: It was for an honor's program
15 and for housing?

16 TRUSTEE SHAH: For housing.

17 MR. ELLIS: Other than that inquiry, were
18 there any other inquiries made, admissions or
19 otherwise, for a relative?

20 TRUSTEE SHAH: No.

21 MR. ELLIS: Looking back and knowing what
22 you know now Trustee Shah, you would agree that the
23 inquiries you made where you were advocating on
24 behalf of students you did not know, should not have

1 happened, correct?

2 TRUSTEE SHAH: I think on a going-forward
3 basis now what I know at this point, it should not
4 have happened, yes.

5 MR. ELLIS: You would agree that was an
6 inquiry that would come across as an inquiry made on
7 behalf of someone who is privileged in favor of
8 others, correct?

9 TRUSTEE SHAH: Exactly, yes. Again,
10 knowing what -- we didn't have the knowledge of what
11 was going on.

12 MR. ELLIS: The knowledge that you have now
13 that you didn't have then, explain to the Commission
14 what that knowledge is.

15 TRUSTEE SHAH: Well, the knowledge is there
16 were -- they were maintaining the I list. Now, I
17 list by itself, unless you know what they were doing
18 with it because they were tracking with the name of
19 the person who had sent the inquiry, they were
20 making sure that they get the special consideration.

21 And there was regular meetings about
22 those students on a regular basis. And so that was
23 incorrect. That was wrong, wrong and wrong.

24 COMMISSIONER SCHOLZ: Mr. Shah, you stated

1 you didn't know about the I list or this process.
2 But when you sent, for instance, this E-mail to
3 Chancellor Herman that said I wondered if you might
4 be able to see if anything can be done here, what
5 was your expectation?

6 TRUSTEE SHAH: I think, Commissioner, I
7 don't want to sit here and put the blame. But I
8 want to tell you the truth what happened.

9 The E-mail mode of communication has
10 changed in last five or seven years.

11 Inasmuch I'm an Indian and there was
12 time in my younger days I would spend 50 hours
13 sitting in the computer room, I don't do the
14 computer.

15 And I relied on my secretary to
16 transmit the message. And this is her language.

17 Having said that, yes, it was said.
18 It went out with my signature. It was not correct.

19 MR. ELLIS: Trustee Shah, would you look at
20 Exhibit No. 4, which is E-mail from -- or a -- it's
21 hard to tell whether this is an E-mail or a memo.

22 Perhaps, you can shed light on
23 whether it's an E-mail or a memo.

24 TRUSTEE SHAH: I think it's a memo, yes.

1 MR. ELLIS: Dated February 9, 2005, from
2 you to Richard Herman. You closed it by saying,
3 "Richard, I sincerely appreciate anything you can do
4 to assist in a favorable outcome for these
5 individuals. I am grateful to you."

6 What did you mean by that?

7 TRUSTEE SHAH: This is a neglect on my part
8 when I instructed my secretary to send the names to
9 the Chancellor. And Mr. Corman talked to my
10 secretary. And she remembers writing this.

11 But that's not an excuse. I'm not
12 going to sit here and tell you that is an excuse.
13 I'm just sharing the facts with you.

14 And it is terrible in light of the
15 fact that this memo went to some staff. If it was
16 simply going to the Chancellor, the Chancellor
17 probably knows that I don't mean to, you know, ask
18 any favorable -- any favors. So I'm embarrassed.

19 MR. ELLIS: Did you have any discussions
20 with Chancellor Herman explaining that you didn't
21 want special favors?

22 TRUSTEE SHAH: All of this correspondence,
23 I saw them in last three years, two and a half
24 months.

1 COMMISSIONER JUDGE: So your secretary was
2 operating on her own?

3 TRUSTEE SHAH: No.

4 COMMISSIONER JUDGE: She wrote these, and
5 you did not sign them or review them or anything?

6 TRUSTEE SHAH: No, I did not sign them.
7 She didn't send of her own. But I told her these
8 are the three names. Can you send it -- type the
9 memo and sent it to Chancellor.

10 CHAIRMAN MIKVA: On Exhibit 4, for example,
11 where there's been this -- it's gone all the way to
12 the top and he said no. And you're still pushing.

13 And you say, "Richard, can we really
14 help her? Maybe we can keep her on probation."

15 Did your secretary do that?

16 TRUSTEE SHAH: No. I requested that one
17 can we do on probation. Because one of the
18 candidate I had recommended during President Stukel
19 time, I was advised later on -- naturally like any
20 university, there are two issues.

21 There are those students in the class.
22 And we don't want to leave them out if there are
23 qualified students. Then not admitting someone less
24 qualified is not an issue.

1 But if there's a space in class, we
2 also want to make sure that the graduation is -- it
3 doesn't affect our graduation rate.

4 So if you put on probation if the
5 student doesn't do very well, then you ask them to
6 go to the community college. And that's what I
7 requested.

8 CHAIRMAN MIKVA: Do you think that the
9 decision about whether to put a student on probation
10 is something that Trustees have expertise about?

11 TRUSTEE SHAH: Of course not, no.

12 CHAIRMAN MIKVA: Do you think that's
13 something Trustees should do?

14 TRUSTEE SHAH: Trustees shouldn't decide
15 that --

16 CHAIRMAN MIKVA: Or recommend it, should
17 they?

18 TRUSTEE SHAH: It was more sedation. I
19 know it was taken -- the way it was being handled,
20 it was taken as recommendation. Not that -- I don't
21 know what was the outcome of it.

22 CHAIRMAN MIKVA: What would you take it as
23 if you get a letter from somebody saying think about
24 probation for that person, do you think that's just

1 somebody saying the word? Don't they mean they're
2 urging it?

3 TRUSTEE SHAH: It can be considered that,
4 Mr. Chairman.

5 COMMISSIONER LOWRY: If you're not asking
6 for favorable consideration for any of the
7 applicants that you've inquired about, why not just
8 leave it at your first inquiry? Why the multiple
9 and continued follow-up?

10 TRUSTEE SHAH: I think there were -- if I'm
11 correct, except maybe in one exceptional case, there
12 was only one -- one followed through on that that
13 gave it a second look.

14 I must say that in most of the cases I
15 was inquiring. But in some cases I was asking them
16 to take second look or like the counselor said I was
17 advocating -- if you say that was advocating, yes, I
18 advocated.

19 COMMISSIONER LOWRY: You don't think that
20 statements like, "Richard, I sincerely appreciate
21 anything you can do to assist in a favorable outcome
22 for these individuals" is implying that "no" is not
23 an option?

24 TRUSTEE SHAH: I think to Chancellor, you

1 know, knowing the Chancellor I know, he knows that
2 there is an option. But he doesn't take -- but
3 what is the worst part of this -- and that is that I
4 take the responsibility for it, because this is
5 saying to the staff.

6 And staff will not understand to them
7 because the Chancellor and President we discuss many
8 issues. And not everything what we suggest is being
9 accepted.

10 And that's what -- you know, that's
11 what the good administration is all about. They are
12 to -- they don't have to go along with every
13 suggestion made by Trustees.

14 COMMISSIONER LOWRY: If you're not looking
15 for personal consideration and favors, then why in
16 one instance would you include information that this
17 is the son of an employee of yours?

18 TRUSTEE SHAH: I want to give a full
19 disclosure on that, because that was the person that
20 was working for me. And I didn't want to hide
21 anything.

22 I know it doesn't come out that way in
23 the E-mail. But I wanted to make a full disclosure
24 that this is the person that works for me and for

1 whatever it was worth.

2 COMMISSIONER VANDER WEELE: So both the son
3 and the employee -- you mean both the son and the
4 father work for you?

5 TRUSTEE SHAH: Father worked for me. But I
6 knew the family that I have some knowledge of the
7 son.

8 COMMISSIONER VANDER WEELE: So the son did
9 not work for you?

10 TRUSTEE SHAH: No, ma'am.

11 CHAIRMAN MIKVA: Let me go back to that.
12 We don't know the name. So let's call him or her
13 graduate X.

14 This one where you are pressing hard;
15 you're going to go visit the family in India. Do
16 you remember that case pretty well? Do you know
17 whether that person got in?

18 TRUSTEE SHAH: Very, very well. Yes, he
19 did.

20 CHAIRMAN MIKVA: Now, let's presume -- I
21 don't know what school it went to. But let's
22 presume it was a really good school, because early
23 on you mentioned that it was a school where a lot of
24 the people were very, very good. And, therefore,

1 the top 12 percent were not the only good students
2 in that school.

3 Let's presume and say it was Stevenson
4 School, which is a very good school and gets lots of
5 applicants in the University of Illinois.

6 Now, you got this person in, who
7 apparently did well in class, was in the top 25
8 percent or so. How do you feel about the parent of
9 a child who was in the top 15 or 20 percent from
10 that same school maybe who didn't get in because she
11 didn't know you? Isn't that very unfair?

12 TRUSTEE SHAH: That would be very unfair,
13 there is no question.

14 CHAIRMAN MIKVA: If I told you that I have
15 such a letter that would indicate to you, that it
16 was very unfair?

17 TRUSTEE SHAH: I think in either case if
18 there was -- because of my recommendation, if they
19 admitted someone who was not qualified --

20 CHAIRMAN MIKVA: That's not the question.
21 Obviously there are lots of qualified students that
22 for one reason or another don't get into the
23 University of Illinois. It's a very prestigious
24 school. And it doesn't take everybody whose

1 qualified, does it?

2 There are lots of qualified students
3 that don't get into the University --

4 TRUSTEE SHAH: That is correct, yes.

5 CHAIRMAN MIKVA: So here is this one
6 student that did get in because you knew the student
7 or knew the student's family, and another student
8 who maybe even did better than this student didn't
9 get in. What would you say to the mother then?

10 TRUSTEE SHAH: I think that would be wrong.
11 If the student who got in because of my intervention
12 didn't have any compelling circumstances which
13 change -- which would change the admission officer's
14 mind.

15 CHAIRMAN MIKVA: So if I were to give you
16 the letter, you would answer for me to this parent
17 as to that you think it was very wrong?

18 TRUSTEE SHAH: Mr. Chairman, given
19 everything equal, it would be very, very wrong. If
20 the student whose grade point average was less was
21 admitted, in this instance, I think the grading --
22 when I was told that the grading of this student is
23 much lower. And you know we don't want to hear it
24 was ridiculously low.

1 That raised the question. And I
2 called the family, how do you expect us to admit
3 this student? He will fail. And the way this
4 particular school I'm told -- I haven't gone there
5 and inquired -- I told actually the Chancellor that
6 looking into the school grades. And they can pick
7 up the phone and call the school themselves. I
8 don't need to do that. If they are not satisfied,
9 they should not admit.

10 COMMISSIONER VANDER WEELE: How do you know
11 that some students don't have even more compelling
12 circumstances than the student that you sponsor?

13 Isn't that the role of the Admissions
14 Group to look at each and compare them? I mean, you
15 only have one individual in this case. And you're
16 saying that they leapfrog over others who may have
17 more compelling circumstances?

18 TRUSTEE SHAH: You're absolutely right,
19 that would be wrong. But the compelling
20 circumstances here, one of the criteria they use was
21 the grade point average.

22 And the grade point average -- I can
23 give you the hypothetical example, okay. Back in
24 the time when I graduated in 1967 from -- I got my

1 bachelor degree. If you get 60 percent out of 100,
2 you get an A grade. If you get 66, you get A plus.

3 That doesn't mean the students who are
4 getting 66 percent, which would be equivalent to D
5 grade in United States, they're as dumb as somebody
6 who is getting the D grade.

7 If you want to compare, then you're to
8 compare apple to apple and give 66 percent to
9 student A grade, rather than giving him D grade and
10 compare both the grades.

11 And then by comparing properly, if you
12 feel -- if admission office feels that it is wrong,
13 then it is wrong.

14 COMMISSIONER VANDER WEELE: So you're
15 saying the admissions office didn't really know what
16 they were doing when they looked at a student from
17 an Indian --

18 TRUSTEE SHAH: I would not make that strong
19 statement. I would say in this instance, there was
20 a doubt. And they understand that. Maybe they did;
21 maybe they didn't. And all they're to do is no real
22 compare.

23 It is very unlikely because in United
24 States, 45 percent would be failing. You know that,

1 right? There is no way you get 45 percent grade in
2 any subject and pass.

3 In India it would be a C in certain
4 schools. They are changing it.

5 MR. ELLIS: Trustee Shah, what did you do
6 to verify that information was correct?

7 TRUSTEE SHAH: I told them that you call --
8 you verify that. It's not my place to verify. But
9 I said the grading is different.

10 It's admission office who recommends;
11 not me. I just point the way to them. They take a
12 look at it. And another reason I felt somewhat
13 compelled about this, this is an MBA class.

14 And in MBA class at Urbana, we hardly
15 have any foreign students. Now, I'm not sitting
16 here and saying we are public university and admit
17 30 percent of the foreign students.

18 But at the same time, diversity is
19 very, very important for us; for the students to
20 learn from each other, for students to understand
21 the different culture, different ethnic background.

22 And I'm not saying don't admit them --
23 admit them even though they are not qualified, but
24 right now in today's business, any students getting

1 an MBA for Urbana comes for a job in Chicago or New
2 York or Boston, he's not just going to deal with
3 student from State of Illinois or colleagues from
4 State of Illinois.

5 So I thought having one or two foreign
6 students is at the best interest of the University.
7 I didn't know the student. Let me clarify that.

8 And even though in the E-mail he
9 refers to me as an uncle, let me clarify one more
10 time in Indian system, somebody who is the age of
11 your father, you don't call them by your first name
12 or even the last name; you always call them uncle.

13 That is the reason. I never met this
14 kid, and he writes me as an uncle. So I don't want
15 you or anyone to say that E-mail or say he is my
16 nephew. I didn't meet him.

17 His father called me up looking at my
18 name on the website and said you look into it. We
19 are having difficult communicating.

20 And I'm not saying anything about the
21 ability of the whole admission office. They do very
22 fine job. They work very, very hard. Most of the
23 people at University of Illinois, Commissioners,
24 they work very hard.

1 The professors, the doctors they don't
2 have to be here. Doctors at UIC, they can go to
3 Northwestern or University of Chicago just around
4 the corner and they can get more money and better
5 facilities for themselves for their research.

6 And they tell me we are here because
7 we love University of Illinois, public university.
8 People help it.

9 COMMISSIONER VANDER WEELE: In my opinion
10 this would have been a perfect opportunity for the
11 Board to engage in a robust discussion on policy
12 regarding admissions; whether there should be more
13 foreign students, whether there should be more
14 athletes, whether there should be more veterans,
15 whether there should be more Chicago public school
16 students.

17 And it seems to me this would be a
18 perfect entre for you as Trustee and now as Chairman
19 to say maybe we need to look at our admissions
20 policy, rather than intervene on individual cases.

21 TRUSTEE SHAH: I think to some extent we
22 are in terms of the makeup of the class. And we are
23 in a public meeting. We admitted 83 percent
24 in-state students.

1 So the 17 percent of the students came
2 from out of state and foreign. When that report
3 came out, our administration was very concerned
4 because it dropped from 87 percent to 83 percent.

5 And we are trying to balance on these
6 issues the different -- you know, the different
7 angles. And especially, you know, in Urbana campus.

8 I wish we can admit more students from
9 Chicago Public Schools. I wish we can work out the
10 program where we can tell them that, okay, if you
11 are not qualified right now, let's go to this public
12 school.

13 And I recommend -- I mean, to this
14 community college, get a grade, get 3.0 average or
15 3.5 average, and then we'll take you in.

16 We introduce the program between
17 myself and Dr. Carole and Bob Spelling who is not
18 there anymore last year. And I think the program
19 will start now, dealing in general studies, rather
20 than liberal arts and science.

21 And that is last adjusted program.
22 But the student has better chance to succeed. So
23 these are the things, Commissioner, I think they're
24 all very good idea what you are saying that we

1 should do.

2 We are trying to do -- between the
3 interests of what we have to -- you know, we have to
4 manage with the down-state institution. And we also
5 don't want to ruin the character of the institution.

6 COMMISSIONER VANDER WEELE: But once again,
7 this would have been a great opportunity for
8 discussion. And maybe your opinion contradicted
9 that of the Chancellor or the Admissions Group. And
10 maybe everybody else is saying, no, we need more
11 students from Illinois; not fewer.

12 But that's what the role of a Trustee
13 is to -- not to backdoor a policy you don't like,
14 but getting students in.

15 And I have a follow-up question to
16 Mr. Ellis' question about whether in retrospect
17 advocating for students you don't know is wrong.

18 I have a similar question for
19 advocating for your niece to get into an honor's
20 program. I mean, in retrospect, do you think that
21 was wrong?

22 TRUSTEE SHAH: The only reason I did that,
23 if she didn't get in and I was advocating it, it
24 would be wrong. She neglected to apply, even though

1 she was honor student in high school all along. She
2 was brilliant student.

3 She got two degrees in four years'
4 time and stood in top 10 percent of CPA exam last
5 year after she graduated.

6 But that's not the point. The point
7 is she neglected to apply. And is there any way
8 somebody neglected to apply, do we -- is there
9 second chance.

10 And I mean, you know, the point what
11 you make about the MBA student that I should have
12 taken it up and address the issue, I think that's a
13 very valid point.

14 And ma'am, we Trustees, we spend
15 enormous amount of time. And the reason we are --
16 we are not serving there to get the personal
17 benefit.

18 Today I'm sitting here, even though in
19 somewhat difficult circumstances in front of you.
20 Somebody like Judge Mikva and the rest of you, you
21 are asking me the question and we are going through
22 this. Because somebody provided me an opportunity
23 to get the education back home 45, 40 years, 50
24 years ago. If I didn't have education, I would be

1 nowhere.

2 And we need to -- we are committed to
3 the education. The only way you can bring the
4 quality in society, that is by education. So the
5 point you are making, they are very good.

6 I would also hope that -- and it all
7 depends how many recommendations. We don't want to
8 do anything right now in -- after this came out, the
9 Commission is appointed.

10 We are going to take all the
11 recommendations made by you, by the Governor's
12 office, and we are going to move forward.

13 And then I think in the process as we
14 are talking, we will get some more knowledge.
15 Because you have the most knowledge right now.

16 I would like to -- like the situation
17 about what you just described about the various
18 students or when we inquire about the student, I
19 think there has to be a different way of doing it.

20 And I'm putting myself ahead of the
21 time in terms of telling you what I think how you --
22 you know, what we need to do in terms of -- not only
23 we need to fix the element of the Category I. That
24 is gone. We should eliminate the special.

1 But what are we going to do, the
2 question are you going, Mr. Chairman, about
3 inquiries from the legislators and inquiries from
4 other people.

5 And there -- we have to find the
6 acceptable way to handle those. Then I made this
7 statement. I must say that we got to create the
8 firewall between the Office of Admissions and the
9 people in Admission Office as well who are making
10 the decision.

11 They should not be influenced by
12 anybody. But at the same time in our society and
13 our form of government, we need to provide the
14 platform for people to make the inquiry.

15 The fact that today Speaker Madigan or
16 Governor issued an order no legislature will inquire
17 for admission at University of Illinois, maybe that
18 will last for four years.

19 I think maybe there is another way of
20 doing it. I would consider that I would like you to
21 consider that set up an office of inquiry or set up
22 the something that is --

23 COMMISSIONER VANDER WEELE: An ombudsman
24 office?

1 COMMISSIONER LOWRY: I have a question for
2 you. Do you feel that if you were not -- if you had
3 not taken it upon yourself to advocate on behalf of
4 Asian students, that the numbers of Asians that have
5 graduated in good standing with the University would
6 not be as great as they are?

7 TRUSTEE SHAH: Well, right now we don't
8 have very high number anyway.

9 COMMISSIONER LOWRY: Well, whatever the
10 number is, I'm comparing it simply to your efforts.

11 TRUSTEE SHAH: My concern is not that,
12 ma'am. My concern is --

13 COMMISSIONER LOWRY: I'm not asking you
14 your concern with respect.

15 My question is: Do you feel that if
16 you had not advocated on behalf of these Asian
17 students as you have, that the numbers would not be
18 what they are today?

19 TRUSTEE SHAH: That is correct, yes.

20 COMMISSIONER LOWRY: Thank you.

21 COMMISSIONER VANDER WEELE: What would have
22 happened if your niece would have made her own
23 inquiry and said, look, I've dropped the ball, I'm a
24 brilliant student, I should have applied for the

1 honor's program, I didn't, what could be done; what
2 would have happened?

3 TRUSTEE SHAH: I think she probably tried
4 on her own. And I don't know what happened. I
5 think -- and, Commissioner, you can say that if you
6 find that out, then why didn't you set up the system
7 to address that. And those are the things.

8 So many things need to be done, what
9 we need. And I think Judge Mikva made a point
10 earlier, what about someone who doesn't have access
11 to you, would they get -- would they get the same
12 treatment.

13 And I think that is important. In
14 this case it was my niece. But in this case it was
15 an Asian student whose parent took an initiative and
16 picked up the phone and called me.

17 COMMISSIONER LOWRY: So you think that with
18 the implementation of an office of inquiry or
19 something like that, that would allow students, say,
20 from foreign backgrounds that do not have access or
21 students from other communities that do not have
22 access, that would be an opportunity for them to
23 make inquiries or even apply that would give them an
24 opportunity to give additional information other

1 than what's already asked for on an admissions
2 application?

3 TRUSTEE SHAH: Not only that. Let's say
4 that the student is turned down. And even you take
5 the student from one of the schools on west side,
6 okay, or southwest side where there are Hispanic
7 population.

8 And the student is turned down. And
9 so what do they do after that? Do they forget
10 about University of Illinois? Or does he find
11 Trustee to advocate for him?

12 I think he can write on whatever the
13 office is. And even in coming up with a name, we
14 have to be very careful because we don't want --
15 people don't like to complain.

16 People like to inquire. You can set
17 up an office for inspector for admission. Nobody
18 will go there. The inspector in the word, it scares
19 the people.

20 But I think if you put the office of
21 inquiries or provost or assign the vice Chancellor
22 for the office of inquiry, what does that cost
23 compared to the tons of money we are spending right
24 now?

1 MR. ELLIS: Trustee Shah, you were
2 discussing implementing recommendations of the
3 Commission.

4 As Chairman of the Board, do you see a
5 problem with the current Trustees, given their
6 involvement in the Category I process, do you see a
7 problem in having that body implement
8 recommendations of this Commission?

9 TRUSTEE SHAH: Counsel -- and Chairman, you
10 know this a lot better than I do -- I'm the Chairman
11 of the Board, but I had the last word rather than
12 the first word.

13 I build a consensus, because I
14 approach people and try to get their support.

15 Having said that, I have a feeling
16 talking with a number of my colleagues -- and they
17 are all serving on the Board because they are
18 passionate for doing this.

19 And my colleague is sitting here,
20 David Dorris. He lives about an hour drive from
21 Urbana. And there are some thing which I cannot
22 attend. And I call and I said, Trustee Dorris, can
23 you come and make this. And with short notice.

24 I think my feeling is we will lock

1 ourselves in the room after your report comes out
2 and Governor signs off, we should make this happen.

3 We should make this happen before the
4 next -- first application for 2010 -- 2009 comes in.
5 We've got to make that happen. There is no
6 alternate but to make it happen.

7 MR. ELLIS: Trustee Shah, very quickly on
8 some of the documents. If you would look at Exhibit
9 No. 7. This is an inquiry from you to Richard
10 Herman. "Enclosed is the letter concerning the son
11 of a key employee of mine. I wondering if you might
12 be able to see if anything can be done here."

13 Was this an inquiry you made? Or was
14 this one from your assistant?

15 TRUSTEE SHAH: Lot of these E-mails are
16 from my assistant. But, counsel, I'm going to sit
17 here and why I acknowledge that -- I ask her to
18 write it. I said this is so and so.

19 Here -- you know, send a note to
20 Chancellor and disclose that he is a key employee.
21 He is working for us. And she put the words
22 together. And I didn't check it at that time.

23 MR. ELLIS: In Exhibit 8, the inquiry on
24 March 20th, 2006, from you to Richard Herman, that

1 closes, "I appreciate anything you can do," is that
2 you or your assistant?

3 TRUSTEE SHAH: That's my assistant. If you
4 talk to her, you can see her language. That's
5 how she --

6 MR. ELLIS: In Exhibit No. 9, your inquiry
7 to Richard Herman, dated January 24th, 2007, "are we
8 track" -- I'm sorry you meant to say are we on
9 track, is that correct?

10 TRUSTEE SHAH: That is correct.

11 MR. ELLIS: "Are we on track with blank,"
12 is that you or your assistant?

13 TRUSTEE SHAH: I think I wrote that,
14 because I left the word out in there. And I might
15 have done it.

16 MR. ELLIS: What did you mean by on track?

17 TRUSTEE SHAH: Definitely not what they
18 meant. On the tracking system, which I found out
19 much later that word had a nasty meaning.

20 MR. ELLIS: Are they on track to be
21 admitted?

22 TRUSTEE SHAH: Right. And she's a very,
23 very good student. And I think what I heard
24 earlier, sometimes the student will get 4.0 average

1 on the test scores and they're not admitted.

2 That's -- I didn't want them to make any mistake.

3 MR. ELLIS: With respect to the key
4 employee memo, you instructed your assistant to use
5 the key employee language, is that correct?

6 TRUSTEE SHAH: I told them that let them
7 know that he's -- I don't know what exactly I told
8 her. I don't think I would have told her key
9 employee, because he is not a key employee.

10 He's a -- he's one of -- among the 300
11 people that are working for me. He is not among the
12 top 50.

13 MR. ELLIS: Exhibit 13, the August 3rd,
14 2004, your request to Richard Herman asks if he
15 would give the application another look.

16 What did you hope to accomplish with
17 another look?

18 TRUSTEE SHAH: I think in this instance --
19 and I don't remember the particular case -- but I
20 wanted them to -- if there was a way this applicant
21 can be admitted, I wanted them to be look into it.

22 MR. ELLIS: When you asked for a second
23 look, it was for the purpose of asking them to admit
24 the person?

1 TRUSTEE SHAH: Not to admit the person.

2 But they can ask for any additional information
3 which the applicant can provide.

4 If there is something more in his
5 background or in her background which makes it
6 possible for us to justify admitting the person
7 which has been neglected.

8 MR. ELLIS: The goal was to make the second
9 look for the purpose of getting the person --

10 TRUSTEE SHAH: That is correct, yeah,
11 right. But if they had come back and said, no, we
12 looked at it and there's no way this student can be
13 admitted, and which they have done in the past.

14 They have done not in the past. But
15 afterwards they have done it. Then I never argue
16 with the decision that, oh, why didn't you admit
17 this student.

18 MR. ELLIS: There were some discussions
19 that we looked at some E-mails about admissions to
20 the College of Law. Do you recall that?

21 TRUSTEE SHAH: Yes.

22 MR. ELLIS: Now, with respect to -- maybe
23 the best thing to do is to look at Exhibit 2. On
24 the first page of Exhibit 2 at the top, this is an

1 E-mail that's not from you and it's not copied to
2 you.

3 It says, "Phyllis could you let
4 Dr. Herman know that we are also holding an
5 application for blank of BOT member Niranjana Shah."

6 I'd like you to explain whether that
7 was the result of an inquiry made -- made by you or
8 on your behalf for this person.

9 TRUSTEE SHAH: Definitely not. I never
10 inquired. I didn't even know the candidate
11 had applied.

12 MR. ELLIS: This one is 2004. You didn't
13 know that person had applied, is that correct?

14 TRUSTEE SHAH: That is correct, yes.

15 MR. ELLIS: Exhibit 3, in the middle of
16 that page, there is an E-mail from Paul Pless, who's
17 responsible for admissions at the College of Law to
18 the dean -- to the then dean of the College of Law,
19 something to keep in mind is that blank -- Trustee
20 blank has applied this year. She has a blank. I
21 have been assuming that I need to admit her, though
22 she will clearly hurt our numbers."

23 Was that a result of an inquiry made
24 by you on behalf of that candidate?

1 TRUSTEE SHAH: Absolutely not.

2 MR. ELLIS: Did you ever get any inquiries
3 or any communications from the College of Law about
4 either of the candidates that were discussed in
5 Exhibit 2 or Exhibit 3?

6 TRUSTEE SHAH: Absolutely not, no.

7 MR. ELLIS: When did you first find out
8 then, for example, the candidates discussed in
9 Exhibit 2, when did you first find out that that
10 person had been admitted, if ever?

11 TRUSTEE SHAH: After he was accepted and
12 that particular person works for me. And the two
13 weeks or two and a half weeks before the school
14 starts.

15 Because I know being on the Board that
16 somebody was in my office, a guest. And we would
17 have -- we had a lunch with a guest. And the guest
18 asked him that so what are you going to do, are you
19 going to continue to work here?

20 And he said, no, I'm thinking of going
21 to law school. And I will be admitted here in
22 Chicago or over there in Urbana. And I'm deciding.
23 But I'm leaning towards going there, Urbana.

24 And I said wait a minute, the Urbana

1 school will start in two weeks. And how come you
2 are not telling me. Don't you have to tell your
3 employer at least that you are going to leave, you
4 are working here?

5 And he says, well, I haven't made up
6 my mind yet. By that is the first time I found out
7 that he had applied and he was accepted.

8 MR. ELLIS: When did you first find out
9 that the person described in Exhibit 3 was admitted
10 or had applied?

11 TRUSTEE SHAH: Well, I didn't know he had
12 applied. I mean, candidate had applied for any
13 time. After the candidate was accepted and --

14 MR. ELLIS: When you would receive a
15 response from Chancellor Herman or Provost Herman
16 about one of the inquiries you made, would you read
17 it?

18 TRUSTEE SHAH: I'm sorry?

19 MR. ELLIS: When you would receive a
20 response from Chancellor Herman or Provost Herman
21 about one of the inquires you made, whether it be by
22 E-mail or otherwise, would you read it?

23 REPRESENTATIVE BOLAND: Most of the time I
24 would read it. But it -- the frequency of reading

1 it has increased significantly in 2008 and '9, than
2 it was in 2004. In 2004 I didn't read it.

3 MR. ELLIS: You did not read it?

4 TRUSTEE SHAH: No. I would have my E-mail
5 printed out. And somebody would prepare for me.
6 And in 2004 also was a transition time for me to
7 spend a lot of time on U of I matters.

8 MR. ELLIS: One final inquiry relates to a
9 relative who may have obtained a job at the
10 University. And the only questions that I have on
11 that would be potential admissions-related
12 questions.

13 There is a document that the
14 Commission has not been provided yet. But that we
15 saw today that discusses or potentially discusses
16 whether that particular person should be admitted
17 into a Ph.D. program in order to deal with issues
18 surrounding that person's visa.

19 Were you involved in discussions about
20 admitting that person into a Ph.D. program or any
21 other program to deal with visa issues?

22 TRUSTEE SHAH: No, not for the visa. But I
23 think one of the reasons that particular person
24 wanted to work at University was he's a brilliant

1 student.

2 Stood first in his class at Oxford MBA
3 program. And he was looking for a job which can
4 give him the intellectual stimulation.

5 He also comes from a family where his
6 father is now formerly from Europe. And just about
7 same time he accepted a sabbatical, a three-year
8 contract over the University of Massachusetts.

9 So his thinking was to -- in talking
10 with me, I said -- I was probably thinking more
11 like in my -- I mean, business, if you are looking
12 for good people, you want to grab them.

13 I was very impressed for various
14 reasons. And I said if he does the Ph.D., then he
15 can -- it's good because in academic freedom getting
16 a doctorate degree is very, very important.

17 Getting his visa was not an issue. He
18 had another job he had could have been gotten the
19 visa through other job.

20 I employ lots of people and I sponsor
21 many applicants like any of them, and I could have
22 been gotten the visa much faster because for the
23 private company, the admission department has
24 accelerated program by which you can spend some

1 extra money and do it.

2 MR. ELLIS: Did that person apply to be
3 admitted as a Ph.D. candidate to the University?

4 TRUSTEE SHAH: No. I think the whole
5 thing, I didn't get into it. All I can do is make
6 the suggestion or recommendation either to the
7 University or to the candidate.

8 As I get older, I tend to be more
9 advisor of trying to reach out. And maybe I should
10 stop doing that.

11 So my idea was that if he does Ph.D.,
12 it's good for his career. And associating with
13 University of Illinois give you intellectual
14 challenge for someone.

15 We are the best research university.
16 We do more research than University of Chicago, no
17 question. And get more research money.

18 I'm very proud of all those facts and
19 I like those things. So that's the reason I
20 recommended. And he ended up getting his job
21 somewhere else where he has to drive hour and a
22 half.

23 And he said this can't work for me.
24 And I said you're to work it out. All I can do is

1 give you the advice. So that's where it is.

2 COMMISSIONER VANDER WEELE: We've heard
3 from more than 50 faculty members who wrote letters
4 supporting the Chancellor.

5 Can you just recount for me just so we
6 have a complete picture of the Chancellor's
7 accomplishments since he's become Chancellor, as
8 well as President White's accomplishments?

9 TRUSTEE SHAH: Well, let's go
10 Chancellor first, since you asked for him first.

11 Chancellor has done -- their job
12 description is very, very open. First of all,
13 Richard Herman, he works 70 hours a week. He is
14 always working.

15 And I call him at 11:00 and sometimes
16 at 6:30 in the morning when I get up early and I'm
17 ready to do my work and he is there.

18 So he is technically -- I mean, in
19 terms of his professional skills, he is very good.
20 As a research university -- and some people disagree
21 with me because they want to put education first and
22 we put -- if you are good research university, it's
23 a good education university, too.

24 And he is known scientist and

1 mathematician in the country. So for presenting the
2 major of Urbana campus, which is the crown jewel of
3 University of Illinois, I think he presents the
4 campus properly.

5 Same thing with the provost like, you
6 know, we are going to have our provost resign. And
7 my recommendation to Chancellor in admitting in open
8 Board meeting, let's get somebody with a background
9 in science or technology.

10 We are looking for someone who can
11 bring us the research money to present the research
12 part of the University. So he does very, very good.

13 The reason I'm giving you this long
14 answer, he is very good in research area promoting
15 the research, work with the donors bringing the
16 money.

17 And the other thing is why we all
18 missed the boat, I became the Chairman. And I met
19 with him and Chicago Chancellor is new. And we are
20 working on Chicago, too.

21 And I said, Richard, let's work out
22 now, what do you want to do? And one area we worked
23 out, I said we have a democratic administration in
24 White House, how can we get more money.

1 And we work out the plan. And I tell
2 him one time. And then they're to do the work. We
3 make the policy.

4 So let's say, for example, Congressman
5 Lehood or Secretary Lehood, he was on our campus. I
6 said -- he said me, he said, do you want to come? I
7 said, well, Trustee Dorris is the Chairman of that
8 democratic committee.

9 But I think other than that, you
10 should ask secretary that would send his people,
11 research people from Federal Highway Administration
12 and Federal Aviation to visit our campus in Urbana,
13 ask them to fly to Chicago so we introduce them to
14 Chicago.

15 And then meet with them, meet with our
16 research people who they would never have a chance
17 to come to Urbana. And our research people
18 collectively 30, 40 people can meet with them at one
19 time. Those are the things he is undertaking like
20 right away --

21 COMMISSIONER VANDER WEELE: So he has very
22 strong political and fund raising skills is what
23 you're saying?

24 TRUSTEE SHAH: Not only that political and

1 fund raising, but along with that educational leader
2 must be a leader in education and research.

3 And the point I'm making is that he
4 has not only the fund raising and political skills,
5 but he also has the skills to impress the people in
6 research and get the confidence of faculty members.

7 The global campus program, which we
8 are to re-organize because we are losing significant
9 amount of money for whatever reasons -- the change
10 in economic, everything else -- which provided the
11 leadership.

12 And he -- as much extra work he hasd, he
13 got in less than two months in all this conflict we
14 are going through right now, he put everything
15 together and we have a Board meeting day after
16 tomorrow.

17 And they are going to make the
18 presentation where they going to move the global
19 campus further. And that's fascinating to some of
20 the talents we have.

21 Everyone wants to get into University
22 of Illinois. They want to get the U of I degree.
23 We are working with the community colleges. We are
24 trying to work with CPS; Chicago Public School.

1 How we change the participation, other
2 than admit students who want to come to Urbana
3 campus. I think that will open the door for them.

4 And I think Richard is very receptive,
5 rather than five years ago when they won the Nobel
6 Prize and somebody here won the Crawford Prize and
7 they didn't want get up and do the conference
8 together. Because Urbana is Urbana.

9 So he is very good. I mean, he proved
10 he is very good. He definitely missed the boat on
11 admission part. I'm not going to sit here and
12 defend.

13 And I will tell you that I neglected
14 some of the things. And I didn't know everything
15 what I needed to know.

16 COMMISSIONER LOWRY: If you could tell us
17 the most important lesson that you've learned, what
18 would that be as new Chairman?

19 TRUSTEE SHAH: I think we need -- the
20 number of things actually for a new Chairman and
21 with this crisis coming in my first six months, I
22 think ethics issues are more and more important --
23 becoming more and more important.

24 And while we have ethics officer, but

1 we need to have a country and still study. And
2 there are -- like are providing voluntary service.
3 There are people who are willing to give us the
4 service at no cost.

5 We can get the Chancellor, former
6 Chancellor from University of Wisconsin or from the
7 other places, and they would help us to set up some
8 of these guidelines where can make a mistake, what
9 are those areas.

10 Everybody can be an expert in some
11 process today. Maybe somebody had told us -- in my
12 head somebody -- the question had come what are they
13 doing after I send the name to them.

14 So I think we need to examine every
15 aspect. No issue is too small for a university like
16 us. We are huge. We are the grandeur State of
17 Illinois. We are the economic engine.

18 CHAIRMAN MIKVA: Thank you very much,
19 Mr. Shah, for your participation.

20 Why don't we take a ten-minute recess
21 and come back.

22 (A short break was had.)

23 CHAIRMAN MIKVA: First of all, thank you
24 very much for coming and offer to help on how the

1 system works. And how it's a purely fun and games
2 day-at-the-beach kind of a job where you never have
3 any problems.

4 TRUSTEE DORRIS: I would like to say it's a
5 pleasure, but let's say it's a duty. I would like
6 to make a brief statement.

7 Members of the Commission, today is a
8 difficult, embarrassing, and sad day for me. It's
9 difficult, because I intend to tell you the complete
10 truth of exactly what I observed as I see it.

11 And it may not be pleasing to some
12 people. And that's not something I invite or look
13 forward to, but it's my duty. It's my obligation.

14 It's embarrassing because I have to
15 confront the reality to the Board that I'm a
16 member of and the -- and potentially myself have
17 embarrassed the University of Illinois.

18 And that's very distressing to me.
19 And I am profoundly regretful that we've done things
20 that have destroyed the confidence in the public in
21 that university.

22 It's a sad day, because I do care
23 about that University. Because I think the mission
24 of that University is one thing.

1 We have some of the most wonderful colleges
2 in the world that are there for the people with
3 privilege and influence. Some of the great
4 privates.

5 But the public university, as the land
6 grant mission, was we opened the window of
7 opportunity for people like me. I'm the first
8 person in my family that was a graduate of college.

9 I noted when Chairman Shah was talking
10 to you about his background, how similar from the
11 State of Illinois you can have that background.

12 I was born into a house with no
13 electricity, no phone, no running water. I was born
14 in the 19th century in Little Egypt in deep Southern
15 Illinois.

16 My first school was a two-room school.
17 We had no in-door plumbing. We had no electricity
18 and no central heat in that building.

19 Where I came from is not as important
20 as some of the greatest people that ever went
21 through that University, my heroes, a person like
22 Nick Holiac.

23 Nick Holiac was a son of a Lithuanian
24 cole miner in Southern Illinois. He was born only a

1 few miles from me. He's one of the giants in the
2 history of this State of Illinois.

3 Without the University of Illinois
4 would he have accomplished what he did. He's the
5 inventor of LAD. He was a protégé of
6 John Bardine, a winner of two Nobel Prizes.

7 Beckman that donated all the money to
8 the Beckman Institute, fiber optics was born on a
9 farm just a little bit north of Bloomington where I
10 live.

11 And the stories go on and on about the
12 people that the only way that we discovered that
13 talent and that genius was these public university.

14 I doubt if the East Coast schools
15 would have ever found these people. We provided
16 access to them. And what's deeply hurtful if
17 anything we've done is denying that kind of access
18 to these people.

19 There's genius tucked away in every
20 nook and cranny of this state in the world. And I
21 believe it's our obligation as a public university
22 to open that opportunity for those people because
23 it's the right thing to do. But we need them.

24 We need the talent that's hidden away

1 that only public universities can open that window
2 of opportunity for them. We have a different
3 mission in the privates.

4 I also am sad for a very personal
5 reason. One of the men that I most admire at the
6 University of Illinois is at the center of this
7 controversy. And he's a great man.

8 I was there and I know some of the
9 things about Richard Herman. And to see the
10 position he's in -- and I would -- I'm not defending
11 anything that's indefensible. Some of the language
12 that was used is putting it mildly unfortunately.

13 Maybe some of his actions. But I
14 think I have an understanding of what was going on
15 and why it was done. And I am deeply regretful for
16 one thing. I wasn't there to supporting him to do
17 the right thing in some cases.

18 Because without the supporting of some
19 Trustees, an administrator like Richard Herman, he
20 was getting no supporting from anywhere. In
21 hindsight looking at this, there were clues that
22 were missed by me that I should have stepped
23 forward.

24 I can describe for you my relationship

1 with him on these inquiries and how it was, I
2 believe, different in character than some of the
3 rest of them.

4 But what he told me in those
5 conversations I should have been more alert and
6 stepped forward and had the courage to confront some
7 of my colleagues.

8 I didn't. And I'm deeply regretful
9 for that. I feel like I'm partly to blame for the
10 failures of Richard Herman. He's a great man; he
11 does great things; and he does incredible integrity.

12 I can give you examples where he stood
13 like a rock against intense pressure to admit
14 students to that university and would not yield.

15 What was different? He had supporting
16 from somebody. In one case he had supporting from
17 me when I confronted a Trustee. And that situation
18 ended.

19 I would like and I hope none of you
20 will take this as a criticism because I'm not
21 entirely sure I understand the power of the
22 Commission or the protocol.

23 But it would be my preference to be
24 sworn under oath with the penalty of perjury. And I

1 don't know if that's available or not. But I have
2 no reservation as to testifying under oath here
3 today.

4 If that's not available -- and I
5 understand this is not a court hearing. So you may
6 not even have that power.

7 CHAIRMAN MIKVA: Thank you for the offer.
8 We don't have the power.

9 TRUSTEE DORRIS: Let me do it this way. I
10 pledge to each and every one of you to tell you the
11 full and complete truth. I will have no convenient
12 lapses of memory. And I'm going to tell you what I
13 know.

14 If it hurts me or my reputation,
15 sobeit. If it hurts other people on that board or
16 in the Administration, I'm going to have to live
17 with that. So that's my pledge to you. I'm going
18 to tell you the truth.

19 CHAIRMAN MIKVA: Thank you. I appreciate
20 that offer.

21 MR. CHUNG: I think the record should
22 reflect that Trustee Doris was here last week
23 prepared to testify.

24 He came from a considerable distance

1 to do so. And, unfortunately, the schedule did not
2 permit him to actually testify back at that --

3 CHAIRMAN MIKVA: I want to apologize for
4 that.

5 TRUSTEE DORRIS: There's no need to. You
6 and I have been in similar environments in the
7 courts. And we know that delays are -- they happen,
8 and you can't avoid them.

9 The only regret I have was I missed
10 the All Star game in St. Louis. But I did want to
11 see Barack throw out the first pitch. So it's not
12 an issue. It's not an issue. Thank you, though,
13 for the apology.

14 MR. CHUNG: Trustee Doris, please state
15 your name.

16 TRUSTEE DORRIS: David Vernon Doris.

17 MR. CHUNG: Trustee Doris, you are a
18 graduate of the University of Illinois?

19 TRUSTEE DORRIS: Law school. I did not go
20 there and graduate. I went to a smaller college in
21 Collins Illinois. Blackburn College.

22 MR. CHUNG: When did you graduate from the
23 law school of Illinois?

24 TRUSTEE DORRIS: 1973.

1 MR. CHUNG: Have you been a practicing
2 attorney since that time?

3 TRUSTEE DORRIS: Yes.

4 MR. CHUNG: What's, generally speaking, the
5 nature of your practice?

6 TRUSTEE DORRIS: When I graduated until I
7 passed the bar, I was working for the McLean County
8 State's Attorney office. And then continued there
9 for about a year.

10 I've only had two jobs since then.
11 For over 30 years I worked with a firm Jerome Mercer
12 & Associates. And then after -- when Jerry was
13 winding down his practice, I established my own
14 practice about ten years ago. Doris Law Firm, PC.

15 MR. CHUNG: Is that a personal injury firm?

16 TRUSTEE DORRIS: When I first joined Jerry,
17 there was -- and he's now deceased. When I first
18 joined him, he did a little collateral work. But it
19 was minor.

20 I did a lot of family divorce work early.
21 But it was very short-term and what a blessing when
22 I left that behind me.

23 But you can say first at least 30
24 years I have done nothing except plaintiff's

1 personal injury litigation.

2 MR. CHUNG: Are you a member of any
3 particular -- I don't know what they would be called
4 in the University parlance -- but designations that
5 indicate levels of donations? Put it that way. For
6 instance, the Loyalty Circle.

7 TRUSTEE DORRIS: The Loyalty Circle is an
8 organization that was founded about 12, 15 years
9 ago. And I was one of the founding members. I
10 think there were 10 or 12 of us.

11 At the time, you know, all levels of
12 fund raising go only one direction; up. They
13 established a new designation in the Loyalty Circle,
14 which you had to commit to \$10,000 a year.

15 And I was an original member of that
16 and had been ever since. And now we've gone to
17 another designation, an endowment lifetime member
18 where we make a donation of \$300,000 to the
19 University.

20 MR. CHUNG: Have you reached that level.

21 TRUSTEE DORRIS: No. When I say \$300,000,
22 it's paid -- you can pay it as periodic payments. I
23 did not pay them a lump sum of \$300,000. But we're
24 still on that track.

1 In the general university, I have
2 donated through an organization they call
3 President's Council. And I think the designated
4 there is at least \$50,000 in lifetime donations.

5 Then at the law school, I've donated
6 some, but not very much. It's been sporadic. The
7 Cribbit Society, I think I may have given three or
8 four donations. Probably \$1,000 each.

9 And then there would be special
10 events. Like Heidi Heard had a very special event
11 called a gala, the law school gala. And she called
12 me and asked me to donate money for a table to
13 provide it for students so they could be there. I
14 don't remember, maybe \$1,200 when she would ask for
15 that and things of that manner.

16 MR. CHUNG: So your contributions to the
17 University have exceeded \$50,000?

18 TRUSTEE DORRIS: Clearly.

19 MR. CHUNG: You've separately made
20 contributions to the College of Law in a much less
21 amount?

22 TRUSTEE DORRIS: Much less. The bulk of my
23 donations have been to the athletic program.

24 MR. CHUNG: Let's talk about political

1 donations. You've given extensively to various
2 political candidates?

3 TRUSTEE DORRIS: All over the country.

4 MR. CHUNG: What about State of Illinois,
5 focusing particularly on Governor Blagojevich?

6 MR. DORRIS: Well, if I can give you a
7 little background, because knowing that that would
8 be an area that you would ask, I went back through
9 some of my record of giving. And it was astounding
10 to me.

11 I almost feel like at some point
12 somebody should ask me to name a Democrat in the
13 country I haven't donated to. It's been extensive.

14 And why? Why is, I think,
15 extraordinarily important for what we're discussing
16 here today. I'm a leader of the Trial Lawyers
17 Association. I was the president of the Illinois
18 Trial Lawyers Association.

19 We have a very special designation
20 within that organization. You're president for a
21 year. You're a past president the rest of your
22 life. And the past presidents are the core of that
23 organization to do something that's the center point
24 of my life. The preservation of the Civil Justice

1 System.

2 I just deeply -- I chose this
3 professional because of how deeply I believe in
4 that. And I give time, energy that even with my
5 conviction to the University of Illinois pales in
6 comparison with what we do -- we believe in a trial
7 by jury in civil cases. We believe it's one of the
8 crucial things that make this country different than
9 any other country in the world. And we're totally
10 dedicated to it.

11 We consult often. And there are
12 obligations that we do that. I donated -- I believe
13 statistically the record will show I donated more
14 money to Blagojevich for Governor than all of the
15 other Trustees combined.

16 You can make your own judgment. But
17 that was done 100 percent because of the battle over
18 the Civil Justice System.

19 The first time I ever saw that man
20 that I can remember was in 1995. I was set in a
21 gallery of the house when we were down there working
22 as hard as we could to stop.

23 This was that two-year periods where
24 Daniels was the Speaker of the House, Phillip was

1 the president of the Senate, and Jim Edgar was the
2 Governor. We were trying to stop total destruction
3 of the Civil Justice System. And we failed.

4 MR. CHUNG: When did you first give to --

5 TRUSTEE DORRIS: I don't believe -- I can't
6 find any record that I ever gave him any money when
7 he was a congressman. And the reason I believe for
8 that is we sort of have -- I don't know if it's a
9 formal agreement.

10 But there are very few trial lawyers
11 that practice on the level that I do. And I
12 practice all over the state, and even some out of
13 the state from down-state.

14 Now there's a Metro East area where we
15 have some people that step up. But as a general
16 rule, it's sort of an unspoken agreement that I will
17 take care of things down-state and my colleagues,
18 and the people that I work with are more
19 concentrated on Chicago.

20 I don't think I ever donated to him
21 until he was running for Governor.

22 MR. CHUNG: So that would have been 2002 or
23 2001, that time period?

24 TRUSTEE DORRIS: I believe it was 2002. I

1 don't have any records to tell me exactly when. But
2 I never spoke to him that I remember. And I just
3 observed him.

4 But the reason that 1995 participation
5 on the floor of the House is important is he was a
6 champion, one of the really strong outspoken people
7 in defense of the Civil Justice System.

8 He, along Lou Lange and Tom Dart and
9 some others, the Speaker, they were our champions.
10 And they were chairing the defense of that Civil
11 Justice System. So he made a favorable impression
12 with me at that time.

13 The next time I remember ever meeting
14 him -- the first time I ever remember meeting him
15 was -- and I could be wrong about the sequence, but
16 I have vivid memory of the times that I met with him
17 before he was elected Governor.

18 Now, I don't want to create the
19 impression that I would not have been at a political
20 event where there were other political figures, and
21 he may have been there.

22 But if there was, I don't even
23 remember. I do remember a colleague of mine in
24 Bloomington, a lawyer -- Blagojevich was doing one

1 of these fly-ins around the state trying to gain
2 supporting.

3 And he flew into Bloomington. I
4 remember that appointment or that meeting was at the
5 airport. It was mostly union officials. And me and
6 I know there was at least one other lawyer there.
7 And they invited me to meet.

8 At that time I'm absolutely -- well, I
9 shouldn't say absolutely certain, but relatively
10 certain it was during the primary. When I looked at
11 the records of the two primary -- the prime
12 candidates, I was very impressed with the other
13 gentleman, Paul Valas.

14 I was very impressed with him. What I
15 didn't know about Valas is where he stood on the
16 Civil Justice System. And that was an unknown.

17 But Blagojevich was a known commodity.
18 He had been one of the strongest supporters in
19 defense of that Civil Justice System.

20 The meeting was dominated mostly by
21 discussion about getting acquainted. And it wasn't
22 very long. It was one of those in-and-out things.

23 And the union people had issues that
24 they wanted to make sure he was a candidate that

1 they could support.

2 And I'm never shy about that issue. I
3 told him where I'm coming from. I won't support
4 you. And I didn't commit to supporting them,
5 because it was still in the primary season.

6 There was one mention of the
7 University of Illinois at that meeting. It had
8 nothing to do with a Trustee, because it never
9 entered my mind that I would ever be a Trustee.

10 He asked me. He said -- and he did
11 impress me. I never met the man. He knew things
12 about me. I don't know whether it was his
13 preparation from aides or other people. But he knew
14 I had just gotten a very significant verdict in
15 Indianapolis. And that was something that attracted
16 his attention.

17 But he asked me, he says now when I'm
18 down-state, do you got any advice for me. And I
19 said I sure do. When you drive south of I-80,
20 there's two things you never mention. You never
21 mention guns or Chief Langley.

22 And that was it. He then said, oh, I
23 love the chief and went on and on and on. And he
24 said my wife's an alumni. And my daughter we think

1 is wonderful, we don't see any problem with it. And
2 that was it.

3 The next time I remember seeing him
4 was at a large gathering. And I think this was
5 after he had won the nomination. Because it was at
6 a plumbers' hall. It was a fairly large building.

7 And you've got to understand, McLean
8 County hasn't elected a Democratic county official
9 since the Civil War.

10 But that room it must have been 200,
11 300, 400 people there. And it was just a stump
12 speech appearance.

13 And the thing I remember most is I'm
14 at the back of the room. I don't remember going up
15 and shaking his hands or anything. I just went to
16 observe.

17 And he's up there speaking. And when
18 he introduces himself, he says and it's good to see
19 really close friends -- and I had only met the guy
20 once -- like Dave Doris.

21 He called me by name. And the guy had
22 an extraordinary talent that's important to
23 politicians. He was good with names.

24 And I just thought it was shocking a

1 guy I just met casually one time out of a crowd of
2 400 mentions my name in that crowd. It didn't
3 offend me. But it was just something unusual.

4 The only other time I met him was I
5 initiated the contact. I wanted to meet with the
6 guy. I wanted him to look me in the eye and tell me
7 he believed in that tort civil justice system and
8 would not cave into the special interests that were
9 trying to destroy it.

10 So I contacted somebody. I don't
11 remember who. And I said, look, I'm thinking about
12 donating to the Governor. I want to talk to him
13 before I do. And I was told to be at a certain
14 location in Chicago at a certain time.

15 And it was a large public gathering,
16 somewhere on the West Side in a public park. And,
17 again, I think it was the plumbers.

18 I have no way to fix that date, except
19 it was a big union rally. I'm wondering if it
20 wasn't around Labor Day in 2002. And I had not
21 donated up until that time.

22 When I got there, I felt a little out
23 of place. I'm standing off to the side. I don't
24 know what to do. I find somebody I think is one of

1 his aides.

2 And I said, hey, look, I was told to
3 be here to talk to the Governor. And they didn't
4 say much of anything and walked off. And I'm sort
5 of confused whether I had driven up there for not.

6 I remember seeing -- I believe
7 Jesse White was there. It was more than just
8 Blagojevich. There were other people. I know
9 Dick Durbin was there, because Dick and I had been
10 friends for many years.

11 And Dick saw me there. And he said,
12 Dave, what are you doing in Chicago? I told him I'm
13 considering Blagojevich and I'm supposed to talk to
14 him. And he went on. And he talked to the crowd
15 and that was it.

16 At the end of that -- after the
17 speeches, one of Blagojevich's aides come and got me
18 and said come with us. And it was the hurried
19 environment you see in a campaign. There was a
20 young campaign aide driving an SUV. Blagojevich was
21 in the passenger seat -- the front seat.

22 There's a senator who I assume was a
23 strong supporter of Rod's -- Carol Ronin was behind
24 the driver. I was seated right behind Blagojevich.

1 And there was either one or two young campaign aides
2 in the back of the SUV. But I didn't pay much
3 attention to them.

4 I told him then, I said, look -- he
5 knew my background pretty well. I said I'm a former
6 president. And you have to understand that we had
7 24 straight years of Republicans occupying the
8 Governor's mansion in Illinois. This was an
9 opportunity that the trial lawyers thought they
10 needed to seize.

11 For the first time since I've been a
12 lawyer we have a chance to have a Democratic
13 Governor to protect that Civil Justice System.

14 And I had consulted with my colleagues
15 in Chicago. And I know the figure that's been
16 published in the newspapers as I donated \$128,000 to
17 Blagojevich.

18 That seems like a horrendous amount.
19 If you saw my financial statements, you'd say how
20 can you afford to do that. I feel it's a duty.

21 One of the contrast is with federal
22 elections -- I'm sure all of you are aware -- you
23 have restrictions where you have limits on how much
24 you can donate. In the State of Illinois we don't.

1 MR. CHUNG: If I could stop you right
2 there. Let me just pick up on the 128. That began
3 shortly after the meeting you just described with
4 Governor Blagojevich?

5 TRUSTEE DORRIS: It may have been given then.
6 I have may have given him a check for
7 \$25,000 that day. I can't remember if I gave it to
8 him that day or mailed it in.

9 But after I talked to him and he
10 promised me that he understood the Civil Justice
11 System and would never, ever allow -- as long as he
12 was Governor stand for the destruction of that
13 system.

14 And the critical issue was caps. He
15 was just -- philosophically promised he was opposed to
16 caps. I said, look, I don't care what you do. You
17 have a right to make your own policy. But I don't
18 support people that are going to destroy that
19 system. And I don't apologize for that. That's who
20 I am.

21 MR. CHUNG: How many separate contributions
22 do you recall making and at what points in time?

23 TRUSTEE DORRIS: I don't know. There were
24 at least two, \$25,000 checks sent to him before he

1 was elected. I remember one thing that was
2 somewhat -- it didn't leave a real good taste in my
3 mouth.

4 He got elected. And the next thing I
5 do, I get a call from somebody saying the Governor
6 wants a check for \$10,000 to pay for the inaugural
7 balls. And he hit on us on all of us to do that
8 because he didn't want to use public money.

9 CHAIRMAN MIKVA: Was some of this money
10 bundled? Did you get it from other trial lawyers?

11 TRUSTEE DORRIS: No. I do have the ability
12 to hold fund raisers and have very often at my home.
13 Obama, if you look at Obama's second book, he talks
14 about the culture shock of running down-state and
15 running to a farm east of Bloomington. That was my
16 house.

17 I was a strong supporter of other
18 candidates. John Edwards was at my house five
19 times. And I think we raised in one event I think
20 it was \$500,000.

21 So these were common events for state
22 officials. Because the obligation of the trial
23 lawyers, we have different people in different
24 regions. And I have almost nobody to help me in

1 Central Illinois, because almost everybody is a
2 Republican.

3 So I do have some contacts in deep
4 Southern Illinois that I can call. But, no, this
5 was all out of either out of my personal checkbook
6 or out of the law firm's checkbook.

7 I don't believe I -- I never held a
8 fund raiser for him. It was my money that I donated
9 to him.

10 If you don't mind before we leave
11 that, I think it's only fair that everybody
12 understand where I was in the circle of that
13 inner circle of vitla.

14 I was probably one of the more modest
15 contributors. My colleague, Devon Bruce, I don't
16 think donated hardly anything to Blagojevich.

17 But my very dear friend Tom Smith and
18 Joe Power, they donated, I believe, \$250,000.
19 Clifford, I think, was close to a million. The
20 reason for that is sort of the story of the poor
21 country mice. And we just don't have the income
22 down-state that they have up here.

23 And I did as much as I could. I dug
24 as deep as I could to elect a Democrat that was

1 committed to the Civil Justice System in 2002.

2 Unfortunately -- and excuse me for
3 rambling on. Unfortunately, the man eventually
4 signed the worst tort reform bill in the
5 United States.

6 MR. CHUNG: You were appointed in 2004 to
7 the Board of Trustees. But prior to that, a couple
8 years prior to that you had conversations with the
9 Governor about becoming -- wanting to become a
10 Trustee.

11 Could you describe those
12 conversations.

13 TRUSTEE DORRIS: Well, it's a little hard in
14 the constraint. I don't want to delay all of you.
15 But it's a little hard to understand.

16 You have to be from -- there is a
17 tremendous cultural difference between south of I-80
18 and north of I-80. And there was panic setting in
19 in Central Illinois about the Republicans were
20 leaving. And there had been already friction -- you
21 hear all this -- in the University of Illinois
22 family about everything is going to go to Chicago.

23 And the Governors are appointing
24 nobody but people from Chicago. We're going to have

1 nine Trustees from Chicago.

2 Different people who are very -- not
3 administration or staff, but different people were
4 trying to identify somebody they thought would have
5 a chance, because they thought there was going to be
6 mass change from Republicans to the Democrats, with
7 concentration on people from Chicago.

8 And different -- at least all I can
9 remember at least three different people who were
10 very involved as volunteers at the U of I came to me
11 and said, Dave, we need you to try to become a
12 Trustees, because we know your loyalty to U of I.
13 And because you're a supporter of the Governor, we
14 think you might have a chance; none of us do.

15 And so they encouraged me. I didn't
16 know how to go about the process. I didn't know
17 what to do. So I did it rather naively by asking
18 other people to pass on to the Governor's office
19 that I would be willing to serve if asked.

20 And that's all that was done. And I
21 don't know that you care. But I can tell you who
22 spoke on me behalf if you'd like.

23 But they passed it on to him. And he
24 had four appointments. The appointments come, and

1 he chooses four of the people. It didn't
2 particularly distress me or bother me. It came and
3 it went, and I wasn't chosen.

4 So at some point after that, after he
5 made those appointments in 2000 -- I guess it was
6 really early 2003, there was a meeting in which I
7 can't remember whether I initiated it or he did. He
8 asked to see me. And I --

9 MR. CHUNG: He is Governor Blagojevich?

10 TRUSTEE DORRIS: Governor Blagojevich. I
11 went to Springfield. And the meeting was in the
12 Capital in his office in the Capital Building.

13 And I remember it was me and him and
14 Long Monk. And at sound point he called
15 Bradley Tusk in. And this is the first time I had
16 ever met Long Monk. This is the first time I had
17 ever met Bradley Tusk.

18 And it was a very general
19 conversation. I guess at times I was wondering why
20 did I drive down here for a casual conversation. It
21 was just sort of, you know, I appreciate all the
22 supporting.

23 He didn't talk about money, but he
24 said supporting. Well, you can interpret that

1 however you want.

2 MR. CHUNG: By that time, how much money
3 have you given to the Blagojevich campaign.

4 TRUSTEE DORRIS: When he was in office, I
5 think we got hit once a year for his \$10,000 fund
6 raisers. I don't know. I know it was over \$50,000.
7 It may have approached \$100,000 by then.

8 CHAIRMAN MIKVA: When was this
9 approximately?

10 TRUSTEE DORRIS: This was in his first --
11 well, it may not be that high. Because I know that
12 it was at least \$50,000 for the first term. But he
13 ran for two terms. And we supported him the second
14 term. And he would have an annual fund raiser where
15 they would ask us for \$10,000 apiece.

16 CHAIRMAN MIKVA: If I can get the timeline.

17 TRUSTEE DORRIS: This meeting was sometime
18 after those appointments were made in 2003, early
19 2003. It's probably the summer of 2003.

20 CHAIRMAN MIKVA: So his first year?

21 TRUSTEE DORRIS: Yes, no question. At that
22 meeting he asked me -- and I have vivid memory of
23 some of the conversation -- he asked me as if he
24 wanted my advice.

1 I remember he asked me, do you have
2 any advice for me about this? And I remember
3 exactly what I told him. I said, Governor, you've
4 been dealt a tough hand. By comparison of what the
5 current Governor has been dealt, it was a rosy one.

6 But with the tough economic times, we
7 were coming out of the scandal of the Ryan. I said
8 you've been dealt a tough hand.

9 But, you know what, almost every
10 Governor in the United States is facing this, you've
11 got to survive, you've got to stand, you've got to
12 learn to get along with people.

13 And the most prophetic thing was -- I'll
14 never forget the last thing I said. And the one
15 thing you absolutely have to do is be straight and
16 keep your nose clean. I said if there's a hint of
17 scandal, you're done. Well, apparently it went in
18 one ear and out the other.

19 MR. CHUNG: Did you have a subsequent
20 conversation?

21 TRUSTEE DORRIS: No. At that time, the first
22 time I spoke directly to him about being a Trustee,
23 he said have I done anything to disappoint you? And
24 I said, well, you didn't really disappoint me,

1 because he chose people that I think you thought
2 were good.

3 But I said I was a little disappointed
4 that I was passed over as a Trustee because I think
5 I'd be a good one. And his reaction was, oh, my
6 God, I didn't know you wanted it, which I found hard
7 to believe.

8 But he said I didn't know you wanted
9 it. He turned to Long Monk. And he said, Long,
10 have all those four been confirmed? And Long
11 looked a little embarrassed. And he shrugged his
12 shoulders.

13 And he said if they haven't been
14 confirmed, he said pull one of them back. He said
15 Dave would be a great Trustee.

16 And it was a kind of casual almost
17 I've described it as goofy conversations you have
18 with Governor.

19 And I interrupted, and I said, look,
20 Governor, that's not going to happen because I've
21 made it known that I would not accept a position on
22 that Board of Trustees if it meant Roger Plummer
23 came off because of my immense respect for Roger
24 Plummer. He already removed Roger Plummer.

1 And then at that meeting, I said,
2 look, maybe one of those four people would do this
3 to me if they were in other shoes. But I won't do
4 it to any of them.

5 One of them was Devon Bruce. And I
6 said I will not accept a Trustee if you pull one of
7 them back. He said, well, don't remember about it.
8 He said you'd be a great Trustee. There will be
9 more appointments in the future. Just make sure we
10 know you will serve. And I'll make that happen,
11 because I think you'd be a great Trustee.

12 I never thought anything about it.
13 But when appointments came up in 2004, I did this
14 time directly -- and I believe -- I don't know if it
15 was a letter or how I did it, but I sent in a resume
16 and said I will be willing to serve as Trustee if
17 selected. And that was it.

18 MR. CHUNG: Now, at that point in time, did
19 you give a contribution of any funds to the
20 campaign?

21 TRUSTEE DORRIS: No, not in proximity to that
22 at all. After he was elected -- the contributions
23 would have been significant contributions before he
24 was first elected.

1 The \$10,000 for the inaugurations, the
2 balls. And then on an annual basis, he would have
3 an event here in Chicago at either the Field Museum
4 or someplace where they would specifically ask for
5 \$10,000. And the political philosophy was he builds
6 up a war chest, nobody will challenge him.

7 So we did -- all of the trial lawyers
8 did that. And then when he ran for re-election.
9 There were no special donations that were anything
10 other than the pattern that we created before he was
11 elected.

12 MR. CHUNG: In your opening remarks in
13 reference to Chancellor Herman, I think you said --
14 and I hope I'm not misquoting you -- that you know
15 what was going on, you know why it was done. And
16 you made reference to intense pressure that
17 Chancellor Herman was experiencing with Category I
18 admissions.

19 Can you elaborate on those remarks?

20 TRUSTEE DORRIS: I think I need to inject that
21 I, like all the other trustees, no matter how
22 unbelievable it sounds, I had never heard that term
23 or knew about this internal tracking system with
24 preferential treatment until I read it in the

1 Chicago Tribune.

2 And I, like a lot of people, thought
3 it was Category 1. I remember my first reaction was
4 that is a really bad thing to name something,
5 Category 1. But it's just as bad, the significance
6 of it if it's Category I. I never heard that.

7 So with that in mind about your
8 question, Richard Herman -- you have to know
9 Richard. Richard is the kind of guy that never --
10 if he has a fault, he doesn't delegate enough. It's
11 tough jobs.

12 Richard is very protective of the
13 people underneath him. And he doesn't let things
14 slide down that are going to be difficult to handle.
15 He kept them to himself.

16 And he was taken advantage of, in my
17 opinion, by people above him that dumped every
18 tough --

19 CHAIRMAN MIKVA: Like who?

20 TRUSTEE DORRIS: Joe White.

21 CHAIRMAN MIKVA: In specific, what do you
22 think happened?

23 TRUSTEE DORRIS: Well, I can tell you
24 unrelated to admissions the one time I know where

1 there was intense direct political pressure put on
2 Trustees.

3 And that was a very difficult time for
4 the University of Illinois. And had to do with what
5 you may all think silly, but the chief controversy.

6 80 percent of our alums or more are
7 passionately in favor of that assemble. And during
8 that controversy -- I don't know where you want to
9 go with this.

10 But I can tell you about direct
11 political pressure where people were told they were
12 not going to be re-appointed unless they did certain
13 things at certain times. Because I was there. I
14 was a party to the conversation. I know what
15 happened.

16 Richard at the end of that when they
17 finally voted and the vote was 8 to 1. One person
18 voted to not to do away with the chief. And that
19 was me.

20 And I can tell you the reasons if you
21 want to know, but you probably don't want to know.

22 CHAIRMAN MIKVA: No.

23 TRUSTEE DORRIS: But in that case, all
24 issues were to dump Richard Herman. And I remember

1 pulling him aside at the meeting saying, Richard,
2 you're going to let them do this to you, that
3 they're dumping this in your lap. And he's caught
4 heat over that almost daily since then.

5 On admissions, the first time I was
6 ever -- that I ever had an admissions inquiry, I
7 didn't know how to handle it.

8 You have to understand that when I was
9 appointed, I was the only new Trustee. There were
10 nine Trustees that all had at least two years
11 experience before me.

12 One of the things that we hear is
13 about training and orientation. I can tell you
14 there was none, zero. Except for Michelle Thompson.
15 That woman is as good at her job as anybody I've
16 ever -- she would very smoothly and delicately try
17 to lead you through it.

18 But should the secretary have that
19 job; should not. It shouldn't be left to her. I
20 know she encouraged me to read volumes of history of
21 the University of Illinois. And without Michelle,
22 there would have been total chaos.

23 But without Michelle, there was no
24 training, no mentoring, no education whatsoever. So

1 when I got an inquiry from somebody about an
2 admission, I didn't know how to handle it.

3 COMMISSIONER VANDER WEELE: Who should
4 handle the training, if not --

5 TRUSTEE DORRIS: The Trustees themselves,
6 they should set up a program to take care of that.
7 We should have responsibility on that issue.

8 I didn't know how to handle it. And I
9 don't recall whether I just because of my respect
10 for Richard called him and asked him how to handle
11 it or whether I mentioned to some Trustee. And they
12 said, well, you're supposed to call Richard.

13 But it was understanding -- it wasn't
14 protocol, it was anything. It was just that's what
15 you were told to do. That's Richard.

16 So I called Richard. And I remember
17 that conversation very well. I said, Richard, I
18 feel awkward, I don't like this, but let me tell you
19 I've been contacted by somebody. And I feel it's my
20 duty to get some kind of response to them. And I
21 need some information.

22 And he said that's what you're
23 supposed to do; come to me. And I said, Richard, I
24 want to make sure you understand one thing. I'm

1 deeply offended if there is any preference given to
2 anybody.

3 These people, when they contact me,
4 what I want is information so I can go back and give
5 them an answer. Not be rude, not be a cold
6 bureaucratic organization, but give them
7 information. And it's the end of the subject.

8 And I remember telling him -- because
9 I remember the exact words -- I said, Richard, if
10 these people are given any preference whatsoever,
11 that will offend me deeply.

12 I want them given the same preference
13 I had when I was applying to college and law school;
14 none. And he told -- he thanked me for that.

15 He said, Dave, I thank you. And this
16 is where I dropped the ball. And he said, that's
17 not the way it is with other Trustees. He said, I
18 wish they would all have your frame of mind.

19 Richard and I had that conversation on
20 other occasions about some events that took place.
21 And that's the way we tried to behave.

22 Now, I know there's a letter where
23 there's some things that -- one of the things that
24 is really unfortunate is I think a lot of very

1 brilliant people assume that E-mails are private
2 communications. They're not. They're absolutely
3 public.

4 In the orientation, I think the first
5 thing we need to tell new Trustees, E-mails are not
6 private. They are absolutely public.

7 In dealing with Richard, he was under
8 intense pressure on a lot of issues from primarily
9 the Chairman and the President.

10 MR. CHUNG: Can you tie that to admissions,
11 if at all, did you --

12 TRUSTEE DORRIS: And individual Trustees.
13 We had a problem with another Trustee that became so
14 heated. It was during the -- right before the last
15 appointment.

16 There was a student who was very
17 comprised in his abilities. But there was a Trustee
18 that was advocating his admission. And it was at a
19 meeting of the Board in Chicago on the campus of
20 UIC.

21 And it was -- everybody during a break
22 was out there. And two Trustees were in Richard's
23 face screaming at him. And one of the Trustees
24 yelled at me. And he says, Doris, get over here.

1 Make Richard do what's right.

2 And I knew about the case. And I
3 walked over there. And he says, you know the blank
4 case, he says make Richard do what's right.

5 And I turned away from the Trustee and
6 looked right at Richard in the eye and I said,
7 Richard, you know what's right in this case. You've
8 made your decision. And I expect you to do what's
9 right.

10 And I turned back to the Trustee and
11 said I've done what you asked me to do. Richard is
12 going to do what's right. You're not going to like
13 it, but he's going to do what's right. And he did.

14 That's what I feel so regretful
15 about --

16 CHAIRMAN MIKVA: Did you know about the
17 pressure from the Governor's office for an
18 admission?

19 TRUSTEE DORRIS: I never knew about that. And
20 that's one of the confusing things to me. Because
21 on the surface, it would look like that somebody
22 that had donated amounts of money I had, there would
23 have been some contact from the Governor's office to
24 me. There was never none not once.

1 And I don't know how to interpret
2 that. Did they think I was some incompetent they
3 didn't call me? Or did they think I'd tell them no?
4 I don't know how to interpret that.

5 COMMISSIONER JUDGE: Was Eppley one of
6 those two Trustees?

7 TRUSTEE DORRIS: No.

8 COMMISSIONER VANDER WEELE: Who were they?

9 TRUSTEE DORRIS: Bob Spurling and
10 Francis Carol. And I was here last week when you
11 said -- and I don't want to say anything negative
12 about Francis Carol. She's a wonderful woman.

13 But she was involved in many
14 admissions cases. She was a champion for the
15 minority students. And I don't think she was wrong
16 in doing that.

17 Now, if you tell us that's wrong, she
18 was always a champion of -- this was a minority
19 student. And I applaud for her stand, because we do
20 not provide enough access to the inner-city African
21 American students.

22 CHAIRMAN MIKVA: Did you know Mr. Rezko?

23 TRUSTEE DORRIS: Never met him. If he was in
24 the room right now, I would not recognize him. The

1 first time I ever saw that name was in the
2 newspaper article.

3 CHAIRMAN MIKVA: So you never had any
4 contact with him about admissions or admissions
5 about a relative of his?

6 TRUSTEE DORIS: No.

7 CHAIRMAN MIKVA: Do you know about it at
8 the time it was going on?

9 TRUSTEE DORIS: Did not. That one caught
10 me totally by surprise --

11 CHAIRMAN MIKVA: Chancellor Herman never
12 mentioned to you that he was having trouble?

13 TRUSTEE DORRIS: No. That's where I feel
14 really -- I just wish I would have extended an
15 invitation to Richard saying, Richard, look, when
16 something is going on you need support, come to me.

17 Because there are a couple of other
18 Trustees that I think he can count on, too, that
19 would have stood up to -- what can I say, other than
20 I didn't have the courage to confront some of these.

21 We had a particular problem with
22 behavior with some Trustees, and I chose a different
23 way to handle it. It was slow. It was awkward.

24 And I'm saying this publicly right now

1 because it's probably unknown. What I did was work
2 with other people and make sure that Trustee wasn't
3 re-appointed, because it was a very difficult
4 problem for us.

5 I was concerned about the rudeness and
6 the abuse that some Trustees carried out with
7 people. And I was shocked when I saw what kind of
8 power it had when you put a Trustee's name next to a
9 student.

10 And I would like to talk about one
11 example to show you why it doesn't have to be that
12 way. And I have permission from the student to talk
13 to you about that.

14 COMMISSIONER VANDER WEELE: Just so we're
15 clear, when you say Chancellor Herman was under
16 pressure from the Chairman, which Chairman are you
17 talking about?

18 TRUSTEE DORRIS: Eppley. What we had is I
19 nominated Larry Eppley at one time. And this is not
20 very complimentary to my colleagues. But I looked
21 around as I observed the interaction of this board,
22 Eppley was very, very good at organizational and PR.

23 And I looked around to see who else we
24 had that I thought would be a good chair. And

1 nobody came to mind. The people who were most
2 likely I thought would be good chairs because of
3 professional time didn't have the time to devote to
4 it.

5 I would have had no support from
6 anybody, because many times I was alienated -- my
7 nickname in Champaign is the lone warrior. I was
8 alienated because of a lot of issues.

9 So I continued to support him, because
10 he was the best option we had. But at some point
11 when I saw things that I didn't like when you have a
12 chair that's entrenched for that long, the danger is
13 you don't have a nine-person board.

14 You have the Chair and the President.
15 And that was where we were at. And Chairman Shah's
16 a little kind. I had been trying to organize
17 displacement of Larry Eppley for longer than when --
18 Shah finally stepped forward and was willing to
19 challenge him. We built enough votes. And it's
20 just simply not true that he stepped aside.

21 He stepped aside when he knew there
22 were five votes that he was done. He was bitter and
23 very angry when he was displaced. He fought to the
24 very end to save that Chairmanship.

1 CHAIRMAN MIKVA: Were you aware at any
2 time -- you were very close to the law school, as
3 well, I gather on this?

4 TRUSTEE DORRIS: Yes.

5 CHAIRMAN MIKVA: Were you aware at any time
6 that the law school was under pressure to admit
7 people?

8 TRUSTEE DORRIS: No. If you were to ask me
9 at any time before this controversy surfaced, I
10 would tell you the most sacred thing about the
11 University of Illinois is to get into the law
12 school, it was simply a chart LSAT and GPA, you
13 either make the cut or you don't make the cut.

14 That's what I've been told
15 consistently. That's what I believe. That's what I
16 told anybody that inquired of me about the law
17 school. I believed that.

18 And I was shocked. And this one
19 case -- I do want to talk about this one case
20 because I think it's enlightening about the process
21 when I find out it's not true.

22 And it's not true only the Trustees
23 putting pressure on it. When you look at some of
24 the E-mails related to one applicant to the law

1 school that my name is mentioned, I never once
2 contacted anybody at the University about that
3 person.

4 Not the Chancellor, not the president,
5 not the dean. Until that student was wait listed.
6 And then I called Heidi Heard. And I said -- I
7 remember the conversation well.

8 I said, Heidi, I'm calling you about
9 the application of my son Daniel Doris to the law
10 school. I said, I'm not calling to complain and I'm
11 not calling to change anything.

12 All I want to know is some of the
13 factors explained to me, because the only law school
14 he applied to was the University of Illinois.

15 And I said, he will apply again next
16 year. And I said, I just need to know what is it
17 about his profile that he needs to change to make
18 himself attractive to law schools. And I remember
19 she chuckled and she said nothing.

20 She said -- she explained to me
21 rolling admissions, how they fill the class up
22 early. And Daniel is a rather unusual person.

23 My son is a high school dropout
24 statistically. But that's not all the story. He

1 left high school after his junior year. He was
2 accepted into the honors course in the College of
3 Engineering at the University of Illinois without a
4 high school diploma.

5 This is a kid who was enrolled in the
6 College of Engineering and Physics, which is
7 described as the most rigorous undergraduate
8 curriculum at the U of I. And second place is here.
9 It's one of the ten toughest curriculums in the
10 United States under graduate curriculums.

11 I talked to him this morning. He had
12 a 3.93 or 3.96 with highest honors in the College of
13 Engineering and Physics. He scored well above the
14 LSAT median of people admitted to the law school of
15 campaign. Probably in the top 10, 20 percent.

16 Danny didn't go to U of I. He was
17 denied -- he was wait listed. When I see the
18 documents, what's interesting is the absence of the
19 influence of a Trustee. But there's an interesting
20 document in there. It's an E-mail from a man named
21 Jeff Kotz to Pless.

22 And we got this aura created that you
23 had these people in the admissions who were clean
24 and objecting to bad things by Trustees.

1 Look at those E-mails again. Who is
2 Jeff Kotz? I know Jeff well. I'm related to him by
3 marriage. And Jeff is a wonderful young man; did
4 nothing wrong. He was a development officer at the
5 law school fund raiser.

6 And the E-mail comes from Jeff Kotz to
7 Pless and says this. It says Doris is not a major
8 donor to the law school, but he's a Trustee. What
9 would have happened with Danny's application if I
10 would have been a major donor?

11 There are other documents that show
12 that that admissions office was regularly checking
13 on the donor status of sponsored students.

14 And the war not over whether there
15 should be special lists. It was whether they
16 controlled it to provide them to donors or whether
17 they provided them to people sponsored by Trustees.

18 Daniel didn't go there. Daniel is in
19 Los Angeles today. He had -- the misfortune of this
20 case is that he didn't go to Illinois. He was
21 admitted for the 2007. But he applied to all the
22 top 10 law schools except Yale. I told him I'd
23 disown him if he went to Yale.

24 He was accepted to almost every one of

1 them. He's at the University of Chicago. He's law
2 review. He ranks about five or six in his class.
3 He's already been published. He's got job offers
4 from places that I could never have gotten my foot
5 in the door.

6 So there's another category of what's
7 wrong with these admissions. And I know of another
8 case that's been told to me. A girl that got
9 straight As at the University of Virginia. Had a
10 very good LSAT. Was denied admission to the
11 University of Illinois law school.

12 What's very ironic about Danny's case,
13 it was the 2006 class where we had those three
14 people with very substandard scores. My son is not
15 one of them.

16 We're not whining or complaining or
17 crying. He had to settle for the University of
18 Chicago. Now that's a big penalty to be there. And
19 he's much happier.

20 But the other -- one of the other
21 harms that's done. At the University of Illinois, I
22 know of two brilliant students that could be
23 graduates of the University of Illinois College of
24 Law, they're not, because of this insane admissions

1 that's going on over there.

2 CHAIRMAN MIKVA: Do you attribute that to
3 what the admissions policy at the law school or --

4 TRUSTEE DORRIS: I was told something that
5 just floored me, Judge Mikva. I was told -- and I
6 can't recall if it was Heidi Heard or somebody else
7 at the law school.

8 Somebody told me, well, they said,
9 well, you know there's another factor, because why
10 was this girl from Virginia denied access and then
11 she gets into Harvard.

12 They said, well, there's something
13 else going on. Admissions people when they see an
14 application like your son's, they know they're not
15 coming here.

16 What a insult to my law school, the
17 University of Illinois, that these kids are too good
18 that they've applied there as a backup.

19 Well, the only problem with that
20 theory with my son is it's the only law school he
21 applied to in 2006. He would have been there if
22 they would have accepted him.

23 But because they're so motivated to
24 get these numbers for the rankings in the U.S. News

1 and World Report, somehow it creates a negative
2 impression if they accept people who then go
3 somewhere else.

4 So they will deny the applications to
5 some of the most brilliant people that apply
6 there because they know they're not coming.

7 CHAIRMAN MIKVA: Did you hear the current
8 dean's statement or have you read what he said
9 before this Commission?

10 TRUSTEE DORRIS: I have great respect for
11 Dean Smith, Bruce Smith. But, sir, unless you've
12 been there -- it's easy to say what you would do
13 when you're not there.

14 CHAIRMAN MIKVA: You don't think it's going
15 to happen?

16 TRUSTEE DORRIS: I think -- one of the
17 things you're considering the admissions policy of
18 the University of Illinois. Have you ever seen
19 them? I haven't. Because they've been passed in
20 resolutions. And it's not what you think.

21 It is not the top students with
22 scores -- test scores. We have all kinds of
23 policies that have been printed over the years. And
24 nobody has got those collected.

1 I'm a Trustee. I don't know what
2 those policies are.

3 COMMISSIONER SCHOLZ: What if there was no
4 policy?

5 TRUSTEE DORRIS: I don't know what they
6 are. But we do have policies that have been passed
7 over the years. One of them is -- University of
8 Illinois is the national leader because of one great
9 man, Professor Nugent, in educating people with
10 physical disabilities.

11 They are the national leader. We
12 started that at a time when that was not even in the
13 national conversation. We have exceptions for
14 people with that. We have exceptions for people
15 with special talent.

16 One of my constituencies of that. I
17 told you I was born in the 19th century. I have a
18 great fondness for -- we have schools other than the
19 inner-city public league schools that are
20 underfunded and kids don't get -- the small rural
21 schools in Southern Illinois, those kids are at a
22 disadvantage.

23 And we have a policy that we're to
24 have geographic distribution of admissions to the

1 U of I. We have other policies of minorities. And
2 nobody is talking about those. And we should.

3 I think we need -- I think the Board,
4 whether I'm a part of it or not apart of it, the
5 Board should bring all of those policies together,
6 review them, and come up with policies.

7 Now, you do have to have flexibility
8 between the different colleges. And make no mistake
9 about it. Most of the real friction on admissions
10 are concentrated in three areas. Or maybe a fourth.
11 But I've never had anything to do with medical
12 school.

13 The law school, the business school,
14 and the engineering college, that's where you have
15 straight A students that you don't get in. It's so
16 competitive in those three schools.

17 CHAIRMAN MIKVA: Mr. Doris, I'm going to
18 let Mr. Chung continue, because we're running out of
19 time.

20 Please.

21 MR. CHUNG: Trustee Doris, you talked about
22 the one example that you personally observed two
23 fellow Trustees applying pressure to
24 Chancellor Herman.

1 You said that was with respect to a
2 minority candidate?

3 TRUSTEE DORRIS: Yes.

4 MR. CHUNG: Do you remember what the issue
5 was with respect to that candidate that made it so
6 controversial?

7 TRUSTEE DORRIS: I'll tell you the complete
8 truth, there are some elements about that that may
9 be confidential that -- there was some
10 testing and -- some psychological testing that is --
11 I'm not sure how far I can go to tell you that.

12 MR. CHUNG: Let me ask you about any other
13 specific instance you personally observed or were,
14 otherwise, involved in that related to pressure --

15 TRUSTEE DORRIS: That's the only one I can
16 tell you about admissions. But there were other
17 issues where there was -- I was involved in one
18 where I was trying to get Richard to do something.

19 And you know what, he stood like a
20 rock, because he respected that I would not force
21 him to do something. And he made the decision
22 contrary to what I thought was best.

23 And later I said, Richard, father
24 knows best. I'll never doubt your word again,

1 because he was right on that issue, it turned out
2 later.

3 MR. CHUNG: From time to time you would get
4 inquiries or requests from applicants or families of
5 applicants.

6 How many did you get during the course
7 of your tenure as Trustee?

8 TRUSTEE DORRIS: I believe all of them are
9 documented in some written form. And I've had a
10 little trouble cataloguing theirs. There's one in
11 there that I simply cannot identify who that person
12 was and wonder if my name is associated with it by
13 mistake.

14 I'm not saying it was. But I just
15 cannot reconstruct who that was. I think we've
16 counted -- it's been told to me at different times.
17 And I've asked the University to tell me how many.

18 But it's either 10, 11 or 12 over four
19 years. Then I can tell you, though, there's one
20 that I have vivid recollection of that's not
21 documented anywhere in those things.

22 And I think there are -- I know there
23 are others, because, Commissioner, you've mentioned
24 Francis Carol was never involved in admissions. And

1 I refrain from smiling. But some of --

2 COMMISSIONER VANDER WEELE: That's not what
3 I said.

4 TRUSTEE DORRIS: Some of them are not
5 documented in writing.

6 COMMISSIONER VANDER WEELE: We heard some
7 testimony that she was advocating on behalf of --

8 TRUSTEE DORRIS: No question. And I
9 applaud her for it.

10 COMMISSIONER VANDER WEELE: Of
11 underprivileged students. And correct me if I'm
12 wrong. But I don't believe we've heard any
13 testimony that she was advocating on behalf of
14 relatives. So when you're smiling --

15 TRUSTEE DORRIS: Maybe I misunderstood.
16 Because I don't know of any instance where she did
17 for relatives.

18 COMMISSIONER VANDER WEELE: But that was
19 the point.

20 TRUSTEE DORRIS: She was a champion for
21 the minority coming out of schools that are
22 underfunded.

23 COMMISSIONER VANDER WEELE: What I was
24 wondering is whether you or any of the other

1 Trustees feel there's a difference when it comes to
2 any sort of -- do you draw a line or distinction, I
3 should say, between Trustees who advocate for
4 relatives, business associates, and those who --

5 TRUSTEE DORRIS: I do. Clearly, I do. And
6 I think I have a similar situation. I think -- I
7 don't apologize for me advocating for the down-state
8 to small rural schools.

9 They don't score as well as on the
10 ACT. They just don't have the educational
11 background.

12 COMMISSIONER VANDER WEELE: That's one of
13 my big concerns, too, when we talk about policies
14 that are based just on numbers. Some students don't
15 even know there's an ACT prep exam because their
16 parents have never taken it.

17 I think there is a lot of issues
18 regarding emotional intelligence. And there's other
19 issues, like you said, people with disabilities,
20 veterans --

21 TRUSTEE DORRIS: We have some of the most
22 wonderful high schools in the country in the Chicago
23 area on the Northwest Side. I don't want to demean
24 them.

1 And we also have some of the magnet schools
2 and academies; they're absolutely wonderful. But we
3 are devoted to providing geographic distribution in
4 some of these people that are coming from places
5 where our tax structure is not giving those kids the
6 kind of preparatory education they need to be there.

7 They do well. Some of them do
8 extraordinarily well once they sprout their wings
9 and are allowed to. And I think the problem is, I
10 know there was an editorial by some expert in
11 some -- I'm sorry.

12 CHAIRMAN MIKVA: I appreciate that. And we
13 want you to express yourself.

14 COMMISSIONER VANDER WEELE: But I'd like to
15 know who in the law department has been checking the
16 donors's list and incorporating that into --

17 TRUSTEE DORRIS: What I can tell you, it's
18 an E-mail from Jeff Kotz to Pless. And it looks
19 like --

20 COMMISSIONER VANDER WEELE: Well, we have
21 that. But you also said that you heard
22 independently of that.

23 TRUSTEE DORRIS: I didn't know about it.
24 But there's other documents where they were

1 discussing donors.

2 COMMISSIONER VANDER WEELE: They're
3 regularly checking; that's part of their process?

4 TRUSTEE DORRIS: It looks like it to me.
5 That's the conclusion I drew from reading those
6 documents.

7 COMMISSIONER VANDER WEELE: Do you think
8 that anybody should lose their jobs as a result of
9 this?

10 TRUSTEE DORRIS: Well, not when there's not
11 a policy. I think that this Board or any Board
12 comes after us could adopt a policy to give
13 preference to a significant donor.

14 I wouldn't agree with it. I would
15 oppose it. But I think that a Board could do that.
16 Unfortunately, one of the things we have to do is
17 raise money.

18 And I know Richard and I had this
19 conversation one time. Again, this is dangerous.
20 But Richard and I sometimes humor. We've used humor
21 to press a point. And I say, Richard, why don't we
22 just open it up and auction off the places at the
23 University because I was speaking in opposition to
24 the donors.

1 MR. CHUNG: I just have one final question
2 just to make sure -- you referred to inquiries or
3 requests that were not necessarily documented.

4 And can you describe what those were.

5 TRUSTEE DORRIS: I would like to, just
6 because I think it also gives --

7 MR. CHUNG: If you could do it briefly.

8 TRUSTEE DORRIS: I would like to briefly
9 because I think, again, I hope the people involved
10 aren't offended because they're extraordinarily dear
11 friends of mine.

12 But I was contacted by the Chief of
13 Staff for Dick Durbin's office. I adore those
14 people. They had a staffer that wanted to go to law
15 school.

16 And I said, Dave, can you find out if
17 he's got a chance to get into law school. This is the
18 kind of inquiries I would get.

19 And they were people that were
20 important to me. Make no mistake about it,
21 strangers didn't contact me. They were all friends
22 or people I knew. I didn't get people on the
23 street, strangers asking me.

24 And so I said, well, get me two

1 numbers and I will get you an answer. Get me his
2 LSAT and GPA. Bill called me back. He told me
3 those two numbers. And if it doesn't offend anybody
4 being in public, I can tell you my response is,
5 Bill, there's no way in hell he'll get in.

6 I called Richard and confirmed that I
7 was right. This is the one -- or this is not
8 documented in writing. This one the -- and my role
9 from that point forward is to deliver bad news to
10 this young man.

11 I agreed to sit down and counsel with
12 him about what his options were. We thought his
13 LSAT score was an aberration because he was much
14 brighter than that. To retake the exam. Go to grad
15 school or apply to a school with less rigorous
16 standards. He chose the last alternative. He's in
17 law school now.

18 And I would prefer not to mention the
19 law school, because it might cast a bad line-up.

20 COMMISSIONER VANDER WEELE: I think it's
21 really important to ask a question regarding a
22 comment you made that, in your opinion, the
23 president's fingerprints are on nothing, but they
24 should be.

1 Could you explain why you believe
2 that?

3 TRUSTEE DORRIS: Because you don't see his
4 name mentioned anywhere. I believe that there -- I
5 believe Richard Herman told you -- Richard Herman
6 was doing -- he was under direct orders from
7 somebody to do what he did.

8 And that pains me greatly to say that;
9 that I believe that those orders were given orally,
10 and that they were very careful never to make sure
11 there's any written documentation where they were
12 coming from.

13 This man was ordered to do what he
14 did. And I think John Foreman of the Champaign News
15 Gazette said it's easy to say you can fall on your
16 sword, but you could only do it once. You've got to
17 pick the right time and place.

18 Unfortunately for Richard, he didn't
19 pick the time at any of these occasions to fall on
20 that sword. But that's what would be required. And
21 I know the current dean of the law school says he
22 would have. But it's awful easy to say what you
23 would do when you're not there.

24 COMMISSIONER VANDER WEELE: Could you

1 explain how you know that he was instructed -- the
2 Chancellor was instructed by the president to admit
3 these students.

4 TRUSTEE DORRIS: I'll answer that by saying
5 this other case where direct political pressure was
6 I know there, the mode of operation of White. I've
7 been a party not in admissions; therefore, I'm
8 trusting Richard when he tells me he was ordered to
9 do it.

10 COMMISSIONER VANDER WEELE: Do you have any
11 details when, how often, under what circumstance?

12 TRUSTEE DORRIS: No.

13 COMMISSIONER VANDER WEELE: Just one
14 statement from Richard?

15 TRUSTEE DORRIS: On these others I know
16 details. But they're not related to admissions.
17 And I don't want to take up any more of your time.

18 It was a repetitive pattern of
19 behavior in that relationship, which was very
20 difficult between Herman and White.

21 COMMISSIONER VANDER WEELE: But that's all?
22 You don't know of no details?

23 TRUSTEE DORRIS: You're right.

24 COMMISSIONER VANDER WEELE: So you're

1 taking the Chancellor's statement on faith?

2 TRUSTEE DORRIS: I am.

3 COMMISSIONER VANDER WEELE: You're a trial
4 lawyer, but you didn't drill down --

5 TRUSTEE DORRIS: No. That's where I really
6 regret.

7 COMMISSIONER VANDER WEELE: It's really
8 important if you're the Trustee to know that your
9 president is pressuring your Chancellor to do
10 something that is widely seen as unethical as a
11 Trustee and a lawyer --

12 TRUSTEE DORRIS: No question. No question
13 that's the biggest sin I have. I didn't have the
14 courage to step out and --

15 COMMISSIONER VANDER WEELE: I would like to
16 thank you for your apology and your forthrightness.

17 TRUSTEE DORRIS: You know, all I can do is
18 regret that I didn't have the courage to confront --

19 COMMISSIONER VANDER WEELE: We're all
20 human. And we make mistakes. And I really do
21 appreciate it.

22 TRUSTEE DORRIS: And we've tried to build a
23 consensus of the majority of votes to remedy some of
24 these things. And we simply can't get the votes.

1 COMMISSIONER VANDER WEELE: Unless you've
2 been in public service, you don't know how many of
3 these things can occur and how things can occur like
4 this. And I do very much appreciate --

5 TRUSTEE DORRIS: But I really regret not
6 having the courage to speak out earlier. It's
7 causing tremendous pain for people that I think are
8 unjustly taking the hit on this thing.

9 CHAIRMAN MIKVA: Thank you very much
10 Trustee for appearing not only once, but twice. And
11 we appreciate your forthrightness.

12 TRUSTEE DORRIS: Since we're going into two
13 days of meetings with all these people, I feeder
14 those meetings -- I don't think I'll be very
15 popular. But I've been there before. And I'll do
16 it again.

17 MR. MIKVA: Thank you, sir.

18 Our last witness is Mr. Richard
19 Borsch.

20 Thank you very much for coming here
21 and for being so patient to sit through the whole
22 afternoon. We very much appreciate your patience.

23 MR. ELLIS: Mr. Borsch, would you introduce
24 yourself to the Commission and state your current

1 occupation.

2 MR. BORSCH: My name is Richard Borsch.

3 I'm currently the acting principal at Fenwick High
4 School in Oak Park, Illinois.

5 MR. ELLIS: When were you appointed acting
6 principal?

7 MR. BORSCH: Twenty days ago.

8 MR. ELLIS: What did you do prior to that?

9 MR. BORSCH: What I did prior and what I
10 will continue to do as part of my responsibility is
11 I'm director of student services and did the bulk of
12 the college counseling at Fenwick.

13 MR. ELLIS: Can you give us a brief
14 description of things that you do as college
15 counselor at Fenwick.

16 MR. BORSCH: Well, at our place we start
17 very early with programs for the parents and the
18 students in terms of the course selection.

19 We run a very extensive testing
20 program; PSAT, plan exams, which are the preliminary
21 ACT, SATs. Probably 10 to 12 meetings a year with
22 the parents. Group guidance with the kids. And
23 individual guidance with the students in terms of a
24 college selection.

1 MR. ELLIS: How many counselors do you
2 have?

3 MR. BORSCH: We have four class counselors
4 and two college counselors.

5 MR. ELLIS: Is each student assigned a
6 college counselor?

7 MR. BORSCH: No. The system at Fenwick is
8 relatively unique. A freshman counselor picks up a
9 class when they come. That counselor stays with
10 that group for four years, hopefully developing a
11 good relationship and some expertise with the
12 students and some credibility with the students.

13 When they get to senior year, they can
14 keep that counselor as a college advisor. They can
15 go to one of my other counselors who is a full-time
16 college counselor. That's their sole
17 responsibility. Or they can come to me.

18 So in effect, they have three
19 counselors senior year to work with them in college
20 selection.

21 MR. ELLIS: You served or serve on the
22 admissions advisory council for the University of
23 Illinois at Urbana, is that correct?

24 MR. BORSCH: I was invited four years ago

1 to serve on the advisory council, which at that
2 point, I think, had just been constituted. And I
3 served a two-year term.

4 MR. ELLIS: Explain what that is.

5 MR. BORSCH: Well, their goal was to get, I
6 want to say, 10 to 12 counselors from around the
7 state to represent different kinds of high schools
8 that were part of their constituency.

9 And they wanted input on the
10 admissions practices and policies that were in
11 effect at the University.

12 MR. ELLIS: Is Fenwick considered a feeder
13 school to the University of Illinois?

14 MR. BORSCH: It's my understanding that it
15 is.

16 MR. ELLIS: Is that something that is
17 discussed, known at Fenwick?

18 MR. BORSCH: It's known historically. I
19 don't know that the families know that we're
20 considered a feeder school. Now they may with the
21 Tribune articles.

22 What they do know historically -- I've
23 been doing college placements since '72. In only
24 one of those years has Illinois not been the number

1 one receiver of applications from the school.

2 So I guess it's built -- the
3 attraction to the University is built into the
4 school.

5 MR. ELLIS: How many applications generally
6 a year to Illinois does Fenwick send?

7 MR. BORSCH: Anywhere between 100 and 115,
8 116 apps. Somewhere in there.

9 MR. ELLIS: Is there a next closest school?
10 Is it orders of magnitude? Or what's the next
11 closest school --

12 MR. BORSCH: The next closest school in
13 terms of numbers would be Marquette University.

14 MR. ELLIS: How many on average a year?

15 MR. BORSCH: Over 100. They're the only
16 other school that's ever surpassed Illinois in
17 applications.

18 MR. ELLIS: That's for one year?

19 MR. BORSCH: One year.

20 MR. ELLIS: Do the counselors at Fenwick
21 have a good sense of what the admissions standards
22 for University of Illinois are? And has that
23 understanding been in place for some time?

24 MR. BORSCH: We meet regularly as a

1 department. And we get current materials every year
2 from most of the colleges.

3 The Illinois counselors advisor sheet
4 has a number of graphs on it that determine the
5 makeup of the previous year's class.

6 Essentially they serve as guidelines
7 for people who are advising students in their
8 college selection.

9 And 10 colleges within the University
10 have three or four graphs, which would be ACT, SAT
11 grade point averages or class ranks.

12 And hopefully when you take a look at
13 that and match the student's capabilities, you can
14 advise them where their best chance might be of
15 being admitted to the U of I.

16 MR. ELLIS: Throughout this process, we've
17 gotten a sense for how undergrad admissions work at
18 Illinois and the automatic admits, the automatic
19 denies, and then the kind of middle ground where a
20 full file review is accomplished and things other
21 than ACT or SAT or GPA or class rank are considered.

22 Is that level of detail known at the
23 high school and at Fenwick specifically?

24 MR. BORSCH: We have been very fortunate in

1 this sense. Yes, it is well known. The last three
2 admissions -- we run a very intensive summer program
3 where we talk to the kids and their parents. Every
4 Monday night there's a different series of
5 discussions.

6 For the last 10 years, the admissions
7 director or one of her designates has come down and
8 spoken to our students about what the requirements
9 are and what the differences are at Illinois.

10 We have three state schools come in
11 so that the students understand there are different
12 guidelines. Even though people may look at state
13 universities monolithic, they're not.

14 So, yeah, I think we have a pretty
15 good understanding of what they're looking for.

16 MR. ELLIS: The others are Illinois State,
17 I assume --

18 MR. BORSCH: No. We brought in -- this
19 year we brought in Iowa and we brought in Michigan
20 State. Because Iowa is a formula school. You can
21 literally plug in a formula with your numbers and
22 you can determine whether you're going to be
23 admitted or not.

24 Illinois has bar graphs that say here

1 is the top quarter, here is our middle 50, here is
2 bottom quarter. But we read holistically. We read
3 your two letters -- or the student's two statements
4 as part of the document and part of how we reach our
5 decision.

6 MR. ELLIS: In terms of relaying along how
7 the middle category works to students who -- you
8 know, if you look at the numbers and say, okay, I'm
9 not going to be an automatic admit and I'm better
10 than automatic deny, how is it that the University
11 of Illinois passes onto the high school to pass onto
12 the students how to deal with that middle category
13 and what the criteria are for that?

14 MR. BORSCH: They say in public statements
15 we're not tied to numbers. If there are compelling
16 reasons why we should look at you. If you have
17 background in internships or if you've done service
18 work that might really tell us why you want to be a
19 social worker and your grid doesn't quite match up
20 with -- the grid from Illinois doesn't quite match
21 up with your capabilities, you may be able to
22 persuade us that you belong down here and you bring
23 other competencies.

24 It's my understanding that they also

1 try to look at things like underrepresented
2 populations; women in engineering and so on. It may
3 not be easily defined in a set of numbers.

4 MR. ELLIS: Have you heard any discussion
5 or had discussion with -- let me ask you this
6 question.

7 Have you had discussions with anybody
8 from admissions at the University of Illinois about
9 quotas for specific school; particularly feeder
10 schools?

11 MR. BORSCH: No.

12 MR. ELLIS: Have you heard of that
13 discussion? That only a certain number of students
14 from, say, New Trier or Stevenson or Fenwick could
15 be admitted?

16 MR. BORSCH: No. Because I know -- I
17 shouldn't say I know. Our numbers have diminished
18 over the years. I think we're still in very good
19 shape.

20 But our numbers have gone down because
21 Illinois has become more competitive in its
22 expectations -- its academic expectations.

23 MR. ELLIS: When the discussion of the
24 middle group -- then I'll move on to other

1 categories.

2 But when the discussion of what the middle
3 group had in terms of what's looked at, is it to the
4 level of we look as upward trend in grades?

5 Downward trends in grades? If you do poorly your
6 senior year, we're going to consider -- do you get
7 that level of detail?

8 MR. BORSCH: Yes.

9 MR. ELLIS: And that gets passed onto the
10 students who are at least making the inquiry?

11 MR. BORSCH: Yes. And in our role, even
12 though Illinois does not require a letter of
13 recommendation, part of the counselor's role as an
14 advocate is to explain some of that.

15 Now, the grade trending is up to the
16 student, obviously. They've got to perform. But if
17 there is a blip, if there's an anomaly in that
18 student's record that really should be considered,
19 we're expected by our population -- and I think by
20 the University -- to explain that.

21 MR. ELLIS: You've been doing this for 30
22 years. When is the first time you hear of
23 Category I?

24 MR. BORSCH: Within the last two months.

1 MR. ELLIS: You never got any understanding
2 that there was a formal designation of Category I or
3 special treatment?

4 MR. BORSCH: No.

5 MR. ELLIS: Did you have an understanding
6 without the formal designation that admissions like
7 Category I occurred at the University of Illinois;
8 that folks that were way below the trend who didn't
9 meet the numbers would get admitted?

10 MR. BORSCH: That has only happened to my
11 memory once or twice at our school. I never knew --
12 I never knew there was a shadow system in existence.

13 Anyone who is in college admissions
14 knows that favors are done very often for donors;
15 not just at Illinois. And very often historically
16 you'll get a call -- not very often -- very
17 infrequently you'll get a call with a statement --
18 this is not from an Illinois admission's officer --
19 we got this one stuck down our throat.

20 Usually it's a donor issue. And
21 certainly it doesn't seem that there would be any
22 sort of systematized program behind that kind of
23 decision.

24 MR. ELLIS: Have you seen that at other

1 public universities that folks from Fenwick apply
2 to?

3 MR. BORSCH: No, not that I can pull out of
4 my memory.

5 CHAIRMAN MIKVA: Legacies, there are those
6 other universities, aren't there?

7 MR. BORSCH: Well, if you want to talk
8 about different categories, yes, Judge. Legacies
9 are a huge issue at some schools.

10 There are schools in the Midwest of
11 that as many as 25 percent, 22 percent of their
12 freshman class legacies. They'll argue that these
13 kids still have to meet academic credentials. They
14 have to have academic credentials.

15 CHAIRMAN MIKVA: But do I understand you to
16 say that Illinois is unique -- is the only public
17 school or private school, for that matter, that
18 where you at least have heard stories that there's
19 special influence?

20 MR. BORSCH: No. I misunderstood the
21 question. I thought the question was, was there a
22 similar analogous system that I knew about. No.

23 Any school of any type will have
24 different admission standards for different

1 categories.

2 COMMISSIONER VANDER WEELE: Would any
3 school of any type of political influence, as well?

4 MR. BORSCH: I can't answer that. I guess
5 I would assume that.

6 COMMISSIONER VANDER WEELE: Because I think
7 you answered the question about whether the
8 University of Illinois's systematized called
9 system -- the levels of the systemization was
10 unusual. And you answered you think --

11 MR. BORSCH: That I know of, yes.

12 COMMISSIONER VANDER WEELE: But that
13 unsystematized way, have you seen this other type of
14 influence in other public universities?

15 MR. BORSCH: Political?

16 COMMISSIONER VANDER WEELE: Political. And
17 we can also include donors in there. We can include
18 friends and relatives of Trustees.

19 MR. BORSCH: I can only assume that it
20 happens. I do not have a specific instance that I
21 can cite.

22 COMMISSIONER SCHOLZ: Mr. Borsch, with
23 regard to University of Illinois students or
24 applicants that were, perhaps, denied admission,

1 were you aware of an opportunity to appeal?

2 MR. BORSCH: Yes.

3 COMMISSIONER SCHOLZ: Was there a policy
4 communicated to you? Or was that informal --

5 MR. BORSCH: It probably developed over
6 my -- through my relationship with the University,
7 where I would call and say is there anything -- if I
8 told you something about this student's background
9 that really colors the record, which I should have,
10 because then he or she would have been denied, can
11 he or she appeal?

12 I'm sure that's the way the
13 conversation went years ago. And I knew that. So
14 that if a student was denied, I would say try to go
15 to another college within the University,
16 particularly within the priority filing period.

17 As you probably know, the priority
18 filing period is that first deadline. What I would
19 advise a student is maybe there's an opening in
20 another college.

21 If you can make a case and you are
22 interested in this major and you have some
23 background material, appeal the decision. I suppose
24 I learned that over the years.

1 COMMISSIONER SCHOLZ: For a student who
2 didn't have a skilled counselor like you, would
3 there be any way that they would know that that
4 opportunity existed?

5 MR. BORSCH: I went through the application
6 material before I came down here. I don't know that
7 it's printed anywhere.

8 MR. ELLIS: Mr. Borsch, we've heard some
9 testimony during this process that in some instances
10 where students who otherwise wouldn't have been
11 admitted were required to be admitted.

12 And there was concern that at the high
13 school it would be noticed that that person was down
14 the list in terms of qualifications. The call would
15 be made to the guidance counselor explaining that,
16 look, we had to do this.

17 To your knowledge, did anybody at
18 Fenwick ever get a call like that?

19 MR. BORSCH: No. I made the call in the
20 one case I referred to.

21 MR. ELLIS: There was one instance --

22 MR. BORSCH: One instance where I felt was
23 out of line.

24 MR. ELLIS: In terms of year, when did that

1 occur?

2 MR. BORSCH: Maybe three years ago.

3 MR. ELLIS: Who did you talk to at the
4 University of Illinois?

5 MR. BORSCH: It would have either been the
6 director of admissions or Greg Perry, who is an
7 associate down there.

8 MR. ELLIS: What did you say, and what did
9 they say to you?

10 MR. BORSCH: I said where did this come
11 from. And the issue was we had to take him.

12 MR. ELLIS: Was there any more explanation
13 as to why or who was requiring it?

14 MR. BORSCH: No.

15 MR. ELLIS: Other than that one instance,
16 were there times when either you or one of your
17 other counselors that you're aware of noticed that
18 somebody got in who was far down the list?

19 MR. BORSCH: No. What I don't know still
20 after reading almost everything that's been written,
21 what we assumed was when a student was deferred --
22 had not heard in the December flight of letters that
23 they were accepted and then got in to general
24 studies, what we assumed was, all right, he or she

1 didn't get into business, they didn't get into
2 engineering.

3 But the scores weren't out of line and
4 the grade point average was not out of line where
5 you say what's going on here. These other kids are
6 getting passed up.

7 We assumed -- whether they were
8 Category I or not, I still don't know -- that that's
9 why they were admitted. Because, again, in the new
10 admissions materials, they state if a student
11 doesn't qualify for that first major, they will be
12 considered for another go round.

13 Which, actually, I think I would like
14 to take partial credit for that group -- that
15 advisory group, because that comes out of Purdue's
16 admissions where they actually got a second major
17 they could list. If they didn't get in the first,
18 they were considered for the second.

19 Now this is stated in the application.
20 They're not allowed to print a second major or list
21 a second major, but they are told they will be
22 considered for a second major.

23 MR. ELLIS: So now that this Category I has
24 come to light, have parents of students who didn't

1 get into the University of Illinois contacted you
2 about this issue?

3 MR. BORSCH: No. The only thing -- the
4 thing that -- not the only thing. The issue that's
5 probably disappointing is in these summer meetings
6 that we have every summer, six sections on Mondays,
7 the question has been what will happen now.

8 Will the admissions be tightened? How
9 long has it been going on? There's somewhat of a
10 level of being disillusioned, I think.

11 MR. ELLIS: Generally with the admissions
12 process at Illinois?

13 MR. BORSCH: Right.

14 MR. ELLIS: Have you gotten during these
15 summer meetings at indication from folks that they
16 might not apply to Illinois because of what's going
17 on?

18 MR. BORSCH: No. Because we hit it head
19 on. We faced it head on. We said, look, the
20 admissions people aren't the issue. The admissions
21 people are operating in the best interest of the
22 kids. And we hope that the good thing from this is
23 that they're going to be left to do their job.

24 MR. ELLIS: And I know that you had some

1 views on Category I and the admissions folks and
2 them doing their job.

3 So it's important -- you're the first
4 high school counselor and principal who's come to
5 chat with the Commission.

6 And your views from the high school
7 standpoint, I think, are very much appreciated to
8 the extent you want to share them.

9 MR. BORSCH: If you synopsize it,
10 everything I've heard here, most admissions
11 professionals that I know, we have our own set of
12 guidelines. We have our own set of practices. We
13 have associations that are terrific in terms of
14 functioning for the student.

15 I think if admissions departments are
16 let run without interference for politics or -- I
17 don't know if this is pie in the sky -- you know,
18 internal guidelines, policy statements from the
19 university, policy statements and ethics meetings,
20 codes of conduct on the part of the Boards of
21 Trustees, I think things would function pretty well.

22 Because some of the issues that I've
23 heard, underrepresented populations, schools that
24 don't have programs that seem to suffer by

1 comparison, those are considered by the admissions
2 professionals.

3 And I would hope that maybe that's
4 what would come out of it; they're let do their job
5 without interference.

6 MR. ELLIS: I also noted that you have
7 views on whether letters of recommendation -- at
8 least I think I know you have views as to whether
9 letters of recommendation should be re-introduced or
10 introduced into the undergraduate admissions
11 process.

12 So it would be nice to have your
13 views, if you have them.

14 MR. BORSCH: I guess the thing you would
15 have to say is what do you want to achieve with
16 admissions. How do you want to run it.

17 Do you want a system totally
18 transparent and objective like Iowa's where you can
19 plug in numbers and you know. Or University of
20 California says you have to study calculus to
21 understand the formula. But at least you know.

22 Or the ivy's and the super selective
23 schools where they're probably reading 15 pages of
24 documentation and trying to come to a decision.

1 If you swing that way, if you say
2 we're going to take one or two more letters of
3 recommendation, you subjectify the process. It's
4 going to be less transparent. It's going to be more
5 subjective. And you're going to require tremendous
6 people power.

7 Michigan, when they changed their
8 policies on their reading, they had to hire 24
9 readers.

10 COMMISSIONER VANDER WEELE: Do you know of
11 any criteria in the admission process that gages
12 emotional intelligence, which in the corporate world
13 is valued often much more highly than these other
14 more objective indicators.

15 MR. BORSCH: Some of the colleges that are
16 talking about shorter answer essays, because now the
17 worry is who's writing the longer essays. Are they
18 hiring someone to write it? Is their mom and dad
19 writing it? Are they writing it?

20 And they turn around and they ask for
21 short-answer essays to some really off-the-wall
22 questions. And that's what they're trying to get
23 at.

24 They're trying to get at how does the

1 student think. Let's get a little more look at
2 their character.

3 COMMISSIONER VANDER WEELE: How would you
4 gage persistence other than through a letter of
5 recommendation? Is there another way? If you read
6 the book outliers, outliers show that persistence is
7 one of the biggest factors in success.

8 But yet, that, to my knowledge, is
9 nowhere considered in any of this unless you
10 received a letter of recommendation.

11 MR. BORSCH: Unless you say -- I was
12 working with a student yesterday. Here is a kid who
13 was in our college prep program as a freshman.
14 Sophomore year, two honors programs. Junior year,
15 two honors and an AP. Her senior schedule she's got
16 four APs and an honors. She came out of nowhere.

17 I think that that's probably what a
18 school that didn't require a recommendation would
19 argue. Would the recommendation be able to
20 delineate it more clearly? Yes.

21 COMMISSIONER VANDER WEELE: That's very
22 helpful.

23 CHAIRMAN MIKVA: Thank you very, very much.
24 Very forthcoming and very helpful.

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