

Draft

STATE OF ILLINOIS

ADMISSIONS REVIEW COMMISSION

NOTICE

Wednesday, July 22, 2009

Commission Meeting: 9:30 a.m.

James R. Thompson Center

100 West Randolph Street, Rm. 16-503

Chicago, Illinois 60601

AGENDA

I. CALL TO ORDER AND INTRODUCTORY REMARKS

II. PUBLIC TESTIMONY

A. Lawrence DeBrock, Dean, College of  
Business, University of Illinois

B. Jaquilin Wilson, Illinois MBA  
Director of Admissions

C. Bill Morrison, Highland Park High School

D. Dr. Sidney Micek, University of  
Illinois Foundation

TRANSPERFECT  
LEGAL SOLUTIONS



1 III. DISCUSSION

2

3 IV. CONCLUDING REMARKS AND ADJOURNMENT

4

5 COMMISSIONERS PRESENT:

6 RICARDO ESTRADA

7 BERNARD JUDGE

8 DORIS C. LOWRY

9 ABNER MIKVA (CHAIRMAN)

10 CHUCK SCHOLZ

11

12 OFFICE OF THE GOVERNOR

13 PAT QUINN,

14 JRTC, 100 W. Randolph Street, Suite 16-100,

15 Chicago, Illinois 60601,

16 MR. THEODORE T. CHUNG

17

18 KIRKLAND & ELLIS LLP,

19 300 N. LaSalle Street,

20 Chicago, Illinois 60654,

21 MR. ROBERT B. ELLIS, P.C.

22

23 REPORTED BY: ELIA E. CARRI□N, CSR

24 CERTIFICATE NO. 084.004641.

1                                   TRANSCRIPT OF PROCEEDINGS

2           CHAIRMAN MIKVA: Good morning, everybody.

3           All right. Commission will come to order.

4           Our first witness will be Lawrence DeBrock,  
5 with the College of Business at the University of  
6 Illinois.

7           Dean DeBrock, appreciate you being here, and  
8 appreciate you taking the time to testify.

9           MR. DeBROCK: No problem.

10          MR. CHUNG: Good morning, Dean DeBrock.

11          Could you state your full name for the record?

12          MR. DeBROCK: My name is Larry DeBrock.

13          MR. CHUNG: And Dean DeBrock, you are employed  
14 by the University of Illinois?

15          MR. DeBROCK: I am.

16          MR. CHUNG: In what capacity.

17          MR. DeBROCK: I'm currently serving as the dean  
18 of the College of Business. I've been at the  
19 university since 1979, 30 years -- I started in the  
20 economics department, I have a Ph.D. in economics.  
21 And in those days the economics department was in  
22 the College of Business. It's now moved to the  
23 Liberal Arts and Science.

24          MR. CHUNG: And you've held other

1 administrative positions within the university?

2 MR. DeBROCK: Right.

3 MR. CHUNG: What other positions?

4 MR. DeBROCK: I was just a faculty member until  
5 2004, I believe. I became the associate dean for  
6 professional programs in the College of Business and  
7 then in 2007, I served as acting dean of faculty and  
8 now I'm the dean.

9 MR. CHUNG: Do you have any official role with  
10 respect to admissions into the College of Business?

11 MR. DeBROCK: If by that you mean, do I sit on  
12 admissions committee, I don't.

13 MR. CHUNG: We'll get into more detail with  
14 regard to at least one particular applicant. We'll  
15 talk more about your general experience with  
16 Category I admissions in a bit.

17 Could you describe for the members of this  
18 commission how the College of Business is organized;  
19 specifically, with respect to graduate programs and  
20 undergraduate programs?

21 MR. DeBROCK: We have three, we have three  
22 majors. There's accountancy, business  
23 administration, and finance at the undergraduate  
24 level. We have about 3,000 undergraduates at the

1 College of Business, then we have another thousand  
2 graduate students. Of those thousand graduate  
3 students, only about 80 are Ph.D. students.

4 They're distributed across the three  
5 departments; accountancy, business administration,  
6 and finance. And then the remaining 900 or so are  
7 masters students.

8 MR. CHUNG: So in your position as dean, you  
9 oversee the undergraduate programs as well as the  
10 graduate programs?

11 MR. DeBROCK: Yes.

12 MR. CHUNG: Is that just one campus or is that  
13 multiple campuses?

14 MR. DeBROCK: Well, it's the Urbana campus. We  
15 have two masters programs that are located here in  
16 Chicago. The executive MBA is a program that is  
17 taught here in our facility called the Illini  
18 Center, 200 South Wacker, between what's now called  
19 the Willis Tower in the train station.

20 And that same facility is also where we have  
21 our MS tax program. It's a master in taxation.  
22 Again those courses, those programs are taught up  
23 here and the faculty from Urbana drive up to teach.

24 MR. CHUNG: And you oversee, in your position

1 as dean, those programs as well here?

2 MR. DeBROCK: Sure, yes.

3 MR. CHUNG: We will speak with Jaqui Wilson a  
4 little bit later about the admissions process.

5 Do you have a general familiarity with the  
6 admissions process for undergrad and graduate  
7 students?

8 MR. DeBROCK: I do.

9 MR. CHUNG: Can you just generally describe  
10 your understanding of what the process involves, the  
11 key components?

12 MR. DeBROCK: Well, essentially, at the masters  
13 level, the programs themselves will go about the  
14 process of identifying people who they wish to admit  
15 and they will make a decision that they want to  
16 admit this person and then that package will have to  
17 be prepared and approved by the Graduate College.

18 The Graduate College, as you know, admits  
19 people into, who are graduate students on campus.  
20 And that includes us, so our students have to go to  
21 the Graduate College to actually be admitted.

22 At the undergraduate level, it's a similar  
23 process. We, we have a process of where we identify  
24 our undergrad admissions in what we call a holistic

1 matter. We don't have a table that says, if your  
2 ACT is this and your high school class rank is this,  
3 you're in.

4 We have a variety of different parameters that  
5 we look at when we think about accepting the  
6 student. We make some, what we view as a type of  
7 class and students that we want, but, you know, the  
8 admissions office on campus takes care of doing the  
9 admissions.

10 MR. CHUNG: So is it fair to say that at the  
11 undergrad level, the College of Business admissions  
12 process is integrated into a larger campus-wide  
13 undergrad admissions process?

14 MR. DeBROCK: It is.

15 MR. CHUNG: And would it be fair to say as well  
16 that at the graduate level, specifically with  
17 reference to what you refer to as the, you call it  
18 the college -- was it a committee or?

19 MR. DeBROCK: The Graduate College?

20 MR. CHUNG: The Graduate College, I'm sorry.

21 With regard to the Graduate College, your  
22 particular college's graduate admissions program is  
23 also integrated into the larger campus-wide efforts?

24 MR. DeBROCK: Any graduate student on campus,

1 Ph.D.s in chemistry, engineering, masters in  
2 computer science, all, all, all graduate students  
3 have to be admitted by the Graduate College.

4 MR. CHUNG: As an official matter?

5 MR. DeBROCK: Right.

6 MR. CHUNG: Has it been the tradition or the  
7 practice for the Graduate College admissions  
8 personnel to give substantial degree of deference to  
9 the recommendations of the individual colleges?

10 MR. DeBROCK: I don't know. I think they have  
11 a, they have sets of standards and they certainly  
12 are flexible, if you can document why it is that  
13 this particular case is something you feel is a  
14 reasonable matter.

15 MR. CHUNG: Let me ask it this way: At the  
16 graduate level, when the College of Business makes a  
17 recommendation to the Graduate College that a  
18 particular applicant be admitted, has it been your  
19 experience that typically those recommendations are  
20 accepted and the candidates are admitted?

21 MR. DeBROCK: Yes.

22 MR. CHUNG: Have you ever had an instance where  
23 your college recommended the admission of a graduate  
24 business applicant and that recommendation was

1 rejected or denied by the Graduate College?

2 MR. DeBROCK: Not since I've been dean, but  
3 that's not a very long time.

4 MR. CHUNG: And the size of your incoming  
5 classes at the graduate level, the MBA class, for  
6 instance, how many students incoming in a typical  
7 year?

8 MR. DeBROCK: Well, our program size is  
9 about -- we'd like to have about 140. We teach the  
10 class -- we have two sections and limits on each  
11 section of 70 each.

12 For the past, I'd say, 3 or 4 years we've had  
13 actually closer to 100, so we have empty chairs in  
14 the program.

15 CHAIRMAN MIKVA: How many do you have to admit  
16 to get the class size you want?

17 MR. DeBROCK: I think -- I don't know for sure.  
18 I'm sure Jaqui can give you some more of that, but I  
19 think it's probably about -- I think we probably  
20 admit twice as many as we need. That's a  
21 speculation.

22 MR. CHUNG: And sir, in your position as dean,  
23 do you have authority to make final admit decisions  
24 for applicants to your graduate programs?

1 MR. DeBROCK: Sure.

2 MR. CHUNG: So you, independent of the Graduate  
3 College, in your position as dean, can make a  
4 decision?

5 MR. DeBROCK: Oh, no, no, no, sorry. I  
6 misunderstood your question. I thought you meant  
7 can I say -- can I have some influence on the  
8 decision at the college that we would like to admit  
9 a person.

10 I do have that influence, but not at the  
11 Graduate College. The Graduate College is the one  
12 who will make the final decision.

13 MR. CHUNG: So even if you attempted to exert  
14 some influence within the College of Business, at  
15 the end of the day, it's the Graduate College that  
16 does in fact make the final decisions on applicants?

17 MR. DeBROCK: Right.

18 MR. CHUNG: Okay. To whom do you report,  
19 Dean DeBrock?

20 MR. DeBROCK: I report to the Provost.

21 MR. CHUNG: And at this point in time, the  
22 Provost, there's an acting Provost or interim  
23 Provost?

24 MR. DeBROCK: Correct.

1 MR. CHUNG: Who is that?

2 MR. DeBROCK: His name is Bob Easter.

3 MR. CHUNG: Do you have any reporting  
4 relationship at all with the chancellor?

5 MR. DeBROCK: No.

6 MR. CHUNG: And with the president?

7 MR. DeBROCK: Oh, I'm -- well, I mean, both the  
8 chancellor and the presidents are high up in the  
9 organizational chart, but I, as far as I know, I  
10 just report to the Provost.

11 MR. CHUNG: And who reports to you? Direct  
12 reports.

13 MR. DeBROCK: Directly, well, I would say the  
14 associate deans in the various units and, and  
15 directors of programs.

16 MR. CHUNG: Is the admissions director a  
17 director of a program, as you've defined that term?

18 MR. DeBROCK: No.

19 MR. CHUNG: So does the admissions director  
20 report to you?

21 MR. DeBROCK: No.

22 MR. CHUNG: To whom does the admissions  
23 director report?

24 MR. DeBROCK: To whoever is in charge of that

1 particular program. So in the MBA program, it would  
2 be the associate dean. In the undergraduate  
3 program, it would be the associate dean for  
4 undergraduate affairs.

5 MR. CHUNG: Now, you --

6 CHAIRMAN MIKVA: Excuse me.

7 In the business school or are these the deans  
8 of the university chair?

9 MR. DeBROCK: These are deans of the business  
10 school.

11 CHAIRMAN MIKVA: But they report to you?

12 MR. DeBROCK: Yeah.

13 CHAIRMAN MIKVA: Okay.

14 MR. CHUNG: For clarity purposes, the director  
15 of admissions would report to an associate dean  
16 within the College of Business, who would in turn  
17 report to you?

18 MR. DeBROCK: Correct.

19 MR. CHUNG: So there's one layer between you  
20 and the director of admissions?

21 MR. DeBROCK: Correct.

22 MR. CHUNG: A few minutes ago you talked about  
23 the possibility of your exercising some influence,  
24 at least within the College of Business when it

1 comes to individual applicants.

2 How often do you do that, and could you  
3 generally describe for the members of the commission  
4 what it is you do when you exert some influence on  
5 the decision-making process?

6 MR. DeBROCK: On the decision-making process  
7 for --

8 MR. CHUNG: Within your, within your College of  
9 Business as to particular applicants.

10 MR. DeBROCK: So but you are talking about  
11 admissions decisions?

12 MR. CHUNG: Just admissions.

13 MR. DeBROCK: Very rarely. And it would only  
14 be if they would, you know, if they would call me up  
15 and talk about a particular case.

16 MR. CHUNG: So when you say "very rarely," can  
17 you, can you count on one hand the number of  
18 instances that you recall exerting some influence  
19 within the College of Business as to a particular  
20 applicant?

21 MR. DeBROCK: One or two. I mean, it's a, you  
22 know, it's not, it's not, it's not a frequent  
23 occurrence.

24 MR. CHUNG: And when you said they would call

1 and you, in turn, might exert some influence, who is  
2 the they?

3 MR. DeBROCK: Well, I mean, a program might  
4 have a case that they're just not sure about making  
5 a call on. There may be an issue involved in  
6 whether or not the person is particularly able to  
7 make it, if the person has desires that might not  
8 fit our particular region, they have a different  
9 interest in what they want to do and maybe they  
10 should be going to the East Coast or the West Coast,  
11 rather than the Midwest.

12 They'll call and talk. Mostly just to talk  
13 things through, but you know, when you're the dean  
14 and you talk things through, you can say things, you  
15 can say, well, this person seems like a good fit to  
16 me or this person, I don't know.

17 MR. CHUNG: So in those instances you would  
18 obtain that kind of information and what would you  
19 do with it, with respect to the applicants involved?

20 MR. DeBROCK: Well, I mean, we would decide  
21 then whether, what we were going to do with that  
22 case, whether we should admit the person or not.

23 CHAIRMAN MIKVA: This is all internal to the  
24 business school, right?

1 MR. DeBROCK: Correct.

2 CHAIRMAN MIKVA: Were there outsiders who  
3 called you, people outside the business school?

4 MR. DeBROCK: Yeah, people call me.

5 CHAIRMAN MIKVA: Like who?

6 MR. DeBROCK: Well, I get calls from parents, I  
7 get calls, mostly from parents, about their son or  
8 daughter's application to the program.

9 CHAIRMAN MIKVA: What do you tell those  
10 parents?

11 MR. DeBROCK: Oh, I refer all those to the, to  
12 the program. I tell them they need to speak to the  
13 program in general 'cause I'm not on any admissions  
14 committee.

15 CHAIRMAN MIKVA: Do you get calls from any of  
16 your superiors at the university?

17 MR. DeBROCK: Do I get calls from them?

18 CHAIRMAN MIKVA: For instance, Chancellor  
19 Herman.

20 MR. DeBROCK: They haven't called me.

21 COMMISSIONER LOWRY: Are you aware of them  
22 calling anybody who works for you?

23 MR. DeBROCK: I am aware that there was some  
24 contact with the MBA program in the particular case

1 that I think we're going to talk about here, so  
2 there are instances where these contacts might have  
3 happened.

4 CHAIRMAN MIKVA: Do legislators ever call you?

5 MR. DeBROCK: Not me.

6 CHAIRMAN MIKVA: Do people from government  
7 affairs call you?

8 MR. DeBROCK: Not me.

9 CHAIRMAN MIKVA: Do alumni call you?

10 MR. DeBROCK: They do.

11 CHAIRMAN MIKVA: Usually about a relative of  
12 theirs?

13 MR. DeBROCK: They talk about a lot of things.  
14 Football tickets --

15 CHAIRMAN MIKVA: Let's focus on admissions.

16 MR. DeBROCK: Yeah. And sometimes they do talk  
17 about, about, about their -- somebody that's  
18 important to them, but I just refer those forward.

19 CHAIRMAN MIKVA: You just forward them to the  
20 admissions?

21 MR. DeBROCK: To the program that they're  
22 talking about.

23 MR. CHUNG: Before we start talking about the  
24 MBA candidate connected to Trustee Shah, I would

1 like to get a sense of the non-admissions related  
2 contact you would have with higher level university  
3 administrators.

4 How often were you meeting in social or  
5 business contexts with Chancellor Herman, for  
6 instance?

7 MR. DeBROCK: Well, that happens quite a bit.  
8 I mean, there are lots of events that happen on the  
9 campus. It's a small town and the university's a  
10 big employer, and there are lots of events that  
11 upper level administrators, such as deans and the  
12 chancellor, are there to honor Nobel Prize winners,  
13 were there to honor people who are retiring after  
14 long years of service.

15 There's probably something going on once a week  
16 in some sort of a reception that starts at 4:00 and  
17 ends at 5:30.

18 MR. CHUNG: What about with respect to any of  
19 the trustees, and I would focus on Trustee Shah in  
20 particular, but also ask about other trustees.

21 Do I understand, were you having involvement  
22 and interaction with trustees?

23 MR. DeBROCK: I met Trustee Shah, I would say  
24 it's been a year and a half ago. He came and was in

1 a platform party at graduation because his, I think  
2 it was, I think it was his granddaughter was  
3 graduating from our undergraduate program.

4 MR. CHUNG: So that's the first and only time  
5 you've ever met --

6 MR. DeBROCK: Well, I've met him since then.  
7 He came to the building when the governor came to  
8 our new -- we have a business school building that's  
9 an environmentally, basically a green building, and  
10 it's new; and the governor came to sign some  
11 legislation, and Chairman Shah came to that event,  
12 too so.

13 MR. CHUNG: And the first time you met him, you  
14 said was about a year and a half ago. Can you place  
15 it in time more specifically? Was it early --

16 MR. DeBROCK: May 15th, graduation Sunday. I  
17 think it was May 15th. You know, the second, second  
18 Sunday in May is graduation, and ours is actually --  
19 I'm sorry, it was a Saturday 'cause --

20 CHAIRMAN MIKVA: Of '09 or '08?

21 MR. DeBROCK: This would have been in '08, '08.

22 CHAIRMAN MIKVA: So he was not then the  
23 chairman?

24 MR. DeBROCK: No. Oh, I don't know. You can

1 fill in that information. He came -- yeah, you're  
2 right, he wasn't the chairman. He came because, as  
3 I said, his granddaughter was marching to receive  
4 her degree.

5 MR. CHUNG: But before you had actually met  
6 Trustee Shah, you knew that Niranjana Shah was a  
7 trustee of the University of Illinois?

8 MR. DeBROCK: Correct.

9 MR. CHUNG: And you'd known that for several  
10 years before you actually met him?

11 MR. DeBROCK: Sure.

12 MR. CHUNG: Dean DeBrock, what I want to do is  
13 ask you a series of questions about the  
14 Shah-sponsored MBA applicant.

15 The overriding questions are, how did this  
16 person get admitted and who admitted this person?  
17 So with that, those key overriding questions in  
18 mind, what I would propose that if you refer to  
19 what's in front of you as Exhibit 1, you can try to  
20 piece together the chronology of this application.

21 If you look at the first page of Exhibit 1 and  
22 look at the bottom e-mail that's dated Wednesday,  
23 April 2, 2008, an e-mail from Jaqui Wilson, the  
24 director of admissions, College of Business -- I'm

1 sorry, the MBA program, to what I believe to be the  
2 applicant involved in this instance.

3       And for the record, the e-mail from Ms. Wilson  
4 states, Dear [redacted applicant], the Illinois MBA  
5 admissions office has been asked to reconsider your  
6 application to our program. At this time I would  
7 like to invite you to campus for an interview.  
8 Please let me know when you will be able to make the  
9 trip to the United States for an interview.

10       Now, is it fair to say that your understanding  
11 is by April 2 of 2008, this particular candidate had  
12 already been denied admission by the MBA program?

13       MR. DeBROCK: It was -- this candidate was  
14 originally denied admission, correct.

15       MR. CHUNG: And as of April 2, 2008, the  
16 candidate was still denied admission, that was the  
17 status at the time?

18       MR. DeBROCK: Right. I believe that on  
19 April 2nd, he was -- you know, there was an appeal  
20 to, for his case, as it says in this e-mail, and I  
21 believe he actually was admitted later that day.

22       MR. CHUNG: We'll get to that, but before Jaqui  
23 Wilson sends this e-mail inviting the candidate in  
24 for an interview on April 2, 2008, what involvement,

1 if any, had you had with regard to this particular  
2 applicant?

3 MR. DeBROCK: In this particular case, the,  
4 there was a request for a review of the, of the  
5 decision to deny, and --

6 CHAIRMAN MIKVA: By who?

7 MR. DeBROCK: I believe it was Chancellor  
8 Herman.

9 And he had been, I believe -- actually, the --  
10 we're going to go through all this, I might as well  
11 just talk about it.

12 The process that happened was that the  
13 candidate appealed. The candidate appealed, but  
14 essentially he asked Chairman Shah about it or  
15 Trustee Shah.

16 CHAIRMAN MIKVA: You're saying appeal. I  
17 understand the university has an appeals process.

18 Do you know about that.

19 MR. DeBROCK: The university appeal process?

20 CHAIRMAN MIKVA: Yes.

21 MR. DeBROCK: Probably not. I mean, I'm not,  
22 I'm not, I'm not well versed in that but we have --

23 CHAIRMAN MIKVA: It's not used -- do you have  
24 an appeals process, and what is the, what is the

1 outline of your appeals process?

2 MR. DeBROCK: We do, if people ask, if people  
3 want to appeal, they'll ask why am I -- what's my --

4 CHAIRMAN MIKVA: Who do they ask?

5 MR. DeBROCK: Oh, they'll -- what they should  
6 do is call the program. They should ask the  
7 program. And that's --

8 CHAIRMAN MIKVA: If they called anybody and it  
9 gets to your attention or the program's attention,  
10 then that's considered an appeal?

11 MR. DeBROCK: Correct.

12 CHAIRMAN MIKVA: Okay, go ahead.

13 MR. DeBROCK: And so the individual should have  
14 contacted the program. The -- individuals shouldn't  
15 be contacting a trustee and the trustee shouldn't be  
16 contacting the chancellor, but that's what happened.

17 But be that as it may, as it may, we looked at  
18 the package and decided that this individual in fact  
19 had all of the skill set to be a success in our  
20 program and we admitted him.

21 MR. CHUNG: Well, Dean DeBrock, and that's  
22 exactly how I want to try to piece this together is,  
23 how did you get, you collectively, the school, get  
24 to the point of looking through the packet,

1 reviewing the criteria, making the ultimate  
2 decision?

3 But the sequence of events here in the e-mails  
4 I think are really worth going through in rough  
5 chronological order.

6 You said that a request for review was made,  
7 and your understanding was Chancellor Herman was  
8 involved. Did you have a discussion with Chancellor  
9 Herman about the appeal or the review of the denial  
10 for this particular applicant?

11 MR. DeBROCK: I don't recall any discussion.

12 MR. CHUNG: How do you know that Chancellor  
13 Herman was, in fact, proposing that this applicant's  
14 application be reviewed?

15 MR. DeBROCK: It could be that he called me,  
16 it could have -- but I definitely talked with the  
17 associate dean of the MBA program. We talked about  
18 the fact that this, there was a request to  
19 reconsider this particular package for this  
20 individual, whose name has been redacted, and so,  
21 you know, we get these -- like I say, usually they  
22 come from the student, but we get these and so we  
23 have a process. And I told him, okay, well, do the  
24 process.

1           MR. CHUNG: And as part of that process, the  
2 admissions office and in particular the director of  
3 the admissions office decided to reach out to the  
4 candidate by e-mail and request that the candidate  
5 submit to an interview.

6           MR. DeBROCK: It's my understanding -- and  
7 you're going to talk to her -- what this says to me  
8 is that, and, you know, the sequence of the e-mails,  
9 because of they're timing and they're all in this  
10 document. As I said earlier, when we admit someone,  
11 we can't really admit them.

12           We as a college decide whether we want to admit  
13 this person, but then we have to go about the  
14 business of documenting that particular package to  
15 the Graduate College. You say, here's a person that  
16 we want to admit.

17           The Graduate College has rules upon what type  
18 of person you can bring into a graduate program, but  
19 remember, the Graduate College admits all graduate  
20 students on campus.

21           We're talking Ph.D.s, masters, chemistry,  
22 dance, biology, business. They have to admit all  
23 these. They're going to rely on the colleges to do  
24 the heavy lifting on figuring out, you know, what it

1 is about the package that makes this person a  
2 particularly good fit, given what we have for the  
3 criteria.

4 And so what you see here with Jaqui's e-mail is  
5 she's beginning the process here of lining up all of  
6 the information that we're going to need to  
7 demonstrate to the Graduate College that in fact  
8 this is a good decision.

9 MR. CHUNG: So by this time, is it your  
10 understanding that the decision to admit had already  
11 been made?

12 MR. DeBROCK: Yes.

13 MR. CHUNG: What did you do to try to make sure  
14 that there was sufficient information for  
15 consideration of the decision to grant the appeal  
16 and admit this candidate before this e-mail goes out  
17 on April 2nd?

18 MR. DeBROCK: I spoke with the people in the  
19 MBA program and they told me this person had the  
20 qualifications to be an academic success in the  
21 program.

22 MR. CHUNG: Who did you speak with at the MBA  
23 program?

24 MR. DeBROCK: Mary Miller, for sure, the

1 associate dean.

2 Now, that's, this is the same group of people,  
3 as you know, who originally had denied the  
4 application for this candidate.

5 MR. CHUNG: And what is your understanding of  
6 what additional information they had in their  
7 possession to indicate, despite the original denial,  
8 that the candidate had in fact the qualifications to  
9 succeed?

10 MR. DeBROCK: Okay, let's make clear you  
11 understand what denial means. Don't get -- you have  
12 this -- I think it's natural to think that denial  
13 means that this person's no good. We get a lot of  
14 applications, we get a hundreds of applications at  
15 the MBA program, and our decision to admit a person  
16 is based on more criterias than just academic  
17 success.

18 This individual could have determined, had all  
19 the qualifications to be an academic success, but  
20 there was other things that go into making up what  
21 we want to be, hopefully, our incoming class of  
22 students in the following fall.

23 There's things like years of work experience,  
24 there's things like international students versus

1 domestic student mix; and for international students  
2 there's how many people do we have from that country  
3 already?

4       We want to build a class that has the  
5 characteristics that make it sort of a good  
6 professional environment so there need, can't have  
7 too many from one particular area, you can't have  
8 too many males and not enough females, you can't  
9 have a whole class full of people who come from one  
10 country.

11       There's all sorts of complex things that, and  
12 we don't know because this is a matching process.  
13 We're going to identify a bunch of people who we  
14 think can be successes and we want to come to our  
15 program. We're going to push those out and then  
16 we're going to wait and see who really likes us,  
17 too, because they have to make a decision.

18       So in the original decision on this candidate  
19 to say no, don't take that as saying that we thought  
20 this guy was an academic failure. It could have  
21 been, it could have been that we already felt like  
22 we had enough people from this particular person's  
23 country of origin.

24       Now, now, later in this process, there's a

1 request to review and at this time in the process,  
2 lots of things have changed. We're already seeing  
3 how many people are coming to our program from  
4 various, how many people have decided to accept from  
5 various places. We're looking at the profile of the  
6 program being built.

7       As I told you, we have 140 chairs and we were  
8 under a hundred, in terms of the people who were  
9 coming to the program, and we made the decision that  
10 said, this person has the skill set and the academic  
11 qualifications to be a success and at this point in  
12 time, we're convinced that adding this person into  
13 our program will not negatively impact the profile  
14 or quality of that incoming class.

15       This extra person is not going to hurt or drag  
16 down the quality of the class, because we're  
17 beginning to see who's already told us no and who's  
18 told us yes; and so at this point in time it was a  
19 natural decision to say, okay, we'll take this  
20 person.

21       And, you know, as you know, he's already been  
22 here for one year. He's a great student, he's a  
23 good success, he's got great grades, and he's going  
24 to come back in about a few weeks and start his

1 second year, which I think is just proof positive  
2 that the process works.

3 MR. CHUNG: Dean, why don't we just proceed on  
4 with the exhibits 'cause you're covering a lot of  
5 ground, and I appreciate that.

6 MR. DeBROCK: Okay.

7 MR. CHUNG: Parsing this, 'cause I think it's  
8 informative.

9 Focusing again on the first page after Jaqui  
10 Wilson sends the e-mail, the candidate in the middle  
11 of the page sends, appears to send the e-mail on to  
12 Niranjana Shah with the subject Good evening, and  
13 then the message reads: Good evening, how are you  
14 doing? I am forwarding you the mail I had received  
15 from Illinois." It's dated April 3rd, so it's the  
16 following day, thanking you.

17 Niranjana Shah proceeds to forward the same  
18 e-mail string to Chancellor Herman, same day,  
19 April 3rd. Richard Herman responds to Niranjana  
20 Shah, we will follow up. My apologies for calling  
21 late. So that -- this sequence of four separate  
22 e-mails with forwarding on, et cetera, involving  
23 Herman, Trustee Shah, and the admissions office,  
24 Jaqui Wilson, in particular, and the candidate all

1 takes place on April 2nd and April 3rd.

2       If you could go to the next page, page 2 of  
3 Exhibit 1. At the very bottom, it's the same e-mail  
4 that Jaqui Wilson sent to the candidate, but now it  
5 states, that e-mail is, gets sent to Peg Rawles and  
6 Peg Rawles says, I spoke with Jaqui, Jaqui Wilson  
7 today, and she said she would conduct a campus  
8 interview via the phone. She has done this before  
9 when a student could not come to campus. I asked  
10 her to assume that given the applicant lives in  
11 [blank] it would be difficult for her/for him to  
12 come to campus. Also, I asked her to send the  
13 applicant's credentials for review. The institution  
14 in [blank] is not one that she has found, but she  
15 will use the resources of the Graduate College for  
16 the review. There is some question as to GPA which  
17 hopefully will be resolved once the institution has  
18 been certified.

19       And that e-mail ultimately goes to Richard  
20 Herman, Richard Herman responds, Thanks Peg. I know  
21 about the GPA issue and the institution has a  
22 different grading system, which will raise the  
23 number, though it is still not great.

24       And focusing on that last e-mail, is it your

1 understanding, Dean DeBrock, that there was a  
2 question that had been raised about this applicant's  
3 GPA and whether or not adjusting it for American  
4 GPAs it was sufficient for purposes of admission to  
5 the Illinois MBA program?

6 MR. DeBROCK: There's no question. They were  
7 talking, as you see, about his GPA.

8 MR. CHUNG: But your testimony is, by this time  
9 the applicant had already been admitted?

10 MR. DeBROCK: Correct.

11 MR. CHUNG: Even though there were questions  
12 about his GPA, even though there was credential  
13 review that still needed to take place?

14 MR. DeBROCK: Again, it's not uncommon for  
15 people who come back to masters programs to have,  
16 had perhaps spotty pasts. And that's what a lot of  
17 them come to the masters program because they  
18 finally got their act together and they decide I  
19 really need to get myself a professional degree and  
20 so that's part of what happens when you admit people  
21 in the masters program is that you have to take into  
22 consideration many different characteristics.

23 Sometimes people have low GPAs, and in this  
24 particular case, as we're going to see, there was

1 lots of documentation about that, and in the end the  
2 Graduate College agreed with us, that this person  
3 had the characteristics to, to be a success.

4 MR. CHUNG: If you go to page 3 in the same  
5 exhibit.

6 COMMISSIONER LOWRY: Can I ask a question just  
7 in that paragraph?

8 MR. CHUNG: Sure.

9 COMMISSIONER LOWRY: This sentence that says  
10 the institution and [blank] is not one that she has  
11 found, but she will use the resources of the  
12 Graduate College for the review.

13 What does that mean?

14 MR. DeBROCK: International students come from  
15 a variety of schools that many of us don't know  
16 anything about. And so we need to have some process  
17 in place to help us figure out what type of school  
18 is this. Is it a school that you found accredited,  
19 is it a school that has a program that other people  
20 that we know of students that have gone from this?  
21 Is there a track record?

22 There are databases out there, because all the  
23 universities share lots of information about what  
24 happens from different universities, because we in

1 the United States, as you know, get lots of  
2 applications from people from outside of the  
3 United States to come avail themselves of our system  
4 of higher education.

5 And so we have to work at the process of  
6 discovering, where is this school, what exactly is  
7 this school all about.

8 COMMISSIONER LOWRY: So am I to understand that  
9 she was unable to find this institution in any of  
10 those databases?

11 MR. DeBROCK: Oh, well, she just, she's -- this  
12 person, Alex, is working in, in my College of  
13 Business, but the Graduate College has many more  
14 resources to avail of, 'cause that's what, you know,  
15 they're international students coming into every  
16 graduate program on campus and so they have a  
17 large --

18 COMMISSIONER LOWRY: So it is correct that she  
19 was unable to find this institution, is that what  
20 this says?

21 MR. DeBROCK: She was unable to find it in her  
22 office, in Wohlers Hall College of Business, but  
23 then she was going to go to the Graduate College to  
24 see 'cause they have --

1           COMMISSIONER LOWRY: To your knowledge, did  
2 they ever find this institution?

3           MR. DeBROCK: I don't know.

4           MR. CHUNG: And we'll get there. If you could  
5 flip to page 3, you're probably already there, sir.

6           MR. DeBROCK: Okay.

7           MR. CHUNG: Again, trying to piece together the  
8 chronology. They're now on April 4, Friday, and at  
9 the very bottom this appears to be an e-mail from  
10 Jaqui Wilson again to the candidate directly. Dear  
11 [blank], since you are unable to come to campus for  
12 an interview, will you be available for a phone  
13 interview, so please send a day, time, and phone  
14 number where you may be called. I'm available  
15 Monday to Friday, 8 a.m. to 5 p.m. I look forward  
16 to hearing from you soon.

17           If you look above that on April 8th, a few days  
18 later, the candidate writes back, Dear Jaquilin,  
19 thanks for your e-mail. I am grateful for giving me  
20 an opportunity to have a telephonic interview. Is  
21 it convenient if the interview is scheduled at 10  
22 hours CDT on 10 April, Thursday. My telephone  
23 number is [blank].

24           Up until April 8th, sir, do you recall having

1 had a conversation with Jaqui Wilson about the fact  
2 that this student had already been recommended for  
3 admission by the College of Business?

4 MR. DeBROCK: No.

5 MR. CHUNG: So is it fair to say that she is  
6 proceeding a pace with an effort to interview an  
7 applicant, do a credential review without  
8 understanding, as far as you know, that the  
9 applicant had already been recommended for admission  
10 by the College of Business?

11 MR. DeBROCK: Well, no, I think she knows.  
12 Yeah, she's knows, 'cause she's doing this  
13 credential review as part of our job of presenting a  
14 package to the Graduate College. The Graduate  
15 College is waiting -- they're the ones who have to  
16 admit it and the only way they're going to admit is  
17 if we put together a solid package that documents  
18 that we've done our homework about this particular  
19 individual, and so she is working to put that  
20 package together.

21 MR. CHUNG: Why would you make a decision to  
22 recommend admission before you had done your  
23 homework on the individual, including before even  
24 figuring out if this student came from a university

1 that existed?

2 MR. DeBROCK: No, I mean, I, I think that's not  
3 the fair statement. We did do our homework on this  
4 individual, and we had determined that based on our  
5 understanding of this individual, this person will  
6 be a success.

7 Now, I'm trying to make you understand that the  
8 Graduate College has just a set of standards that  
9 they put out because they try to put some standards  
10 out that say, here's what it makes -- takes to be,  
11 come to the graduate program at the University of  
12 Illinois.

13 However, they recognize that there's a variety  
14 of different places and talents and skill sets that  
15 are needed to be a graduate student, whether you're  
16 doing something in biology, computer science,  
17 business, engineering, and so they're open to you  
18 documenting why it is that this particular  
19 individual, who might not have a grade point that  
20 fits this rock standard we say, you need to have a  
21 3.0 out of 4; if this individual has a grade point  
22 lower, tell us about the school, tell us about why  
23 you think this is still okay, and that's what we're  
24 doing is documenting that we have made a decision

1 and here's why we think this is the right decision.

2 CHAIRMAN MIKVA: What more did you know about  
3 this student on April 2nd that you didn't know  
4 before April 2nd when the decision was made to deny  
5 admission?

6 MR. DeBROCK: I'm sorry, I didn't make it clear  
7 earlier when I was talking. We knew earlier when we  
8 denied this individual, and as I tried to say, just  
9 because we sent this individual a denial doesn't  
10 mean we thought he wasn't going to be --

11 CHAIRMAN MIKVA: I understand that. I'm not  
12 talking about whether he's good or bad. You had  
13 made a decision to deny admission to that student,  
14 for whatever reason, good, bad, or indifferent, what  
15 more did you know about this student between the  
16 time you made that decision to deny and April 2nd,  
17 when you -- that decision reversed.

18 MR. DeBROCK: We knew more, as I said, about --

19 CHAIRMAN MIKVA: What did you know?

20 MR. DeBROCK: -- about what the class was  
21 looking like. We're trying to put together --

22 CHAIRMAN MIKVA: You didn't know any more about  
23 that student?

24 MR. DeBROCK: No, no, we didn't know any more

1 about that student.

2 CHAIRMAN MIKVA: So why did you admit this  
3 student, as opposed -- I'm sure you got several  
4 other hundreds that were denied, right?

5 MR. DeBROCK: That's correct.

6 CHAIRMAN MIKVA: And it had something to do  
7 obviously with the fact that Trustee Shah had  
8 intervened here, right?

9 MR. DeBROCK: Well, that's, that's, you can  
10 make that statement. I would say the student  
11 appealed. You can see that, because the student  
12 thanks Trustee Shah in this particular case. The  
13 student --

14 CHAIRMAN MIKVA: Who did -- did you talk to the  
15 student?

16 MR. DeBROCK: No.

17 CHAIRMAN MIKVA: Who did the student talk to at  
18 the university?

19 MR. DeBROCK: Oh, he would have spoken with  
20 Jaqui on a phone call.

21 CHAIRMAN MIKVA: Did he? That came later.

22 MR. DeBROCK: Right.

23 CHAIRMAN MIKVA: Who did he speak to by  
24 April 2nd?

1 MR. DeBROCK: No --

2 CHAIRMAN MIKVA: We're quibbling here.

3 Obviously the fact that Dean -- that Trustee Shah  
4 made the request caused you to take another look at  
5 it?

6 MR. DeBROCK: There's no question. There's  
7 absolutely no question. I've said that earlier. I  
8 said it was a mistake for that to happen. He should  
9 have come straight to us, but he did go to Trustee  
10 Shah.

11 CHAIRMAN MIKVA: And that's the difference.

12 MR. DeBROCK: But you're right, no question.

13 CHAIRMAN MIKVA: Okay.

14 COMMISSIONER JUDGE: If he hadn't gone to Shah,  
15 do you think you would have even considered him?

16 MR. DeBROCK: Oh, we would have looked at the  
17 package. We looked -- students do appeal and we do  
18 look at the facts.

19 CHAIRMAN MIKVA: Did you give him a telephone  
20 interview?

21 MR. DeBROCK: I don't know. I can't -- that's  
22 speculation.

23 COMMISSIONER JUDGE: In a scale of between  
24 routine and repugnant, where would you rate this

1 admission?

2 MR. DeBROCK: This admission? I think it was a  
3 success. The student --

4 COMMISSIONER JUDGE: At the time, at the time,  
5 at the time you did it.

6 MR. DeBROCK: I guarantee you, when I, when I  
7 agreed that we should go ahead and admit this  
8 student, I did so because I knew this student could  
9 be a success in the program, without question.

10 And I also knew that this student was not going  
11 to drag down the profile of the program; that this  
12 student's characteristics, the background, country  
13 of origin, and years work experience was not going  
14 to change the profile and quality of the program.  
15 There's no negative impact on the program.

16 As I said, we have, we have extra chairs and we  
17 had, we had, we had agreed that this person would be  
18 an academic success and he has been an academic  
19 success, and we're very proud of him.

20 CHAIRMAN MIKVA: Again, we're not asking about  
21 results, but do you keep a waiting list at this  
22 school?

23 MR. DeBROCK: Uh --

24 CHAIRMAN MIKVA: Are there people wait listed?

1 MR. DeBROCK: I don't think so.

2 CHAIRMAN MIKVA: So somebody either gets  
3 admitted or denied?

4 MR. DeBROCK: That's correct.

5 CHAIRMAN MIKVA: And presumably there are other  
6 people who have been denied who would have made  
7 great successes?

8 MR. DeBROCK: It's possible, that's true.

9 CHAIRMAN MIKVA: And the only thing that stood  
10 out about this student, as far as you could tell me  
11 today, is that Dean Shah -- that Trustee Shah had  
12 intervened, right?

13 MR. DeBROCK: You know, I gotta, I gotta say  
14 that I disagree with that characterization.

15 CHAIRMAN MIKVA: Tell me --

16 MR. DeBROCK: There's no question that he did  
17 and that's not a matter of fate. But the fact of  
18 the matter is the student himself asked Trustee Shah  
19 to, to, to -- he said, look, I want to know why I  
20 didn't get in there.

21 Remember, this is a process of trying -- I'm  
22 trying to -- we're trying to match students. We  
23 find a profile of students we'd like, but we also  
24 want students who like us. Here's a student who's

1 standing up and saying I want into the University of  
2 Illinois and I want to know why I wasn't in there.

3 And at this point in time, as far as I'm  
4 concerned, here's a student who we know could be  
5 qualified academically, here's a student who is not  
6 going to change the profile at this point in time of  
7 this, of this, of this class, I've got empty chairs  
8 in the program, he's going to be an academic success  
9 and he wants us. That's, that's different.

10 I understand what you're saying. Maybe there's  
11 other people out there that you would turn down who  
12 would have been a success too.

13 COMMISSIONER LOWRY: But at the time, you  
14 really didn't know that? You didn't know all of  
15 what you're saying right now. This is all  
16 information after the fact, because even at the time  
17 his GPA was questionable. You were going through  
18 the research to find out what the actual GPA was.  
19 At the time you didn't even know whether or not it  
20 was going to be comparable to the United States  
21 grading.

22 MR. DeBROCK: No, no -- you're right, we didn't  
23 have the exact number, but --

24 COMMISSIONER LOWRY: Okay, all I'm saying is

1 what you're saying right now, sir, with respect to  
2 all of us here, is that a lot of what you're saying  
3 is, is hindsight is 20/20. You're talking about a  
4 lot of the information you gathered after the fact.  
5 At the time, you did not have all of this  
6 information.

7 MR. DeBROCK: I, I -- we did not have all the  
8 information, that's why we're gathering, but we had  
9 enough information -- these, these are just trying  
10 to figure out, this is trying to get the exact  
11 numbers so we can put together a package and go  
12 forward.

13 Just because we didn't have all of the exact  
14 numbers doesn't mean we can't make a decision after  
15 having years of deciding on people who will be --

16 COMMISSIONER LOWRY: Well, what's the point of  
17 an admissions process if you're saying to me, if any  
18 student here in Chicago, from Chicago public  
19 schools, from anywhere, applied to the university,  
20 and basically what you're saying is the documents  
21 don't matter; they can just come to you, submit  
22 their documents at any time, and just go through a  
23 process of meeting with you.

24 MR. DeBROCK: No.

1           COMMISSIONER LOWRY: We have many people sit  
2 before us and talk about us about the admissions  
3 process. There is a process. But what you're  
4 saying right now is that there really isn't a  
5 process. It's kind of ambiguous.

6           MR. DeBROCK: I'm sorry, if I sound -- that's  
7 not what I'm saying. This person did file an  
8 admissions package and had the information in there.  
9 And it's some of the information was not clear.

10          For example, what school, where was, how do you  
11 convert the number on this person's thing to give us  
12 a number that we can show to the Graduate College.  
13 That doesn't mean that we don't know about, as a  
14 college, about what these types of scores look like  
15 and --

16          COMMISSIONER LOWRY: How did you actually end  
17 up determining that?

18          MR. DeBROCK: Well, again, there's an  
19 admissions -- there is an admissions committee.

20          COMMISSIONER LOWRY: How did you actual -- can  
21 you tell me today how that was determined?

22          MR. DeBROCK: No, no.

23          COMMISSIONER LOWRY: So --

24          MR. DeBROCK: I was told by my, by the people

1 in the program that these, this person had the  
2 qualifications to be a success in the program  
3 academically.

4 COMMISSIONER SCHOLZ: Dean, when an applicant  
5 receives a rejection letter, in this case you said  
6 he should have gone to the school rather than to  
7 Trustee Shah.

8 Is there anything in there that tells them, if  
9 you disagree with this decision or you wish to  
10 appeal or this is who you should contact or this is  
11 the process or it's just up to those that --

12 MR. DeBROCK: You know, I don't know the answer  
13 to that. There probably should be something in  
14 there. I don't know if there is or not. That's a  
15 good question.

16 MR. CHUNG: Dean, you earlier talked about the  
17 one or two instances where you did get involved in  
18 influencing an admissions decision. This is one of  
19 those one or two instances?

20 MR. DeBROCK: Yes.

21 MR. CHUNG: And the reason you got involved in  
22 this particular instance was what?

23 MR. DeBROCK: Well, it was reviewed and after  
24 the point of the review, I would have had a

1 discussion with the MBA office about this particular  
2 individual and we would have talked about the  
3 parameters, about the parameters; where is the  
4 program -- I don't do day-to-day work in the MBA  
5 program on admissions.

6       But they would have told me where we are in  
7 terms of how many students are coming in, what's the  
8 percent international students versus domestic  
9 students, what's the profile looking like, and  
10 what's this individual look like versus the profile  
11 of students that are accepted?

12       MR. CHUNG: But they're doing those assessments  
13 on a regular basis, that's what they do. The reason  
14 you personally got involved in this particular  
15 applicant was because it was involving a trustee and  
16 Chancellor Herman, is that correct?

17       MR. DeBROCK: I don't know if that's  
18 particularly a fair characterization. It's the case  
19 that the individual, the program before making the  
20 admissions decision on, on appeal, not the first  
21 time, but, but on this, in this review process,  
22 would have called me and said, look, here's where we  
23 are with this individual. We originally denied him.

24       The fact of the matter is the person has the

1 skill set to do it, but do you want to reverse this  
2 decision or not.

3 MR. CHUNG: Do you typically -- I'm sorry.

4 CHAIRMAN MIKVA: Do you typically do that on  
5 every review case?

6 MR. DeBROCK: No. Some of them are  
7 straightforward, and they just don't get in touch,  
8 the credentials are just not there.

9 COMMISSIONER JUDGE: Had you gotten involved  
10 with any other cases that year, personally?

11 MR. DeBROCK: No.

12 COMMISSIONER JUDGE: This is the only one?

13 MR. DeBROCK: Correct, to my knowledge.

14 COMMISSIONER JUDGE: So is it safe to say, if  
15 he didn't call you, you wouldn't have done it?

16 MR. DeBROCK: No one called me --

17 COMMISSIONER JUDGE: Herman, had he not called  
18 you, you wouldn't have done it?

19 MR. DeBROCK: I don't -- you know, I think that  
20 that's a characterization that you could say from  
21 looking at this data that I made a decision because  
22 of this.

23 The fact of the matter is, the individual asked  
24 for the appeal. This student asked for the appeal.

1 The facts are that this student was academically  
2 qualified to make it into the program and the facts  
3 are that at that point in time, you know, we did  
4 deny earlier, but by this point in time, we had more  
5 knowledge of what the program was looking like; who  
6 had decided they were going to come to Illinois, to  
7 Urbana, versus the ones who said, no, I'm not going  
8 to Urbana, I'm going elsewhere, so we had more of an  
9 idea about what does our student body look like.

10 MR. CHUNG: Could I take you back to the  
11 documents and we're moving through these, I  
12 apologize for taking a little bit of time, but if  
13 you to go page 5 and then we'll then look at page 4.

14 Page 5, there's an e-mail from Peg Rawles to  
15 Jaqui Wilson, the director of admissions, Dear  
16 Jaqui, thanks for taking my call. I presume you  
17 will be corresponding quickly with the applicant  
18 about the possibility of the phone interview. I  
19 understand that Dean DeBrock is familiar with this  
20 applicant. I appreciate your efforts of  
21 communicating with the applicant.

22 And Peg Rawles is, by the way, she's in the  
23 Chancellor's office, she works with Dr. Herman?

24 MR. DeBROCK: Correct.

1 MR. CHUNG: And so that e-mail Jaqui Wilson  
2 responds, Peg, I have sent him an e-mail regarding  
3 the phone interview. I am having the credential  
4 evaluation paperwork completed to drop off with Alex  
5 S□ nchez this afternoon.

6 Alex S□ nchez, that's a female, correct?

7 MR. DeBROCK: Correct.

8 MR. CHUNG: And she works in the admissions  
9 office?

10 MR. DeBROCK: She works in the College of  
11 Business.

12 MR. CHUNG: In the College of Business, okay.

13 So the assignment for credential review was  
14 given to Alex S□ nchez?

15 MR. DeBROCK: Correct.

16 MR. CHUNG: If you look above that, in the  
17 middle of the page, Niranjan Shah responds to  
18 Richard Herman. Richard, thanks. Can you give me  
19 some ideas as to what areas would they question him  
20 on the phone?

21 So what began as an internal correspondence  
22 ultimately makes its way outside the College of  
23 Business to Trustee Shah, and Trustee Shah is  
24 looking for pointers from Richard Herman about what

1 the interview is going to be.

2 Is that fair to say?

3 MR. DeBROCK: Correct.

4 MR. CHUNG: Is that, by the way, in your  
5 professional opinion, is that an appropriate request  
6 to ask for a heads up about what questions may be  
7 asked during the course of an admissions interview.

8 MR. DeBROCK: Sure. This is not -- I mean,  
9 make sure, this is not an interview about content.  
10 They're not asking him or her about their business  
11 or understanding. This is simply to see if they can  
12 understand English. This is a series of questions  
13 to talk to them about how well they respond, what's  
14 their English skill set, and how well they answer.

15 MR. CHUNG: So at this point in time, no one  
16 understood if the person could even speak English or  
17 understand it sufficiently to attend the University  
18 of Illinois?

19 MR. DeBROCK: No, we, we, we, we knew this  
20 person could speak English, apart from the country  
21 of origin.

22 MR. CHUNG: But the interview was to assess the  
23 ability to speak English?

24 MR. DeBROCK: We do that for all international

1 students.

2 MR. CHUNG: Before or after acceptance?

3 MR. DeBROCK: Typically, it can happen either  
4 case, either way.

5 MR. CHUNG: But typically when?

6 MR. DeBROCK: Well, sometimes if it's countries  
7 where we know we have problems with English  
8 speaking, we can do it beforehand. Some countries  
9 people speak English quite naturally, even though  
10 they're international countries.

11 MR. CHUNG: Do you typically ask for a TOEFL  
12 test score for people that aren't English native  
13 English speakers?

14 MR. DeBROCK: We do.

15 MR. CHUNG: And do you typically use the test  
16 score from the TOEFL test in assessing whether or  
17 not an applicant is --

18 MR. DeBROCK: It can be used, that's correct.

19 MR. CHUNG: Do you know if at this point in  
20 time the TOEFL test score had been received from  
21 this particular applicant?

22 MR. DeBROCK: I don't know.

23 MR. CHUNG: If you go to the next set of pages,  
24 page 6 and 7, I guess I would ask you to look at the

1 e-mail that begins at the bottom of page 6 and then  
2 goes over to the first half of page 7.

3 MR. DeBROCK: Okay.

4 MR. CHUNG: Just take a -- you probably already  
5 looked at it --

6 MR. DeBROCK: Sure.

7 MR. CHUNG: -- but if you need sometime, please  
8 refer to it, and then I have a few questions on  
9 that.

10 MR. DeBROCK: Okay. I've read it.

11 MR. CHUNG: So is it fair to say that the  
12 e-mail that Alex S□nchez writes to Jaqui Wilson and  
13 others and copies you on, on April 7th of 2008, is a  
14 summary of Alex S□nchez's credential review for this  
15 applicant?

16 MR. DeBROCK: That's correct.

17 MR. CHUNG: Okay. And at the end of that  
18 e-mail there is something styled as an evaluation  
19 report. Do you see that?

20 MR. DeBROCK: Correct.

21 MR. CHUNG: And there are various enumerated  
22 items under that heading?

23 MR. DeBROCK: Correct.

24 MR. CHUNG: The first of which is DA-IICT.

1 Could not verify deemed or accredited status by the  
2 UGC.

3 MR. DeBROCK: Correct.

4 MR. CHUNG: Do you have an understanding of  
5 what that means?

6 MR. DeBROCK: That they could not verify  
7 accreditation.

8 MR. CHUNG: Accreditation of the institution  
9 that this applicant attended?

10 MR. DeBROCK: That is correct.

11 MR. CHUNG: Do you know if at any point in time  
12 subsequent to this e-mail accreditation was very  
13 fired.

14 MR. DeBROCK: I do not.

15 MR. CHUNG: So your understanding is the  
16 applicant was admitted, continued to be admitted as  
17 of this date, and thereafter, and, in fact, enrolled  
18 without ever verification -- without there ever  
19 being verification that the student came from an  
20 accredited university?

21 MR. DeBROCK: I just -- you asked me if I ever,  
22 if I knew. I don't know the status yes, no, or  
23 maybe.

24 MR. CHUNG: Does it make a difference -- would

1 it make a difference to you if you knew for a fact  
2 that the student came from an unaccredited  
3 university?

4 MR. DeBROCK: Again, it depends on the  
5 students. There's a lot of things about taking the  
6 student into an MBA program. It's a professional  
7 program; how many years work experience does this  
8 person have, what is his or her status in his  
9 particular job, does it look like this student has  
10 actually the aspects to contribute positively to the  
11 MBA program?

12 All those things could weigh in and say that,  
13 you know, maybe he had a spotty academic record, but  
14 this guy's going to be a success.

15 MR. CHUNG: And maybe he came from an  
16 unaccredited school, but he can still be a success?

17 MR. DeBROCK: It's possible.

18 MR. CHUNG: Number 2, degree name is B. Tech  
19 conferred in 2006.

20 Do you understand that what means?

21 MR. DeBROCK: No.

22 MR. CHUNG: Number 3, the Graduate College  
23 would not consider the B. Tech comparable to a UIUC  
24 bachelor because we could not verify accreditation.

1           Is that something like an apples -- an attempt  
2   to make an apples to apples comparison from a  
3   foreign school to a U.S. school? Does that --

4           MR. DeBROCK: That's how I read that. That's  
5   how I read that.

6           MR. CHUNG: Number 4, GPA for the last two  
7   years is [blank] minimum required by the Graduate  
8   College, is 3 on a 4 scale.

9           MR. DeBROCK: Correct.

10          MR. CHUNG: Is it your understanding that the  
11   analysis that Ms. S□nchez conducted here revealed  
12   that the GPA was, in fact, below the minimum  
13   required by the Graduate College?

14          MR. DeBROCK: Correct.

15          MR. CHUNG: And number 5, if MBA admissions  
16   decides to move forward with the admit process, a  
17   special review would be required due to low GPA, and  
18   no UIUC-comparable bachelors degree since  
19   accreditation could not be verified. Okay.

20          MR. DeBROCK: Correct.

21          MR. CHUNG: I guess my overall question would  
22   be, what is it in this report that would support  
23   admissions of this candidate? Is there anything in  
24   the report that would support admission of this

1 candidate?

2 MR. DeBROCK: I think it's clear that,  
3 according to Alex, that there would be more a  
4 review, a special review would be required because  
5 of the low GPA, so I think she's make -- my read of  
6 that is that she's saying that there'll be more data  
7 that has to be produced to the Graduate College.

8 The Graduate College is going to demand that.

9 CHAIRMAN MIKVA: Would you admit somebody to an  
10 MBA program that didn't have an undergraduate  
11 degree?

12 MR. DeBROCK: Yes.

13 CHAIRMAN MIKVA: You do, under what  
14 circumstances?

15 MR. DeBROCK: We do this a lot. I mean, not a  
16 lot but all, for example, all the executive MBA  
17 programs, even the ones here in Chicago --

18 CHAIRMAN MIKVA: This kind of program, which is  
19 an on-campus 2-year, 3-year program, if somebody  
20 came to you straight from high school and said I  
21 want to skip the bachelor part and go to the MBA --

22 MR. DeBROCK: No, we wouldn't admit.

23 CHAIRMAN MIKVA: Why not?

24 MR. DeBROCK: Well, we would expect them to

1 have at least a minimum understanding of what, what,  
2 what university life is like before you would come  
3 into this program.

4 CHAIRMAN MIKVA: But if you can't -- if he  
5 says, well, I've got this wonderful degree from this  
6 correspondence school, [intelligible], you wouldn't  
7 treat that as a college degree, would you?

8 MR. DeBROCK: You know, there are people who do  
9 those sorts of analysis for us to find out where  
10 that, where that sits on the grand scheme --

11 CHAIRMAN MIKVA: Whether a school is accredited  
12 or not.

13 MR. DeBROCK: Correct.

14 CHAIRMAN MIKVA: It's not a fraternity,  
15 sorority system, this is a school that does the kind  
16 of work that you expect?

17 MR. DeBROCK: Correct, correct.

18 CHAIRMAN MIKVA: So it seems to me that if  
19 you're looking at this analysis that's done by one  
20 of your people, this student doesn't have an  
21 undergraduate education.

22 MR. DeBROCK: You know, I, I, I don't -- this  
23 student went to a school that, as far as they can  
24 tell, the accreditation cannot be verified.

1           CHAIRMAN MIKVA: Is that any different than  
2 somebody coming in to you and saying, I went to this  
3 school, you won't find it anyplace, it was a great  
4 correspondence school, and I studied every day. You  
5 wouldn't --

6           MR. DeBROCK: Well, now, that's a hypothetical  
7 that sounds a little different than this one, sir.  
8 Respectfully, I think that there's a person here who  
9 went to a school in a country far removed from us,  
10 and we do not seem to be able to document where this  
11 person, where this school ranks.

12          CHAIRMAN MIKVA: I assume, I assume that most  
13 schools in India, certainly all the legitimate  
14 schools, you can document and they are accredited,  
15 right?

16          MR. DeBROCK: I think that's true.

17          CHAIRMAN MIKVA: You don't disqualify somebody  
18 just because they went to an Indian school?

19          MR. DeBROCK: That's true.

20          CHAIRMAN MIKVA: Okay.

21          MR. CHUNG: Dean, how did you react, if you  
22 recall, when you received this e-mail?

23          MR. DeBROCK: I didn't, I didn't react.

24          MR. CHUNG: It didn't throw up a red flag for

1 you? You didn't, for instance, say, wait a minute,  
2 we've made a decision to recommend admission, we  
3 better hold back on that? Nothing like that  
4 occurred to you?

5 MR. DeBROCK: No, no.

6 MR. CHUNG: Full steam ahead, nothing changed  
7 in your mind about the ability of this candidate to  
8 be a member of your incoming class?

9 MR. DeBROCK: Correct.

10 MR. CHUNG: If you look at the e-mail right  
11 above the one from Alex S□nchez, it's from Jaqui  
12 Wilson to Alex S□nchez. Dear Alex, due to  
13 Chancellor request, please continue with the special  
14 review.

15 What is a special review, first of all?

16 MR. DeBROCK: You know, I'm not sure, but, you  
17 know, you just read that earlier, and Alex's point 5  
18 said that a special review will be required, and so  
19 I think Jaqui is telling Alex, well, go ahead, and  
20 do the special review.

21 MR. CHUNG: Why would there need to be any  
22 further review if the decision's already been made  
23 from your institution, the College of Business, to  
24 go forward to the Graduate College for admission of

1 this candidate?

2 MR. DeBROCK: I think that's what this is  
3 about. It's the Graduate College would demand  
4 special review to have further documentation. Given  
5 their standards, they want to make sure that before  
6 they do the decision, because they are the ones who  
7 make the decision to admit, that in fact the  
8 criteria is such this person is eligible for  
9 admission into the graduate program.

10 MR. CHUNG: Wouldn't you want to know those  
11 very same things before you're in a position to, on  
12 behalf of the College of Business, recommend  
13 admission of that candidate to the Graduate College?

14 MR. DeBROCK: And again, I -- we believed that  
15 this person was qualified. And that's why we made  
16 the decision. We wouldn't have made the decision --  
17 we weren't going to put somebody in a position where  
18 they couldn't succeed.

19 We made the decision because we believed they  
20 were qualified. Now, we have to go through what is  
21 a series of documentation that the Graduate College  
22 requires, because they're the ones who do it, and  
23 they are going to want us to show them where are all  
24 the pegs for this particular individual, and at this

1 point in time, we don't know for sure about  
2 accreditation; and so we said, look, we're going to  
3 have to do some more work on this case.

4 COMMISSIONER LOWRY: Question for  
5 clarification.

6 When you say that at this time, when you  
7 recommended the student you believed the student to  
8 be qualified. What did you base that on?

9 MR. DeBROCK: I based that on the fact that the  
10 people from the MBA program told me that this person  
11 could be an academic success.

12 COMMISSIONER LOWRY: Based on what?

13 MR. DeBROCK: Their, based on their  
14 understanding of the applications, of the admissions  
15 package, the application package.

16 COMMISSIONER LOWRY: Do you know what was  
17 included in that application package?

18 MR. DeBROCK: No.

19 COMMISSIONER LOWRY: And do you know, was it  
20 Alex who reviewed that package?

21 MR. DeBROCK: No, I don't think so.

22 COMMISSIONER LOWRY: Who was it?

23 MR. DeBROCK: It would have been probably the  
24 MBA associate dean.

1 COMMISSIONER LOWRY: Who is?

2 MR. DeBROCK: Mary Miller.

3 COMMISSIONER LOWRY: Mary Miller?

4 MR. DeBROCK: Yeah.

5 MR. CHUNG: Dean, if I could just take you back

6 quickly to page 7, if you flip back to page 7.

7 Above the evaluation report there is a notation from

8 S□ nchez. I calculated the GPA based on the last two

9 years since it is a four-year program as the

10 Graduate College would and came up with a less than,

11 with less than a 3.0/4 GPA which the Graduate

12 College would require from any institution on a 4.0

13 scale. Also, to favor the applicant, I did not

14 include the failed courses, if they had been

15 repeated. Instead, I included the repeated grade.

16 Is it your understanding, sir, that on the

17 transcript of this candidate there were indications

18 that the candidate had failed certain courses?

19 MR. DeBROCK: That's what it says.

20 MR. CHUNG: All right. And is it also your

21 understanding that Alex S□ nchez, for purposes of

22 favoring this applicant, did not calculate or use

23 those failed courses in the calculation of the GPA?

24 MR. DeBROCK: That's what she says she did,

1 that's correct.

2 MR. CHUNG: Presumably, Alex S□ nchez then used  
3 the retake scores, the scores or grades from those  
4 failed classes that were retaken for purposes of  
5 computing the GPA?

6 MR. DeBROCK: That's the way GPA is computed in  
7 most universities. The repeat score is the one  
8 used.

9 MR. CHUNG: Okay. And you understood that at  
10 the time you were reviewing this particular e-mail?

11 MR. DeBROCK: Correct.

12 MR. CHUNG: Okay. If you look at the second  
13 e-mail on page 6, second from the top, from Alex  
14 S□ nchez to Jaqui Wilson on April 8th?

15 MR. DeBROCK: Yes.

16 MR. CHUNG: Jaqui, we will also need a TOEFL or  
17 a TOEFL waiver, declaration of finance form, address  
18 verification form, proof of funding, et cetera. If  
19 he has dependents, he will need proof of funding.

20 So these are certain of the basic requirements  
21 required for applicants from out of the country?

22 MR. DeBROCK: Correct.

23 MR. CHUNG: And then above that, Jaqui Wilson  
24 to Alex S□ nchez. Alex, can we get residential

1 evaluation completed without all of this other  
2 material? We need to have this completed as quickly  
3 as possible.

4 So in this instance, it appears to be the case  
5 that there was a desire to expedite this review and  
6 to complete the evaluation without the benefit of  
7 having these extra documents?

8 MR. DeBROCK: Well, some of these documents  
9 are, you know, address verification form and making  
10 sure the person can show that he or she has the  
11 funding are not particularly germane to the more,  
12 the more important issues such as, can he speak  
13 English and, and the other things we've been talking  
14 about.

15 MR. CHUNG: Now, what was your understanding of  
16 why it was important to move this as quickly as  
17 possible?

18 MR. DeBROCK: Oh, this is April. By this time  
19 it's, it's approaching mid-April. It's getting very  
20 late in the process.

21 MR. CHUNG: So all applicants that were  
22 similarly situated, if there were any, were being  
23 moved as quickly as possible?

24 MR. DeBROCK: We would move this very quickly,

1 that's correct.

2 MR. CHUNG: Are there ever occasions where  
3 admissions are made after mid-April, into the MBA  
4 program?

5 MR. DeBROCK: I -- probably.

6 MR. CHUNG: So is it your testimony that the  
7 desire to move this as quickly as possible had  
8 nothing to do with the fact that Trustee Herman  
9 and -- I'm sorry, Chancellor Herman and Trustee Shah  
10 were involved in this particular applicant?

11 MR. DeBROCK: It may have, but I don't, I don't  
12 have that information. I mean, I don't know why.  
13 It just seems to me that this is a natural thing.  
14 Let's move this process forward.

15 MR. CHUNG: One more quick question on page 7,  
16 if you go to that next page. Under evaluation  
17 report item 5. It begins, if MBA admissions  
18 committee decides to move forward with the admit  
19 process, et cetera.

20 I mean that, on its face, suggests that the,  
21 your own admissions committee, still at this point  
22 in time, was not prepared, necessarily, to go  
23 forward with the admit process for this candidate?

24 MR. DeBROCK: No, that's what Alex says.

1 Alex's not on the committee and Alex obviously  
2 wasn't aware that the decision had been made.

3 Alex makes these types of comparisons. The  
4 same things you see here, she has to do for every  
5 international student, so that's what her job is, is  
6 to go through all the international students. You  
7 know, we have several hundred of them in the various  
8 masters programs that we have in the College of  
9 Business, and she has to do this for everyone.

10 MR. CHUNG: Let me take you to page 9 --

11 CHAIRMAN MIKVA: Before we leave that, this is  
12 just a matter of curiosity. Look at paragraph four,  
13 Dean, of that same, on the page 7.

14 It says, GPA for the last two years is [blank]  
15 minimum. Now, that doesn't sound like the  
16 students's name is being redacted here and the  
17 obvious word would either be above minimum or below  
18 minimum.

19 MR. DeBROCK: It's actually a number.

20 CHAIRMAN MIKVA: Number minimum?

21 MR. DeBROCK: I believe what was redacted there  
22 was his actual grade point average.

23 CHAIRMAN MIKVA: That doesn't make sense, but  
24 if so, the number itself could identify him, okay.

1 Thank you.

2 MR. DeBROCK: That's what it was.

3 MR. CHUNG: Dean, can you go to page 9, and  
4 this is an April 10th e-mail from Jaquilin Wilson to  
5 Mary Miller. Dear Peg, at this time the review  
6 process is complete. We have sent the credentials  
7 for review which I have forwarded to you. I have  
8 conducted the phone interview, written the report,  
9 and placed it in his file. The Graduate College  
10 will not do a special review of his credentials,  
11 unless they have a referral to admit. I would like  
12 to know from you what is the next step.

13 There's the term special review again, and then  
14 a new concept of referral to admit.

15 What's a referral to admit?

16 MR. DeBROCK: I do not know. We've already  
17 made the decision to admit this person. Perhaps  
18 that's a form. I, I don't know.

19 MR. CHUNG: So by -- I mean, by April 10th, the  
20 decision to admit, at least your part of the  
21 decision to admit, College of Business' part has  
22 already been made?

23 MR. DeBROCK: Yes.

24 MR. CHUNG: So to the extent this is, suggests

1 that that decision has to be made as of April 10th,  
2 frankly, it's -- that decision has been made,  
3 correct?

4 MR. DeBROCK: The Graduate College still has to  
5 make their decision, but the College of Business has  
6 made theirs.

7 COMMISSIONER LOWRY: I'm confused. This e-mail  
8 says, this e-mail says that the referral to admit  
9 has not yet been made.

10 MR. DeBROCK: I don't know what the phrase  
11 "referral to admit" means. It's in capital letters.  
12 Perhaps that's a form that they haven't received  
13 yet.

14 COMMISSIONER LOWRY: Oh, the ambiguity again.

15 MR. CHUNG: If you go to page 10, sir, of the  
16 same exhibit. I believe the bottom e-mail is  
17 essentially the same e-mail that we just read, in  
18 substance.

19 At this time, Dear Peg, from Jaqui Wilson to  
20 Peg Rawles, at this time the admissions evaluation  
21 process is complete. We sent the credentials for  
22 review, which I have forwarded to you. Please let  
23 me know what you want me to do.

24 And Peg Rawles, again, is in the Chancellor's

1 office?

2 MR. DeBROCK: Correct.

3 MR. CHUNG: Do you have any understanding as to  
4 the frequency with which MBA admissions was  
5 contacting the Chancellor's office about MBA  
6 applicants?

7 MR. DeBROCK: I do not.

8 MR. CHUNG: Is it your understanding that that  
9 would not be in the ordinary course, the  
10 Chancellor's office would not be involved in  
11 decisions about individual MBA candidates?

12 MR. DeBROCK: That's correct.

13 MR. CHUNG: And then above that, Peg Rawles, in  
14 responding to Jaqui Wilson's e-mail sent an e-mail  
15 to Jaqui saying, does that mean he is admitted or is  
16 there -- or is there one more step, right?

17 MR. DeBROCK: Correct.

18 MR. CHUNG: It's fair to say the inference you  
19 could draw from this is that Peg Rawles does not  
20 know, at this point in time on April 10th, that the  
21 applicant has been admitted?

22 MR. DeBROCK: I think, again, Peg is talking  
23 about the formal admission process, has this gone  
24 through the Graduate College or does it still have

1 to go there? That's the way I read it.

2 MR. CHUNG: And then the final page of  
3 Exhibit 1, page 11. Jaqui Wilson, as I read this  
4 e-mail, forwards to Peg Rawles, or at least the  
5 e-mail comes from Jaqui Wilson's e-mail file,  
6 forwarding on Richard Herman's -- I'm sorry, your  
7 e-mail to Richard Herman that occurred eight days or  
8 nine days earlier.

9 Richard, I am pleased to write with the news  
10 that [blank] will be admitted to the incoming fall  
11 2008 Illinois MBA program. The MBA program  
12 leadership provides its strongest recommendation  
13 that [blank] pursue a summer course in statistics  
14 and perhaps accounting. This could be an online  
15 offering, but [blank] needs to have adequate  
16 preparation for the rigorous first year of the  
17 program.

18 As always, thanks for your support and  
19 contributions, Larry.

20 First sentence, I am pleased to write with the  
21 news that [blank] will be admitted to the incoming  
22 fall MBA program.

23 I go back to the question, did you, either in  
24 your individual capacity or on behalf of the entire

1 College of Business, have the authority to admit an  
2 applicant to the MBA program?

3 MR. DeBROCK: I do. Only in the College of  
4 Business. I don't have -- I can't admit anybody to  
5 the University of Illinois. That's the Graduate  
6 College that would have to do. But in terms of  
7 making the decision that the College of Business  
8 wanted this person in the fall class, I can do that.

9 MR. CHUNG: But you would still have to submit  
10 the package to the Graduate College?

11 MR. DeBROCK: Sure. I can't admit anybody to  
12 the University of Illinois. That's -- the Graduate  
13 College has to do that. They would have to confirm  
14 that this person has the qualifications to actually  
15 be in a graduate program on the campus of the  
16 University of Illinois.

17 MR. CHUNG: I guess I'm confused. But you can  
18 in your, just by yourself as of April 2, 2008, you  
19 had the authority to grant admission --

20 MR. DeBROCK: No.

21 MR. CHUNG: -- outright?

22 MR. DeBROCK: This -- I have the authority to  
23 make the College of Business decision that this is a  
24 person we want to admit. And then what we've been

1 talking about for the past 40 minutes is the  
2 painstaking process that has to go to put together a  
3 package.

4       Once any college on campus, once any program on  
5 any building in campus determines that they want to  
6 admit a person into the masters program, they are  
7 then required by their Graduate College to say,  
8 well, we do the admissions. Please push forward  
9 your reasons for why you want this person in the  
10 program, and we will decide whether to admit them or  
11 not.

12       MR. CHUNG: So the Graduate College, as you  
13 testified earlier, makes the decision?

14       MR. DeBROCK: Yes.

15       MR. CHUNG: I'm kind of confused. You are  
16 writing to Richard Herman saying, This applicant  
17 will be admitted to the incoming fall 2008 MBA  
18 program.

19       That seems to be completely unqualified. He is  
20 in.

21       MR. DeBROCK: No, no, no, no. He's not --  
22 Richard knows the, the rules, but we have to go  
23 forward through the Graduate College. Every --  
24 that's -- we make decisions all the time and say

1 we're admitting this person, but the fact of the  
2 matter is that our decision to admit is only step  
3 one in the process, and then we push it forward to  
4 campus where Graduate College then makes the  
5 decision.

6 CHAIRMAN MIKVA: Does the Graduate College  
7 overrule your decisions to admit often?

8 MR. DeBROCK: No.

9 CHAIRMAN MIKVA: Ever?

10 MR. DeBROCK: I don't know about the word  
11 "ever." I presume they have.

12 CHAIRMAN MIKVA: Do you know of any?

13 MR. DeBROCK: No, I don't know of any.

14 CHAIRMAN MIKVA: So it really -- I'm still not  
15 sure what role they play here. They -- is it rubber  
16 stamping? Do they check finances? Do they --

17 MR. DeBROCK: They do. No, no. The existence  
18 of the Graduate College -- remember, we all know  
19 that this Graduate College is a group of, of, of  
20 qualified people who are going to go through this  
21 package with a fine-tooth comb, and therefore our  
22 decision process, and by our I mean the entire  
23 campus, every program on campus is thinking about  
24 admitting something, has keeping in mind that

1 there's, they can't just do this. They have to pick  
2 someone, identify an individual who has the  
3 qualifications that will meet the standards of that  
4 second level of control.

5 CHAIRMAN MIKVA: But that would sound like just  
6 in the matter of, of passage of time there would be  
7 some denials or reversals of colleges?

8 MR. DeBROCK: And there could very well be,  
9 sir. I just know --

10 CHAIRMAN MIKVA: You just don't know.

11 As far as you know, the business school has  
12 done such a good job of --

13 MR. DeBROCK: Well --

14 CHAIRMAN MIKVA: -- that they've never  
15 overruled you?

16 MR. DeBROCK: I've only been dean a short time,  
17 and I've never -- it hasn't happened since I've been  
18 there.

19 CHAIRMAN MIKVA: All the time you were on  
20 faculty, you never heard of one?

21 MR. DeBROCK: I was not associated with the  
22 Graduate College or any admissions when I'm on the  
23 faculty.

24 COMMISSIONER LOWRY: It sounds as if once you

1 make the decision to admit an applicant, the only  
2 real purpose that the Graduate College has is to  
3 just make sure that there's documentation to back up  
4 what you're asking for. Not that they're  
5 actually -- that there's nothing that they are doing  
6 that's going to overturn your decision.

7 MR. DeBROCK: Again, I don't know that because  
8 they may overturn a lot. They may overturn a lot.  
9 I just don't know of any that they've done in the  
10 short time I've been dean with the College of  
11 Business. And --

12 COMMISSIONER LOWRY: Just if we use this  
13 example that we've been talking about for the last  
14 40 minutes. There's -- everything they've done is  
15 just a matter of paperwork and, frankly, all of the  
16 days and weeks that they spent trying to accumulate  
17 this paperwork, most of it ended up being waived.

18 MR. DeBROCK: Again, I think it's not a fair  
19 characterization to say the Graduate College is just  
20 there for being paper --

21 COMMISSIONER LOWRY: But in this example that's  
22 exactly what it appears.

23 COMMISSIONER JUDGE: You're telling the  
24 Chancellor of the university that he's accepted.

1 COMMISSIONER LOWRY: On April 2nd.

2 COMMISSIONER JUDGE: On April 2nd.

3 MR. DeBROCK: He's accepted by the College of  
4 Business but, you know --

5 COMMISSIONER JUDGE: No, no. It says will be  
6 admitted into the MBA program. There's no qualifier  
7 in there.

8 COMMISSIONER LOWRY: Right.

9 COMMISSIONER JUDGE: No qualifier. He's in,  
10 the paperwork will follow. I mean, you know,  
11 everybody --

12 MR. DeBROCK: No, sir, I'm not -- that's,  
13 that's what we, that's how we say this. In the  
14 sense that we make decisions we want to admit this  
15 person, and we say this person's going to be  
16 admitted to the program, but the fact of the matter  
17 is that that's just our decision to admit a person,  
18 but that person, the real decision, the formal  
19 admission process comes at the Graduate College.

20 COMMISSIONER JUDGE: Do you think that  
21 Chancellor Herman had any doubt in his mind that  
22 that person was admitted to that MBA program --

23 MR. DeBROCK: No.

24 COMMISSIONER JUDGE: -- in your e-mail?

1 MR. DeBROCK: No.

2 COMMISSIONER JUDGE: So nothing was going to  
3 happen after that?

4 MR. DeBROCK: Well, it's up to us to document  
5 and we did.

6 COMMISSIONER JUDGE: No, you didn't say that.  
7 There's no qualifier in here. It's a straight  
8 statement of fact, and will be admitted on  
9 April 2nd, and then the rest of it is just a  
10 cover-your-ass paperwork.

11 COMMISSIONER LOWRY: And then you're even  
12 moving forward to say, these are the courses that we  
13 want to make sure that he takes this summer in order  
14 to be adequately prepared for this fall first year.

15 So it's not just -- you're not just saying we  
16 would like to admit him, pending your further review  
17 or pending your confirmation of the, of the  
18 standards that the, that your college says. That's  
19 not what you're saying at all.

20 You're saying will be admitted. Will be  
21 admitted.

22 MR. DeBROCK: I did say will be admitted and I  
23 meant that to mean from the College of Business, and  
24 I, I'm surprised that, that, that, that there's --

1 you know, you obviously don't think I -- that,  
2 that -- I obviously can't admit anybody to the, to  
3 the University of Illinois.

4 CHAIRMAN MIKVA: There's a custom in the Armed  
5 Services that an officer receives a commission.

6 MR. DeBROCK: Right.

7 MR. CHUNG: Now, technically, nobody can  
8 commission an officer of the United States, except  
9 the Congress of the United States; and if you ever  
10 read the Congressional record, all those  
11 commissioned officers, thousands and thousands are  
12 listed there. And the Senate has taken a pro forma  
13 vote to commission those officers. But when you get  
14 your commission from your superior officer, you've  
15 been commissioned. The Senate has never --

16 MR. DeBROCK: I see.

17 CHAIRMAN MIKVA: -- undone one of those. It  
18 sounds like this Graduate College --

19 MR. DeBROCK: Again, I can't speak to what,  
20 what, what their record as of, of, of, of turning  
21 people back on this situation.

22 And let me -- for Commissioner Lowry, we do  
23 this in, in, I would say probably the majority of  
24 our admissions to the MBA program, is we will

1 recommend a course we think they ought to take. You  
2 should take a course in statistics; or your  
3 accounting background is bad, you should take in a  
4 course in accounting. That's a regular process.

5 COMMISSIONER LOWRY: I'm sure it is, but not in  
6 this sequence of events.

7 CHAIRMAN MIKVA: Chung.

8 MR. CHUNG: Dean, one final question about  
9 page 11. The MBA -- the paragraph that reads, The  
10 MBA program leadership provides its strongest  
11 recommendation that the candidate pursue a summer  
12 course in statistics and perhaps accounting.

13 You know, a moment ago you said that you had  
14 every confidence that this candidate could succeed.  
15 One could interpret that sentence about the  
16 strongest recommendation as an indication that you  
17 feel like this is a reach. This candidate may not  
18 in fact have what it takes to walk in the door and  
19 be successful, better get a head start over the  
20 summer and take these various courses.

21 What's your reaction to that?

22 MR. DeBROCK: My reaction is you, I wouldn't  
23 say it was a reach, but I would say that this is a  
24 person that we really did recommend. This person,

1 since it's been a while since he or she had taken  
2 this, these courses of the body of study, should,  
3 should, should brush up on this stuff.

4 MR. CHUNG: So you doesn't feel as though you  
5 were making any special accommodation to someone who  
6 didn't have the requisite qualifications, at least  
7 in terms of statistics and accounting?

8 MR. DeBROCK: Well, as I said, we do this on  
9 lots of applications. Lots of our admissions  
10 letters to students tell them, look, you should do  
11 yourself a favor and go out and take these courses,  
12 and I think that's pretty standard.

13 CHAIRMAN MIKVA: Go ahead.

14 MR. CHUNG: I'm sorry, Judge.

15 And Exhibit 2 is thankfully a much shorter  
16 exhibit, a one-page exhibit, and it picks up on the  
17 e-mail we've just been talking about.

18 Bottom of the e-mail is your e-mail to Richard  
19 Herman. Richard, I am pleased to write with the  
20 news, et cetera, of being admitted.

21 Now, a moment ago you said Richard Herman  
22 understood the process and he understood that the  
23 College of Business position is not the final  
24 position of the Graduate. Well, what Richard Herman

1 does with your e-mail is to forward it on to the  
2 family or to Mr. Shah with the note, Please feel  
3 free to transmit this the family.

4       If I'm a family member and I get something from  
5 the board of trustees that says, I am pleased to  
6 write with the news that my son or daughter will be  
7 admitted, I think my son or daughter is admitted.

8       So my question is, same question I asked  
9 before, what is there in this, in your original  
10 e-mail that would lead Richard Herman, a family  
11 member, anyone, to understand that the College of  
12 Business has not officially, finally decided to  
13 admit this particular applicant?

14       MR. DeBROCK: You're right, there's nothing in  
15 there that has the caveat about the fact that this  
16 has to go through the Graduate College.

17       MR. CHUNG: Would you want to qualify your  
18 response with regard to Richard Herman understanding  
19 that there was a second layer of process involved  
20 and therefore would not have communicated a direct  
21 admission to the family.

22       MR. DeBROCK: I, I don't know. I can't. I  
23 mean, you're right, he may not have understood that  
24 it had to have gone through the Graduate College.

1 Richard certainly knows about the Graduate  
2 College, and as you saw through the various e-mails  
3 from Peg Rawles, who works with him, about the fact  
4 that she understood that we were working the package  
5 together to get through to the Graduate College.

6 MR. CHUNG: So in the final analysis, sir, who  
7 decided to admit this candidate? Who in the entire  
8 university universe?

9 MR. DeBROCK: Well, the Graduate College is the  
10 only place, they have to be the one to admit someone  
11 into the, into any graduate student on campus.

12 MR. CHUNG: Who within the College of Business  
13 made the decision to either refer to admit or to  
14 recommend to admit, whatever the right terminology  
15 is, this applicant?

16 MR. DeBROCK: That would have been, that would  
17 have been me.

18 MR. CHUNG: Were you ever influenced by anyone  
19 outside of the College of Business to admit this  
20 applicant?

21 MR. DeBROCK: No.

22 MR. CHUNG: It was solely your decision?

23 MR. DeBROCK: Well, again, I already testified  
24 here earlier that I, I talked with the MBA people

1 who run, who do our admissions and, about the  
2 qualifications for success. And as I said, we were,  
3 we were, we were confident of his qualifications for  
4 success.

5 The question was, what will he do to the  
6 profile in the sense of the mix that we have of  
7 international students versus domestic students, and  
8 at the time that we made this decision to admit him,  
9 was because it was clear to us that he was not going  
10 to compromise the quality or the profile of that  
11 incoming class, and, in fact, he hasn't. He's been  
12 a good student. I'm very proud of him.

13 MR. CHUNG: And is your understanding that your  
14 director of admissions agreed with the decision to  
15 recommend to admit?

16 MR. DeBROCK: I do not know.

17 MR. CHUNG: If she had disagreed, would that  
18 have changed your mind?

19 MR. DeBROCK: I don't know.

20 CHAIRMAN MIKVA: How many times did Chancellor  
21 Herman, did you have this kind of correspondence  
22 with Chancellor Herman about an admission, or phone  
23 conversations similar? How many times did he get  
24 interested in an admission?

1 MR. DeBROCK: I think this would be the only  
2 one.

3 CHAIRMAN MIKVA: Only one.

4 You've been involved as dean for what, a year  
5 now?

6 MR. DeBROCK: Well, I've been real dean since  
7 May. I was interim dean back at this earlier time.

8 CHAIRMAN MIKVA: How many times did you say  
9 that Trustee Shah had this kind of communication  
10 with you?

11 MR. DeBROCK: Really, this is the only time  
12 that -- in fact, I didn't see these, these until you  
13 showed me this exhibit.

14 CHAIRMAN MIKVA: But you knew he was involved?

15 MR. DeBROCK: I think I did.

16 CHAIRMAN MIKVA: Just a little curious. I may  
17 be reading this wrong. This last Exhibit 2, are  
18 e-mails dated April 2nd, is that right?

19 MR. DeBROCK: Correct.

20 CHAIRMAN MIKVA: And the whole process started  
21 on April 2nd, is that right? That can't be.

22 MR. DeBROCK: No, the, the appeals, the appeal  
23 happened back in early March.

24 CHAIRMAN MIKVA: Well, this, this letter from,

1 from Ms. Wilson to, to the applicant is dated  
2 April 2nd.

3 MR. DeBROCK: Correct.

4 CHAIRMAN MIKVA: And this, where she's asking  
5 for an interview, and then after that there's  
6 sometime, turns out the interview can't take place,  
7 that all didn't happen on April 2nd, did it?

8 MR. DeBROCK: No, it happened after.

9 CHAIRMAN MIKVA: But on April 2nd, you told the  
10 Chancellor that it was all set.

11 MR. DeBROCK: He was admitted by the college,  
12 but then what you, what we've been talking about  
13 here for the, for the, during the morning is the  
14 process that Jaqui Wilson and Alex S□ nchez were  
15 doing over the next few days about lining up the  
16 documentation and the credentials for this  
17 admission.

18 CHAIRMAN MIKVA: But you knew as of April 2nd,  
19 right, you communicated to Chancellor Herman and you  
20 knew that he had communicated to Chancellor [sic]  
21 Shah.

22 MR. DeBROCK: I did not know that he had  
23 communicated with Chancellor [sic] Shah.

24 CHAIRMAN MIKVA: He didn't send you a copy of

1 his response?

2 MR. DeBROCK: No.

3 CHAIRMAN MIKVA: So you didn't know that he had  
4 told Trustee Shah that he could transmit the news to  
5 the family?

6 MR. DeBROCK: No.

7 CHAIRMAN MIKVA: When did you find that out?

8 MR. DeBROCK: When, when you produced these  
9 documents for me.

10 CHAIRMAN MIKVA: And --

11 COMMISSIONER LOWRY: Given your experience,  
12 when you sent this e-mail on April 2nd knowing that  
13 the process was about to unfold in order for the  
14 documentation to be lined up.

15 MR. DeBROCK: Sure.

16 COMMISSIONER LOWRY: When you sent this e-mail,  
17 is it fair to say that at that point what you were  
18 writing here, you had no reason to believe, based on  
19 what you've testified here today, that he would not  
20 be admitted, because to your knowledge, none of  
21 these decisions had ever been overturned in the  
22 past; so when you wrote this, is it fair to say, you  
23 are saying that he's admitted and that all we're  
24 waiting for is the documentation to be lined up?

1 MR. DeBROCK: I was confident -- that's true.  
2 I was confident he was going to be in the class,  
3 there's no question.

4 COMMISSIONER LOWRY: Okay.

5 MR. DeBROCK: No question.

6 MR. CHUNG: Nothing further, Judge.

7 COMMISSIONER LOWRY: If we're finished with  
8 that, I do have another question.

9 Can you tell me if you are aware of any  
10 students that have been clouted into the MBA program  
11 or the Executive MBA program, in your tenure at the  
12 university, in any position?

13 MR. DeBROCK: I'm not aware.

14 COMMISSIONER LOWRY: You are not aware?

15 MR. DeBROCK: No.

16 CHAIRMAN MIKVA: So you didn't know about the  
17 Category I?

18 MR. DeBROCK: I'd heard about Category I,  
19 mostly from this panel, but I --

20 CHAIRMAN MIKVA: I'm talking about before this  
21 panel started.

22 MR. DeBROCK: Yeah. Once I became dean, I  
23 heard about Category I. I don't -- I never heard  
24 about Category I with respect to the MBA program.

1           COMMISSIONER LOWRY: Are you aware of any  
2 applicants whose admissions were tied to fund  
3 raising?

4           MR. DeBROCK: Where?

5           COMMISSIONER LOWRY: At the university.

6           MR. DeBROCK: Oh, not to my knowledge.

7           COMMISSIONER LOWRY: And you were never  
8 involved in any process for any applicant whose  
9 admission was related to fundraising in any way?

10          MR. DeBROCK: I have -- I mean, as I said,  
11 people contacted me about, about applications, all  
12 sorts of people, and some of them are alumni, but I  
13 forward those on to the, to the program?

14          COMMISSIONER LOWRY: Related to fundraising?  
15 You've received calls about applicants that are  
16 related to fundraising in any way?

17          MR. DeBROCK: No. I guess I don't understand  
18 what you mean by fundraising.

19          COMMISSIONER LOWRY: Fundraising. Anybody who  
20 has raised funds for the university.

21          MR. DeBROCK: Oh, no, no, I've never received  
22 those calls.

23          COMMISSIONER LOWRY: Never?

24          MR. DeBROCK: Not to my knowledge.

1           COMMISSIONER LOWRY: Are you aware of any  
2 sponsor that's contributed to the instructional  
3 facility?

4           MR. DeBROCK: There's lots of people who have  
5 contributed to the instructional facility.

6           COMMISSIONER LOWRY: That may have wanted an  
7 applicant to be admitted?

8           MR. DeBROCK: I'm sure that's happened.

9           COMMISSIONER LOWRY: Are you aware of any?

10          MR. DeBROCK: No.

11          COMMISSIONER LOWRY: How can you be sure it's  
12 happened, if you're not aware of any?

13          MR. DeBROCK: Well, I think that all people who  
14 have connections to the university would like to  
15 have their son or daughter get in, and that's, I  
16 think a natural, a natural response.

17          The question is, do we have an admissions  
18 program that stands up to making the right decision  
19 and taking people who are qualified in, and I  
20 believe we do.

21          COMMISSIONER LOWRY: Since you've been at the  
22 university, have you been involved in any redesign  
23 of the admissions process?

24          MR. DeBROCK: For the, for the, for the campus?

1 COMMISSIONER LOWRY: Of any kind.

2 MR. DeBROCK: I've been on, I was on the  
3 admissions committee for a few years in the  
4 Executive MBA program, but I don't think that can  
5 qualify as -- I don't think that answers your  
6 question, but that's about my only real contact with  
7 the admissions process.

8 COMMISSIONER LOWRY: So you were not involved  
9 in any way, in any type of redesign of an admissions  
10 process?

11 MR. DeBROCK: I don't recall such a thing.

12 COMMISSIONER LOWRY: Okay.

13 CHAIRMAN MIKVA: Thank you, sir, for your  
14 participation. I appreciate it.

15 Why don't we take a brief ten-minute facilities  
16 break.

17 (WHEREUPON, a recess was had.)

18 CHAIRMAN MIKVA: All right, we'll come to  
19 order.

20 Ms. Wilson, thank you very much for agreeing to  
21 appear before us.

22 MS. WILSON: You're welcome.

23 CHAIRMAN MIKVA: Ted, you can start.

24 MR. CHUNG: Ms. Wilson, please state your full

1 name and spell both your first name and your last  
2 name. I know the spelling of the first name is a  
3 little bit different.

4 MS. WILSON: It is very different. My first  
5 name is Jaquilin --

6 CHAIRMAN MIKVA: Pull the microphone closer.

7 MS. WILSON: Better?

8 CHAIRMAN MIKVA: Yes.

9 MS. WILSON: My first name is Jaquilin, spelled  
10 J-A-Q-U-I-L-I-N; last name is Wilson, W-I-L-S-O-N.

11 MR. CHUNG: Ms. Wilson, what do you do for the  
12 University of Illinois?

13 MS. WILSON: I am director of admissions for  
14 the Illinois MBA.

15 MR. CHUNG: For how long have you been director  
16 of admissions for the MBA program?

17 MS. WILSON: Oh, about four years.

18 MR. CHUNG: What did you do before that?

19 MS. WILSON: I was associate director of the  
20 MBA, before that I was assistant director.

21 MR. CHUNG: And as director of the MBA program  
22 for the past four years, what generally are your job  
23 duties?

24 MS. WILSON: To go out on the road, recruiting,

1 to go through all applications, read the whole  
2 applications, make decisions.

3 MR. CHUNG: With the dean, we talked a little  
4 bit about the process, but we didn't get into a lot  
5 of detail. Could you describe for the members of  
6 the commission in the typical application season or  
7 cycle, what the process involves?

8 MS. WILSON: Sure. Normally, the recruiting  
9 season is in the fall of the year, and normally the  
10 applications begin coming in sometime, usually early  
11 November.

12 When an application is complete, and that means  
13 that the items that we need to review the  
14 application, have all been received, then that  
15 application is ready for review. Goes to a first  
16 review, which is usually done by either the  
17 assistant or the associate director of admissions.  
18 After that review is done, they will make a decision  
19 of interview, if they think that applicant is strong  
20 enough that they want to interview either by phone  
21 or face to face.

22 Then if it is a person who they're not sure of,  
23 then they are put on, they suggest wait list. And  
24 if they say this person just doesn't meet our

1 standards, then they are denied.

2       After they have made the first read, then it  
3 goes to a second group. And normally this is made  
4 up of a selected group of our second-year students  
5 who will read the applications. They can make the  
6 decision of this person needs to be interviewed,  
7 this person doesn't quite meet it, so they should be  
8 wait listed or they should be denied.

9       If the person is, either by the first reader or  
10 the second reader, said to be interviewed, then they  
11 are invited for an on-campus interview. Send an  
12 e-mail asking them to set up an interview. If they  
13 write back and say, I'm sorry, I'm not able to come  
14 to the interview, then I will look through the  
15 application, just kind of initially, just look  
16 through it and say, okay, I think this one needs to  
17 have a phone interview.

18       And so at that point, either they come in for a  
19 face-to-face interview or we call them for an  
20 interview. Once the interview is complete, then it  
21 goes to the third reader, which is myself, and I  
22 take into account what the first reader said, what  
23 the second reader said, and go through the file page  
24 by page, looking at it holistically, looking for

1 strengths, looking for weaknesses. And it's not  
2 just a numbers game. It's looking at that  
3 application to see what that person has to offer to  
4 the Illinois MBA, and whether we think they could be  
5 a fit for the Illinois MBA.

6 At that point, I make a decision. My decision  
7 would be to deny that applicant, would be to put  
8 that applicant on the wait list, or it could be to  
9 admit that applicant.

10 At that point, once I have made that decision,  
11 the decision then is entered and a letter is  
12 generated for that person, saying that the Illinois  
13 MBA, one, has denied you admission; two, has placed  
14 you on the wait list; three, you are admitted and  
15 you'll receive your packet.

16 If the person has been admitted, then we  
17 start -- you ask about the referral process, and  
18 admit to referral is something we do to send it to  
19 the Graduate College so that the Graduate College  
20 then can make the admission, the official admission  
21 of that person to the University of Illinois.

22 MR. CHUNG: That's very helpful.

23 Can we talk about what happens internally  
24 within the College of Business, before you get to

1 the referral stage.

2 You, as I understood it, ma'am, you talked  
3 about three separate readings.

4 MS. WILSON: Correct.

5 MR. CHUNG: Is it fair to say that with regard  
6 to the first two of those, there is no process or  
7 procedure by which people could get admitted in  
8 advance of the third reading?

9 MS. WILSON: That is correct.

10 MR. CHUNG: There's no automatic first or  
11 second reading admit?

12 MS. WILSON: They can recommend an interview,  
13 which we know then could lead to an admit but, no,  
14 they would not say admit this person.

15 MR. CHUNG: So all admissions ultimately come  
16 through you and are made by you after the third  
17 read?

18 MS. WILSON: Correct.

19 MR. CHUNG: Or off of the wait list, after the  
20 final read?

21 MS. WILSON: Correct.

22 MR. CHUNG: And as you described, at the first  
23 read, a decision could be made with regard to  
24 interview; at the second read, decision could be

1 made with regard to interview; but in any event, to  
2 get to the third read, an interview has to occur?

3 MS. WILSON: Correct.

4 MR. CHUNG: So is it fair to say that an  
5 interview of an applicant is an essential  
6 prerequisite, a requirement to ultimate admission?

7 MS. WILSON: In the past couple of years, all  
8 of our admitted students have been interviewed  
9 either face to face or by phone.

10 MR. CHUNG: And that occurs, just so we're  
11 clear, before the College of Business makes its  
12 decision to admit, that then goes to the college --  
13 to the Graduate College, correct?

14 MS. WILSON: Correct.

15 MR. CHUNG: Now, there is one exception to  
16 that, correct, the Shah-sponsored applicant to this  
17 interview requirement?

18 MS. WILSON: It is not, to my knowledge.

19 MR. CHUNG: Okay. But putting that one aside,  
20 your experience is that all applicants to the MBA  
21 program at the University of Illinois who get  
22 ultimately referred to the college, the Graduate  
23 College, have received an interview?

24 MS. WILSON: Correct.

1           CHAIRMAN MIKVA: Before we leave the Graduate  
2 College, can I ask, do they ever turn down your  
3 recommendations that people be admitted?

4           MS. WILSON: In my tenure, I have not had  
5 anyone denied admission by the Graduate College  
6 after I have sent them over for admission.

7           CHAIRMAN MIKVA: So it's kind of a pro forma.  
8 Do they just check to see that you haven't made  
9 mathematical mistakes or that it doesn't turn out  
10 that John Dillinger's son is on the list or  
11 something like that? What's the --

12          MS. WILSON: Well, they go further than what we  
13 do, okay. We do the initial look-through, review.  
14 We do a GPA, as we know how to do it, but they will  
15 continue that and do a GPA, a more in-depth GPA, a  
16 more in-depth accreditation for the university, and  
17 then they also have to go through the finances for  
18 any international applicant, because they are the  
19 ones that have to do the I-20 Processing.

20          We don't do any of that, so all of this  
21 paperwork that we send is for them to do their  
22 admission and to supply the I-20 to this applicant.

23          CHAIRMAN MIKVA: But is it fair to say, that  
24 putting that financing thing aside for foreign

1 students, that if you all have done your job, the  
2 college admissions, really, is just a kind of an  
3 oversight to the --

4 MS. WILSON: The Graduate College admission?

5 CHAIRMAN MIKVA: Graduate College, right.

6 MS. WILSON: It is, except that there are some  
7 cases where we're not sure about accreditation,  
8 because we don't have all of the --

9 CHAIRMAN MIKVA: Yeah, I understand, yes.

10 MS. WILSON: -- all the resources.

11 CHAIRMAN MIKVA: But, again, they, where you  
12 can't do some job, they will do it, but otherwise  
13 they'll just make sure you've done yours as a group?

14 MS. WILSON: Right.

15 COMMISSIONER JUDGE: Have they ever denied  
16 anybody that you said admit?

17 MS. WILSON: Not in my tenure.

18 COMMISSIONER SCHOLZ: Prior to you sending  
19 those along internally, Ms. Wilson, you mentioned an  
20 applicant's either going to get denied, wait listed,  
21 or accepted.

22 MS. WILSON: Right. Interview.

23 COMMISSIONER SCHOLZ: But the dean also talked  
24 about how, when you have a clear picture of your

1 class profile, that people get a second look.

2 Are those people that are on the wait list or  
3 does --

4 MS. WILSON: That would be --

5 COMMISSIONER SCHOLZ: -- somebody that's been  
6 denied have another opportunity?

7 MS. WILSON: Those would be the people that are  
8 on the wait list that we would look at for, to fill  
9 in the class, as we would like to have it.

10 COMMISSIONER LOWRY: So it's not your  
11 experience that any applicant who has been denied  
12 has then received a second look after you've  
13 reviewed the class profile and realized that you  
14 needed to fill in gaps?

15 MS. WILSON: In my tenure, I have not.

16 COMMISSIONER LOWRY: For any other reasons?

17 MS. WILSON: To go back to a denied applicant?

18 COMMISSIONER LOWRY: Yes.

19 MS. WILSON: No.

20 MR. CHUNG: In a typical year, and maybe there  
21 is no typical year, but if there is one, how many  
22 people would be on the wait list?

23 MS. WILSON: Oh, that varies. It depends upon  
24 the number of applications we get each year and that

1 varies greatly. It has varied greatly in the last  
2 eight years, so I would say never less than a  
3 hundred on a wait list, at the largest point. At  
4 the largest number, there would never be less than a  
5 hundred.

6 Does that make sense?

7 MR. CHUNG: So in some instances or some years  
8 you're going to have more than a hundred people on  
9 the wait list?

10 MS. WILSON: Correct.

11 MR. CHUNG: International students, can you  
12 describe the general process? I guess the question  
13 I would have for you is, if you have international  
14 applicants, which I'm sure you do every year, does  
15 the process vary at all, internally within the  
16 College of Business?

17 MS. WILSON: The only thing that is different  
18 for the international students is the, the TOEFL,  
19 which is required of anyone coming from a  
20 non-English speaking country. The TOEFL is required  
21 of them.

22 Also, the finances that they must show is,  
23 would be different for them. And we also know that  
24 interviewing for international applicants, normally

1 they cannot come to campus, especially from some of  
2 the, some of the countries it's more difficult to  
3 get visas from.

4 COMMISSIONER LOWRY: How often is the TOEFL  
5 requirement waived --

6 MS. WILSON: For the full time MBA students?  
7 Rarely, if ever, and it might be -- I think we had  
8 one case this year where the person which schooled  
9 here, the rule is that they have to come to a  
10 masters program within five years. I think this  
11 person was six years out, but they had worked in the  
12 U.S. ever since they graduated so.

13 COMMISSIONER LOWRY: So you had proof of  
14 their --

15 MS. WILSON: Right. And we had talked to them  
16 face to face at home, and we were, we had no problem  
17 whatsoever.

18 MR. CHUNG: Has your office ever waived the  
19 interview requirement for an international student?

20 MS. WILSON: If the last couple of years, no,  
21 we have done, we have interviewed everyone who has  
22 become a student.

23 MR. CHUNG: And what is the purpose an  
24 interview, particularly one for an international

1 applicant?

2 MS. WILSON: Well, one, is to check out their  
3 English skills, to make sure that they can answer a  
4 question, understand our question and that we can  
5 understand them and their answer.

6 It's also to find out a little more about them,  
7 if there's something in their application that we  
8 might want to know more about. So all interviews  
9 are a little different, depending upon the applicant  
10 and what they've put in their essays or their  
11 applications.

12 So initially, it's that the verbal skills to  
13 make sure they understand me, but then there's,  
14 maybe something else we want to find out about them.

15 MR. CHUNG: As you go through your internal  
16 process of three different reads, are there  
17 substantive criteria or guidelines that the readers  
18 apply to information in the application?

19 MS. WILSON: The first reader, as I said, would  
20 be the, either the assistant or the associate  
21 director. They're looking at it at a little bit  
22 different angle than what the second reader would.

23 The second reader is usually a student, and  
24 when we have students, we work with them, they teach

1 them or we teach them kind of what we would like for  
2 them to look at. And it's mainly, would this be  
3 someone you would like to work on a team with? Is  
4 this someone that you think would fit in well in the  
5 Illinois MBA? Do you think they can do the course  
6 work? Do you think they would take on leadership?

7       So they're looking at it a little bit different  
8 angle because they're looking at it from a student  
9 to a student, where we're looking at it from an  
10 admissions committee to a student.

11       MR. CHUNG: What about with regard to numeric  
12 scores, like grade point averages, the GMAT, right,  
13 the GMAT scores, are there any guidelines or, for  
14 that matter, requirements for scores before you can  
15 progress on the process?

16       MS. WILSON: No.

17       MR. CHUNG: Okay.

18       MS. WILSON: We do not have minimums. As I  
19 said, the application's looked at holistically.

20       MR. CHUNG: Okay. Now, going back to  
21 international students, is it fair to say that over  
22 time the MBA program and its admission staff has  
23 accumulated experience dealing with applicants from  
24 particular countries?

1 MS. WILSON: Yes, I would say, for the most  
2 part.

3 MR. CHUNG: How many international applicants  
4 do you tend to get in a typical year?

5 MS. WILSON: What's typical?

6 MR. CHUNG: Again --

7 MS. WILSON: Like in the last eight years, it  
8 has gone down and back up, so I'm not sure what  
9 typical would be. I can say majority of the  
10 applications are international.

11 CHAIRMAN MIKVA: The majority?

12 MS. WILSON: Mm-hmm.

13 MR. CHUNG: In what countries, typically --  
14 maybe I shouldn't use that word again -- what  
15 countries tend to be countries from which MBA  
16 students apply to the University of Illinois?

17 MS. WILSON: Our largest country of  
18 applications is India, second is China, and Taiwan  
19 right in there.

20 MR. CHUNG: So again, in a year, a given year,  
21 how many applicants might you see from people from  
22 India?

23 MS. WILSON: I have no idea.

24 MR. CHUNG: Dozens?

1 MS. WILSON: Oh, hundreds.

2 MR. CHUNG: And in the course of reviewing  
3 those applications, is it fair to say that the, your  
4 staff become acquainted with grading practices of  
5 various Indian universities?

6 MS. WILSON: On the whole, but there are some  
7 who are beyond us, because we get so few from that  
8 particular school or that particular grading scale  
9 or, and so a lot of the Indian grade GPAs, if  
10 they're not the standard, we will have someone else  
11 look at those.

12 MR. CHUNG: But there are certain universities,  
13 institutions in India that send enough applicants  
14 that your staff gets to understand how they go about  
15 grading.

16 MS. WILSON: Yes.

17 MR. CHUNG: Is it fair to say that in the  
18 various stages of review, first read, second read,  
19 third read, that people on your staff endeavor to  
20 look at an Indian applicant's grade point average  
21 and come to an understanding of how to do the apples  
22 to apples comparison with regard to American  
23 universities?

24 MS. WILSON: For the norm, yes.

1 MR. CHUNG: Okay. And in a typical case, then,  
2 if a decision is made to deny an Indian applicant,  
3 in light of the holistic approach you take, is it  
4 fair to say that the grade point average from the  
5 Indian university is one of many factors taken into  
6 account?

7 MS. WILSON: It is one of many.

8 MR. CHUNG: Okay. And language ability as  
9 well --

10 MS. WILSON: Yes.

11 MR. CHUNG: -- apparent language ability will  
12 be taken into account?

13 MS. WILSON: Definitely.

14 MR. CHUNG: Would it be fair to say that if  
15 someone was not granted -- an Indian candidate,  
16 let's talk about that, was not granted an interview  
17 and was denied on the basis of other factors within  
18 the applicant's file, that that other information in  
19 the file was not sufficient to even warrant an  
20 interview for that candidate?

21 MS. WILSON: Yes.

22 MR. CHUNG: Okay. When you look at a  
23 candidate, let's again keep focusing on the  
24 international candidate from India, are there any

1 kind of numeric scores associated to that particular  
2 applicant? We've heard, for instance, from  
3 undergrad officers who talk about giving particular  
4 candidates scores of 1, 2, 3, 4, 5; you don't have  
5 that kind of ranking or grading system?

6 MS. WILSON: No, no.

7 MR. CHUNG: I just want it clear, is it  
8 possible that an applicant could not even make it to  
9 the second read or is a denial from the first read  
10 merely a recommendation that it gets pushed down to  
11 the second or third read?

12 MS. WILSON: The first read is a  
13 recommendation, and then they all will go to a  
14 second read. If they're denied, they go to a second  
15 read. If they are interview, then the, they don't  
16 go to the student committee for a second read. What  
17 they do is they go for the interview and the  
18 interview is the second read.

19 Does that make sense?

20 MR. CHUNG: I'm sorry -- I'm sure it does to  
21 others.

22 MS. WILSON: Okay. A first reader can make one  
23 of three recommendations, okay. They can recommend  
24 to deny. If that person is denied by the first

1 reader, they would move to the second reader, which  
2 is the group of students. If that group says deny,  
3 that, those applications come to me for a read. If  
4 that first reader made the decision or a  
5 recommendation to wait list, then the second reader  
6 could make the decision of, I want this person  
7 interviewed, I would like to have this person wait  
8 listed, or deny. Okay, so that's a recommendation.

9       If that second one says, we need to have this  
10 one interviewed, but the first one said deny, then  
11 it will come to me and I will do a preliminary and  
12 say, okay, not strong enough for an interview but  
13 maybe too strong to deny, so they'll do wait list,  
14 so it varies with each application.

15       MR. CHUNG: I need a flow chart, but maybe  
16 another way to ask it is, can you estimate in a  
17 typical year how many applicants are denied without  
18 ever getting an interview?

19       MS. WILSON: I cannot estimate. That changes  
20 every year, and I, I just wouldn't have that number.

21       MR. CHUNG: How many applicants do you tend to  
22 have in a year?

23       MS. WILSON: This year we have about 700, a  
24 little over 700.

1 MR. CHUNG: And this year, how many interviews  
2 did you --

3 MS. WILSON: I have not done those figures yet  
4 because we're still in the process. I would guess  
5 probably 250, maybe 250 to 300.

6 MR. CHUNG: So not quite half of the applicant  
7 population, but more than 30 or 40 percent or so are  
8 in that vicinity.

9 What is your yield on offers? What percentage  
10 of people who are extended offers get, actually  
11 accept those offers, offers to enroll.

12 MS. WILSON: It's usually right around half,  
13 50 percent, somewhere between 40 and 50 percent.  
14 I'm sorry, 50 and 60 percent, depending upon the  
15 year.

16 MR. CHUNG: And then the final question on  
17 process, and I apologize for taking so much time --

18 MS. WILSON: That's okay.

19 MR. CHUNG: -- on process, but in terms of the  
20 actual ultimate decision, at whatever stage it  
21 happens, is it a collective process on behalf of the  
22 entire -- involving the entire staff or is it one  
23 person's decision, namely, your decision?

24 MS. WILSON: It varies, that varies.

1           The first read, the second read, or the  
2 interview, and then my interpretation of it. If  
3 it's a fairly clear cut decision, I make it. If  
4 it's something that I feel I need to involve others,  
5 it may be the first reader, it may be the  
6 interviewer, it could be my associate dean, then we  
7 talk about it to make a collaborative decision.

8           MR. CHUNG: You said the associate dean. Is  
9 that someone who is typically involved in the  
10 admissions process for the business school?

11          MS. WILSON: Yes. Well, she has been,  
12 especially in those cases where we need to talk  
13 about an applicant or scholarship dollars or  
14 anything like that, she could become involved.

15          MR. CHUNG: When, if ever, do you involve the  
16 dean of the college or, for that matter, anyone else  
17 out -- officially outside of your admissions process  
18 in a decision on a particular applicant?

19          MS. WILSON: I, I don't recall doing that.

20          MR. CHUNG: You -- Ms. Wilson, you've been here  
21 all morning and you've had the opportunity to listen  
22 to the testimony that's given to this point  
23 concerning, in particular, concerning an applicant  
24 to the MBA program sponsored by Trustee Shah?

1           You have to answer.

2           MS. WILSON:   Correct, sorry.

3           MR. CHUNG:   One of the questions that was asked  
4 of the earlier witness today was a question asked by  
5 Commissioner Judge, and if I'm not mistaken, the  
6 question was something to the effect of, on a  
7 spectrum or scale of repugnant to respectable, where  
8 would you place the admission of the Shah-sponsored  
9 MBA applicant?

10          I would pose the very same question to you.  On  
11 a scale of repugnant to respectable, where would you  
12 place that applicant?

13          MS. WILSON:   I guess lower middle.

14          CHAIRMAN MIKVA:  Pardon?

15          MS. WILSON:   Lower middle.  I kind of -- I  
16 wouldn't say a great applicant and I would not say  
17 repugnant.

18          Does that --

19          COMMISSIONER JUDGE:  That's fine.

20          On this candidate, there were three levels of  
21 review, as you've already explained to us.  Was this  
22 candidate denied on the first level?

23          MS. WILSON:   Yes.

24          COMMISSIONER JUDGE:  Second level?

1 MS. WILSON: Yes.

2 COMMISSIONER JUDGE: Third level?

3 MS. WILSON: Yes.

4 COMMISSIONER JUDGE: And you've already  
5 testified that a person denied 1, 2, 3, in those  
6 three levels, was not later accepted, with the  
7 exception of this one case, in your experience in  
8 four years?

9 MS. WILSON: In my, right.

10 COMMISSIONER JUDGE: Do you have any idea what  
11 possibly could be involved in this prior testimony,  
12 where it was said that it was obvious the person was  
13 capable of doing the work and that they should be  
14 accepted?

15 MS. WILSON: I, I do not know.

16 COMMISSIONER JUDGE: Does it make any sense to  
17 you logically?

18 MS. WILSON: I can't answer that. I don't  
19 know.

20 COMMISSIONER JUDGE: You've never had that  
21 thought along those lines for any candidate that you  
22 were involved with?

23 MS. WILSON: No.

24 COMMISSIONER JUDGE: Thank you very much.

1           COMMISSIONER LOWRY: Of every candidate that  
2 you have seen in your four years, let's take the  
3 worst of the worst, where you had to really wrestle  
4 with giving them a green light, is this candidate  
5 worse than that one, given three denials?

6           MS. WILSON: Yes.

7           COMMISSIONER LOWRY: Thank you.

8           CHAIRMAN MIKVA: Have there been any other  
9 occasions where you've known the dean to be involved  
10 in admissions, besides this one?

11          MS. WILSON: Not to my recollection, but I'm  
12 not at the level where, where I would have a  
13 conversation that way.

14          CHAIRMAN MIKVA: Have you ever known of any  
15 decisions, any admissions, problems, or decisions  
16 where the chancellor was involved.

17          MS. WILSON: No.

18          CHAIRMAN MIKVA: Or the trustees?

19          MS. WILSON: No.

20          CHAIRMAN MIKVA: So those never came to you?  
21 You don't know that there weren't any, but they --

22          MS. WILSON: Correct.

23          CHAIRMAN MIKVA: Now, have there been cases  
24 where people have been admitted that didn't go

1 through your office, like this one, where it had  
2 been denied or maybe somebody just applied  
3 separately and it didn't go through your office?

4 Have there been any --

5 MS. WILSON: I cannot recall any.

6 CHAIRMAN MIKVA: Have you ever heard of the "I"  
7 list before this?

8 MS. WILSON: I had not, until all of this came  
9 out several months ago. I didn't have any idea.

10 CHAIRMAN MIKVA: Because you have -- is your  
11 office involved in the undergraduate admissions --

12 MS. WILSON: No.

13 CHAIRMAN MIKVA: -- to the business school?

14 MS. WILSON: No. We do Illinois MBA only.

15 CHAIRMAN MIKVA: Only.

16 COMMISSIONER LOWRY: Have there ever been any  
17 applicants, to your knowledge, where even though  
18 they may have gone through the process of first,  
19 second, and third reader, that the, their initial  
20 contact with your office or with the admissions  
21 office came through someone outside of the  
22 university?

23 MS. WILSON: Not to my knowledge.

24 COMMISSIONER LOWRY: So every applicant

1 submitted an application.

2 MS. WILSON: Mm-hmm, yes. All -- anyone that  
3 was ever admitted to our program had to fill out an  
4 application.

5 COMMISSIONER LOWRY: The people who review the,  
6 these files, is it -- how large is that staff?

7 MS. WILSON: That review the applications?

8 COMMISSIONER LOWRY: Yeah, after the first  
9 reader.

10 MS. WILSON: The group of students --

11 COMMISSIONER LOWRY: Associate dean, you said,  
12 right?

13 MS. WILSON: There's associate director or  
14 assistant director.

15 COMMISSIONER LOWRY: That's two people?

16 MS. WILSON: Right, two people.

17 COMMISSIONER LOWRY: And then the second are  
18 the students?

19 MS. WILSON: Correct.

20 COMMISSIONER LOWRY: How many student readers  
21 do you have in one given application process?

22 MS. WILSON: It varies. I think in this past  
23 year we had ten.

24 COMMISSIONER LOWRY: And then the third is you?

1 MS. WILSON: Correct.

2 COMMISSIONER LOWRY: And in that ten, is that a  
3 diverse group of students?

4 MS. WILSON: Yes, it is.

5 COMMISSIONER LOWRY: What's the diversity?

6 MS. WILSON: We have international, we have  
7 domestic, we have underrepresented minorities as  
8 well as --

9 COMMISSIONER LOWRY: Out of the ten, could you  
10 just give me a more accurate description?

11 MS. WILSON: I would say probably 50 percent of  
12 them are domestic, and of the --

13 COMMISSIONER LOWRY: Can you give me a racial  
14 breakdown?

15 MS. WILSON: A racial?

16 COMMISSIONER LOWRY: Yeah. It's just ten  
17 people.

18 MS. WILSON: I would guess there were like  
19 three or four from India.

20 Is that what you mean?

21 COMMISSIONER LOWRY: Mm-hmm.

22 MS. WILSON: Okay. Let's see, I think there  
23 were maybe one from Korea. I'm trying to think. A  
24 couple from China, I think there was one from Latin

1 America. I think the others were domestic.

2 COMMISSIONER LOWRY: And what were they, the  
3 domestic ones?

4 MS. WILSON: I think there was one  
5 African-American, one Hispanic, and I think half of  
6 them were female, half of the entire group.

7 And that's just what I remember. I don't do  
8 the recruiting or the student committee. That's the  
9 associate director's required, or is her  
10 responsibility.

11 COMMISSIONER LOWRY: Thank you.

12 CHAIRMAN MIKVA: Chung.

13 MR. CHUNG: Ms. Wilson, you answered to a few  
14 of these questions "I don't know," and to me that  
15 suggests you were not involved in the  
16 decision-making process, with respect to the Shah  
17 MBA applicant.

18 Is that a fair statement?

19 MS. WILSON: I would have to know the direct  
20 question.

21 MR. CHUNG: The question is, were you involved  
22 in the decision-making process within the College of  
23 Business, with regard to the Shah MBA applicant?

24 MS. WILSON: For the, the admission part of it?

1 Are you talking about in, in March, yes.

2 MR. CHUNG: In March, that was the denial.

3 MS. WILSON: The decision was the denial.

4 MR. CHUNG: Okay, let's talk about it that way.

5 In the denial, what was your involvement, as of  
6 the March denial, in the Shah MBA candidate?

7 MS. WILSON: I made the decision to deny.

8 MR. CHUNG: How difficult of a decision was  
9 that, if you recall?

10 MS. WILSON: I really don't recall at this  
11 point.

12 MR. CHUNG: Did you become, at any point in  
13 time subsequent to that, familiar with his, with the  
14 applicant's file? Did you review the file, for  
15 instance, and make some determination about its  
16 merits or the lack thereof?

17 MS. WILSON: It was reviewed again in April.

18 MR. CHUNG: Okay.

19 MS. WILSON: And at that time, we went through  
20 the file again, I went through the file again, and  
21 that's when we did the GPA and the accreditation.

22 MR. CHUNG: And that's when you did the review,  
23 your staff did a review?

24 MS. WILSON: [Nodding.]

1 MR. CHUNG: Between March, the denial in March  
2 and then the beginning of the review in April, what  
3 additional information was put into the file by  
4 anybody?

5 MS. WILSON: Nothing that I know of.

6 MR. CHUNG: Okay. And then what additional  
7 information came into the file after you began the  
8 review process for this particular applicant?

9 MS. WILSON: The invite to interview, some of  
10 the e-mails are put into the file.

11 MR. CHUNG: Some of what we've already seen  
12 today?

13 MS. WILSON: Yes, yes. The review from Alex,  
14 those e-mails, those things would have gone into his  
15 file.

16 MR. CHUNG: Was there anything that went into  
17 the file after the review process started that  
18 strengthened the applicant?

19 MS. WILSON: No, not that I can recall.

20 MR. CHUNG: Was there anything that, in your  
21 professional judgment, weakened the applicant?

22 MS. WILSON: Weakened from what I had thought  
23 in the beginning, no.

24 MR. CHUNG: And when you say what you had

1 thought in the beginning, you had concerns about  
2 this applicant, in terms of his or her suitability  
3 for admission?

4 MS. WILSON: Correct.

5 MR. CHUNG: What were those concerns?

6 MS. WILSON: The university that he had, that  
7 the person had attended, the GPA, and I can't  
8 remember now, maybe the work experience. I don't  
9 remember what the weaknesses were of that particular  
10 applicant.

11 MR. CHUNG: Would it be fair to say that the  
12 review that was conducted in April verified or  
13 confirmed your initial concerns?

14 MS. WILSON: Yes.

15 MR. CHUNG: So let's talk then about your role,  
16 if any, with regard to the April time sequence.

17 What role did you have with regard to what  
18 turned out to be a College of Business decision to  
19 refer to admit to the Graduate College?

20 MS. WILSON: I sent the e-mail to invite them  
21 to inter -- to interview. The interview was  
22 scheduled. I conducted that interview.

23 MR. CHUNG: I'm sorry, can I stop you?

24 MS. WILSON: Sure.

1 MR. CHUNG: The testimony from earlier today  
2 was that by the time you did that the decision had  
3 already been made, so I'm wondering what you did  
4 before the decision to admit, on behalf of the  
5 College of Business was made? What did you do?

6 MS. WILSON: I did not -- I do not recall doing  
7 anything prior to April 2nd.

8 MR. CHUNG: Do you recall having any knowledge  
9 whatsoever that there was some effort by somebody to  
10 resurrect the Shah MBA applicant file?

11 MS. WILSON: Prior to April 2nd?

12 MR. CHUNG: Prior to April 2nd.

13 MS. WILSON: No.

14 MR. CHUNG: What is your understanding of how  
15 it came to be that on April 2nd the College of  
16 Business makes a decision to refer to admit this  
17 applicant?

18 MS. WILSON: The first I knew, my associate  
19 dean said that we needed to reconsider an  
20 application.

21 MR. CHUNG: When did that occur?

22 MS. WILSON: When? April 2nd.

23 MR. CHUNG: And that started the process within  
24 the admissions office for, for instance, interviews,

1 credential review, review of the university, et  
2 cetera?

3 MS. WILSON: Correct.

4 MR. CHUNG: Okay.

5 COMMISSIONER LOWRY: Just for clarification,  
6 that associate dean is someone that you answer to?

7 MS. WILSON: Yes.

8 COMMISSIONER LOWRY: And that's the associate  
9 dean that reports to Mr. DeBrock?

10 MS. WILSON: Correct.

11 MR. CHUNG: And her name is?

12 MS. WILSON: Mary Miller.

13 MR. CHUNG: Did Mary Miller ever explain to  
14 you, either in April or some subsequent time, what  
15 it was that spurred this effort to reevaluate a  
16 denied candidate?

17 MS. WILSON: We had a conversation during that  
18 week, I don't know what day it was, about the review  
19 processing and having to review someone after they  
20 had been denied.

21 Are you --

22 MR. CHUNG: My question would be, and this is a  
23 purely hypothetical, Mary comes to you and, says,  
24 you know, Jaqui, we've got a unique request, a high

1 up person has asked that we look at this file. I  
2 mean, that would be a situation that might, might  
3 cause the college to then do that.

4 MS. WILSON: Right.

5 MR. CHUNG: Did something like that happen?  
6 Was something like that explained to you? I guess  
7 my question is, it's probably an out-of-the-ordinary  
8 occurrence, what is causing is my question? Did you  
9 have an understanding of what was causing it?

10 MS. WILSON: In my recollection, it was someone  
11 had inquired about this particular person.

12 CHAIRMAN MIKVA: You didn't know who this  
13 someone was?

14 MS. WILSON: I did not at that time.

15 COMMISSIONER LOWRY: When did you find out?

16 MS. WILSON: Later, I'm going to say through  
17 the, when I talked to Peg Rawles.

18 COMMISSIONER LOWRY: So within about a day or  
19 two.

20 MS. WILSON: Whatever day the e-mails started  
21 from Peg, so maybe the 4th, it looks like, maybe.

22 CHAIRMAN MIKVA: When did you --

23 MS. WILSON: -- when we had a conversation.

24 CHAIRMAN MIKVA: When did you see the e-mail

1 from the dean to Chancellor Herman, saying that the  
2 student had been admitted?

3 MS. WILSON: I had not seen that e-mail until I  
4 was going through the e-mails for review.

5 CHAIRMAN MIKVA: I was going to ask you that.

6 So on April 2nd, when Ms. Miller talked to you,  
7 on or about April 2nd, did you know a decision had  
8 been made to admit the student at that point?

9 MS. WILSON: No, I did not.

10 CHAIRMAN MIKVA: You did not? You were just  
11 being asked to reconsider it?

12 MS. WILSON: Right.

13 CHAIRMAN MIKVA: Were you aware that Chancellor  
14 Herman was interested in that student at all?

15 MS. WILSON: Not on that day.

16 CHAIRMAN MIKVA: When did you find out that he  
17 was?

18 MS. WILSON: When I talked to Peg Rawles, she  
19 had called me, and she told me who she was. I  
20 didn't know who Peg Rawles was, and so I questioned,  
21 and she told me she was from Chancellor Herman's  
22 office, and she was inquiring.

23 CHAIRMAN MIKVA: About the student?

24 MS. WILSON: [Nodding.]

1 CHAIRMAN MIKVA: And you'd never met  
2 Trustee Shah?

3 MS. WILSON: No.

4 CHAIRMAN MIKVA: And you certainly didn't know  
5 of his interest until?

6 MS. WILSON: Until.

7 COMMISSIONER JUDGE: So when you were being  
8 asked to review this application, you did not know  
9 that the person had already been accepted; that your  
10 denial had been reversed and that person had been  
11 accepted.

12 MS. WILSON: [Nodding.]

13 CHAIRMAN MIKVA: So what you were doing was out  
14 of your knowledge was you were engaged in a sham?

15 MS. WILSON: Well, I don't know if I would go  
16 that far. I was reviewing the application for  
17 possible admission.

18 COMMISSIONER JUDGE: You thought that you still  
19 were playing a role?

20 MS. WILSON: Right.

21 COMMISSIONER JUDGE: And you were playing no  
22 role, is that correct?

23 MS. WILSON: [Nodding.]

24 COMMISSIONER LOWRY: How did it make you feel

1 when you discovered that this applicant had already  
2 been admitted?

3 MS. WILSON: I guess uncomfortable.

4 COMMISSIONER LOWRY: What did you do --

5 MS. WILSON: Wondering, I guess what, what my  
6 role.

7 COMMISSIONER LOWRY: Did you question that with  
8 anyone?

9 MS. WILSON: Probably my boss.

10 COMMISSIONER LOWRY: Who?

11 MS. WILSON: Associate dean.

12 COMMISSIONER LOWRY: And that's Mary Miller.

13 MS. WILSON: Mm-hmm.

14 COMMISSIONER LOWRY: And what was that  
15 exchange? Can you share that with us? Do you  
16 remember?

17 MS. WILSON: I don't remember. It was just a  
18 conversation that --

19 COMMISSIONER LOWRY: Was it a heated exchange,  
20 you know?

21 MS. WILSON: No, no.

22 COMMISSIONER LOWRY: But you were asking --

23 MS. WILSON: It was just a discussion.

24 COMMISSIONER LOWRY: So you don't remember what

1 she told you?

2 MS. WILSON: I don't remember what she told me  
3 at all.

4 COMMISSIONER LOWRY: And whatever she said to  
5 you was enough to satisfy you and make you feel  
6 better?

7 MS. WILSON: I think it was out of my hands.

8 COMMISSIONER LOWRY: Did it make you feel any  
9 better?

10 MS. WILSON: Probably not.

11 COMMISSIONER LOWRY: And you never spoke to  
12 anyone else about it?

13 MS. WILSON: As far as -- well --

14 COMMISSIONER LOWRY: About your discomfort?

15 MS. WILSON: No.

16 COMMISSIONER LOWRY: Did you feel that any  
17 ethical policies had been breached?

18 MS. WILSON: Probably. It probably crossed my  
19 mind.

20 CHAIRMAN MIKVA: Is it correct, though, that  
21 you didn't really know where this decision had been  
22 made?

23 MS. WILSON: That is correct.

24 CHAIRMAN MIKVA: I mean, under the scheme of

1 things, it could have been the dean, it could have  
2 been the chancellor?

3 MS. WILSON: Could have been my associate.

4 CHAIRMAN MIKVA: Could have been the president?

5 MS. WILSON: [Nodding.]

6 MR. CHUNG: Do you have any understanding,  
7 Ms. Wilson, as you sit here today, that anyone on  
8 your staff, in the admissions staff, unbeknownst to  
9 you at the time, was involved in this Shah  
10 application in the April time frame?

11 MS. WILSON: No.

12 MR. CHUNG: Is it your understanding, in fact,  
13 that they, no one on your staff was involved, is  
14 that your understanding?

15 MS. WILSON: That is my understanding.

16 MR. CHUNG: What is your understanding of how  
17 this came about, then, if you have one?

18 MS. WILSON: Just through the associate dean.  
19 That was all I, I knew. It wasn't from anyone else,  
20 if that's what you're asking.

21 MR. CHUNG: I guess maybe more directly, who  
22 made the decision, if you know, on April 2nd or  
23 sometime prior to April 2nd, to admit this applicant  
24 without bothering to tell your office or to charge

1 your office with any responsibilities --

2 MS. WILSON: All I know is what I read in the  
3 e-mails.

4 COMMISSIONER LOWRY: Do you have any  
5 recollection at all from your conversation with  
6 Mary, whether or not she indicated that she was  
7 following the direction of Mr. DeBrock?

8 MS. WILSON: I do not. You would have to ask  
9 her.

10 COMMISSIONER LOWRY: What was your feeling?  
11 Throughout this process, did you ever feel that he  
12 was the initiator?

13 MS. WILSON: No, I did not.

14 CHAIRMAN MIKVA: Chung.

15 MR. CHUNG: If the decision had been left up to  
16 you ultimately, you would have stuck with your  
17 original decision, correct?

18 MS. WILSON: That is correct.

19 MR. CHUNG: And it would have been no question  
20 in your mind that that was the right decision,  
21 correct?

22 MS. WILSON: Correct.

23 MR. CHUNG: Now, as it turned out, for about a  
24 7, 8, or 9-day period you had personnel in your

1 staff conducting an expedited review of this file,  
2 correct?

3 MS. WILSON: Right.

4 MR. CHUNG: And they spent a lot of time  
5 compiling information with regard to this person's  
6 academic background, correct?

7 MS. WILSON: Correct.

8 MR. CHUNG: And it turned out to be that the  
9 student was from an unaccredited, or at least as far  
10 as you can tell, an unaccredited Indian university?

11 MS. WILSON: Correct.

12 MR. CHUNG: Has there ever been actual, final  
13 confirmation that the university that this applicant  
14 came from is, in fact -- at the time was, in fact,  
15 unaccredited? You don't know?

16 MS. WILSON: I don't know. That went through  
17 the Graduate College, and I would never know whether  
18 they found something differently.

19 MR. CHUNG: So when Ms. S□nchez produces the  
20 report in the form of the e-mail that's a part of  
21 Exhibit 1 in front of you, that, to your mind,  
22 clearly indicated that your original concerns were  
23 valid, correct?

24 MS. WILSON: Correct.

1 MR. CHUNG: Did anyone in your office or anyone  
2 else that you know of do anything to try to take  
3 action based on the S□ nchez report?

4 MS. WILSON: Try to take action?

5 MR. CHUNG: I mean, one hypothetical, again,  
6 would be to say, my goodness, I've got this report  
7 and now I've got this e-mail saying the candidate  
8 was admitted six days ago, or whatever it was, let's  
9 try to put the brakes on this because, for one  
10 thing, the person's coming from an unaccredited  
11 university?

12 MS. WILSON: No, no one on my staff would have  
13 probably known anything about that.

14 MR. CHUNG: Okay. Now, with regard to the  
15 referral of this accepted, "accepted" College of  
16 Business applicant to the Graduate College, what  
17 actually is sent over to the Graduate College?

18 MS. WILSON: We have to send the TOEFL score,  
19 the referral to admit, which is the paperwork that  
20 has to be filled out, then the transcripts, and the  
21 financial documentation as well as the international  
22 student verification form.

23 MR. CHUNG: Do you recall -- I'm not sure that  
24 our record indicates the answers to these questions.

1           Do you recall, for instance, if -- that there  
2 was a TOEFL score?

3           MS. WILSON: Yes, there was.

4           MR. CHUNG: Do you recall, generally speaking,  
5 if it was a score that you would expect to see for a  
6 candidate who'd been --

7           MS. WILSON: Yes --

8           MR. CHUNG: -- suitable?

9           MS. WILSON: -- it was.

10          MR. CHUNG: Do you recall that the other  
11 paperwork that was typically part of these packages  
12 was also included in this person's file?

13          MS. WILSON: Yes, it was all sent.

14          MR. CHUNG: And so when you transmit the file,  
15 what's your understanding of the nature of the  
16 review that is conducted by the Graduate College?

17          MS. WILSON: I do not know. I have not had  
18 any, anything to do with the Graduate College,  
19 except to know what they require that we send over.

20          MR. CHUNG: Now, with regard to unaccredited  
21 students from unaccredited institutions, had you --  
22 have you ever sent over an applicant that came from  
23 an unaccredited university?

24          MS. WILSON: In my tenure, not that I know of.

1 MR. CHUNG: Okay. And is that, is it  
2 significant, to your mind, that the applicant --  
3 that an applicant come from an accredited  
4 institution?

5 MS. WILSON: Yes, that was, in my  
6 understanding.

7 CHAIRMAN MIKVA: Have you ever sent out anybody  
8 without a college degree?

9 MS. WILSON: No. Not to my knowledge, in my  
10 tenure.

11 MR. CHUNG: To go back to a question I asked a  
12 little bit earlier, your staff did attempt to  
13 convert the Indian GPA to a U.S. equivalent so it  
14 was an apples to apples assessment?

15 MS. WILSON: As close as we could come, yes.

16 MR. CHUNG: And there was some reference in  
17 S□ nchez's e-mail about a minimum GPA requirement.  
18 And I know you talked about earlier there not being  
19 minimum requirements.

20 MS. WILSON: Right.

21 MR. CHUNG: Can you reconcile those two  
22 different statements?

23 MS. WILSON: Sure. The Graduate College has a  
24 requirement of 3.0 out of 4. We do have students

1 who do not have a 3.0 that we allow into the MBA  
2 program. They have other things within their  
3 application that are strong enough that we feel they  
4 will be able to make it through our program. So  
5 they may not have a 3.0, but they're still admitted  
6 to the Illinois MBA.

7 MR. CHUNG: And can you say how far below 3.0  
8 this applicant was?

9 MS. WILSON: I don't remember. I don't recall.

10 MR. CHUNG: Do you recall it being  
11 substantially below.

12 MS. WILSON: It was, it was quite a bit below,  
13 but I don't know to what extent.

14 MR. CHUNG: There was testimony earlier today  
15 about the, maybe I'm mischaracterizing, but the  
16 value to the College of Business as a whole into the  
17 MBA program from having diverse student population.

18 Was that a consideration that came into your  
19 mind or, as far as you know, any of your colleagues'  
20 minds in the admissions office in the determination  
21 of this applicant's admission?

22 MS. WILSON: I cannot speak for anyone else in  
23 what they were thinking at the time.

24 MR. CHUNG: The fact of the matter is, you

1 didn't even know the person had been admitted at the  
2 time?

3 MS. WILSON: Right.

4 MR. CHUNG: So it was impossible?

5 MS. WILSON: I...

6 MR. CHUNG: Once the file was transmitted, how  
7 long did it take before the Graduate College came  
8 back with an official announcement?

9 MS. WILSON: I don't know. Usually it takes  
10 anywhere from one to two weeks. I don't know how  
11 long it took. Normally in April we are speeding  
12 things along and it could have taken five days, if  
13 we had everything, everything was in order, it could  
14 have taken five days.

15 It just depends on how backlogged they are at  
16 the time; and at the time of this, I don't know.

17 MR. CHUNG: And before it went over to the  
18 Graduate College, at least according to some of  
19 these e-mails that there was an effort to expedite  
20 the review of this file, do you have any  
21 understanding why this file was expedited?

22 MS. WILSON: I, it was just, I guess part of  
23 the review process that I needed more understanding  
24 of the accreditation and the GPA.

1 MR. CHUNG: Was it -- did the fact that the  
2 chancellor's office was interested in this applicant  
3 in any way cause this file to be reviewed on an  
4 expedited basis?

5 MS. WILSON: Yes, yes. And I think that I put  
6 that in there when -- but it wasn't at the very  
7 beginning. It wasn't like on the 2nd or the 3rd, it  
8 was sometime later in that week, if I recall, that I  
9 asked for it to be expedited, because I knew that,  
10 that Chancellor Herman was involved.

11 MR. CHUNG: Is it your understanding, based on  
12 everything you know now, that the involvement of the  
13 chancellor's office and the chancellor himself  
14 influenced the decision on this applicant?

15 MS. WILSON: I cannot say, because I was not in  
16 on the decision.

17 MR. CHUNG: And would that be the same answer  
18 with regard to Trustee Shah, do you have any  
19 understanding as to whether his involvement in this  
20 applicant influenced the decision making?

21 MS. WILSON: I have no idea.

22 COMMISSIONER LOWRY: Would you say that the  
23 only difference between it going through the process  
24 of your office versus the process that it did go

1 through is the involvement of Chancellor Herman and  
2 Trustee Shah?

3 MS. WILSON: As far as the --

4 COMMISSIONER LOWRY: As far as it not being  
5 handled by your office.

6 MS. WILSON: We reviewed or?

7 COMMISSIONER LOWRY: Anything.

8 MS. WILSON: I would say someone else had to be  
9 involved, given the processing to begin.

10 COMMISSIONER LOWRY: Given what you know from  
11 reading the documents --

12 MS. WILSON: Yes.

13 COMMISSIONER LOWRY: -- is that Chancellor  
14 Herman and Trustee Shah was involved?

15 MS. WILSON: Yes, from the documents, that's  
16 right.

17 COMMISSIONER LOWRY: I have a question for  
18 clarification.

19 Did you mention that when you were giving a  
20 list of documents that you put together in order to  
21 go to the university college, and you mentioned the  
22 TOEFL score, you mentioned the referral to admit  
23 form, transcripts, those are all things with this  
24 applicant that went over to --

1 MS. WILSON: With any applicant.

2 COMMISSIONER LOWRY: With any applicant?

3 MS. WILSON: Mm-hmm.

4 COMMISSIONER LOWRY: But with this particular  
5 applicant, those things did not go over?

6 MS. WILSON: No, they all went over.

7 COMMISSIONER LOWRY: They all did go over?

8 MS. WILSON: Mm-hmm.

9 COMMISSIONER LOWRY: So why was the TOEFL  
10 waived?

11 MS. WILSON: It wasn't. I'm not sure why  
12 Alex -- and I noticed that, too, on one of these.  
13 Is that what you're questioning?

14 COMMISSIONER LOWRY: Yeah. Can we look at one  
15 that was waived. It's an exhibit in the last --

16 MS. WILSON: It was page 6. It says, We will  
17 also need a TOEFL or a TOEFL waiver.

18 She did not at that time know that we had a  
19 TOEFL score for him. And so, because this was  
20 before the entire packet had been sent over, so she  
21 didn't know if we had a TOEFL score. We do -- we  
22 did have a TOEFL score.

23 COMMISSIONER LOWRY: Okay. All right.

24 MR. CHUNG: And just focusing on that document

1 again, Ms. Wilson, S□nchez's report indicates that,  
2 in order to favor the applicant, grades, failing  
3 grades for certain classes were essentially ignored  
4 and in their place, I think the retake grades were  
5 actually factored into the GPA.

6 Presumably, that would mean that if you did not  
7 disregard the failed grades, the GPA would have been  
8 even lower than it turned out to be. Is that  
9 practice -- is that a practice that the College of  
10 Business has to give -- my words -- the benefit of  
11 the doubt to an applicant who has failed a class and  
12 retaken it, and gotten a better grade?

13 MS. WILSON: The MBA figures GPAs on the last  
14 60 hours, no matter what they are. I do not know  
15 how Alex does, and if she has a practice of doing it  
16 the way that she has done it here. That is  
17 something you would have to ask her.

18 MR. CHUNG: So if in the last 60 hours a person  
19 had failed one, two, or five classes, according to  
20 the standard operating procedure for the College of  
21 Business admissions --

22 MS. WILSON: For the Illinois MBA.

23 MR. CHUNG: -- Illinois MBA, Illinois MBA,  
24 those failing grades would have been factored into a

1 GPA?

2 MS. WILSON: That is correct.

3 MR. CHUNG: This was a 2008 application. Do  
4 you remember how many wait listed applicants there  
5 were in 2008?

6 MS. WILSON: I have no idea.

7 MR. CHUNG: Would it have been at its high  
8 point over a hundred; consistent with your prior  
9 testimony?

10 MS. WILSON: I think, yes, around a hundred,  
11 maybe a little over.

12 MR. CHUNG: Okay. Do you have a recollection  
13 of how many people off the wait list in 2008 were  
14 admitted?

15 MS. WILSON: I don't.

16 MR. CHUNG: Do you know if any were?

17 MS. WILSON: Yes, there were people off the  
18 wait list that were admitted.

19 CHAIRMAN MIKVA: But not all of them?

20 MS. WILSON: Not all of them. I'm sure that  
21 not all of them were admitted.

22 MR. CHUNG: Were there any candidates who had  
23 been denied who were never on the wait list in the  
24 first place that were then subsequently admitted?

1 MS. WILSON: Other than him, no.

2 MR. CHUNG: Other than this one.

3 So is it fair to say that this person obviously  
4 leapfrogged all of the other applicants that had  
5 gone through your process, the three stages, had not  
6 been accepted, not been denied, but placed on the  
7 wait list instead?

8 MS. WILSON: Yes.

9 MR. CHUNG: And I think you testified, you've  
10 never had an instance, other than this one, where  
11 someone who was denied did this leapfrogging of wait  
12 listed candidates?

13 MS. WILSON: Not in my recollection and not in  
14 my tenure.

15 MR. CHUNG: That's all I have.

16 CHAIRMAN MIKVA: Thank you very, very much for  
17 your participation --

18 MS. WILSON: You're welcome.

19 CHAIRMAN MIKVA: -- and coming to answer  
20 questions. We appreciate it.

21 We're taking a very short break.

22 (WHEREUPON, a recess was had.)

23 CHAIRMAN MIKVA: Back in order.

24 And you're going to take this one, Mr. Ellis?

1 MR. ELLIS: Yes, yes.

2 Thank you, Mr. Morrison, for coming.

3 Would you introduce yourself to the commission  
4 and state your current occupation.

5 MR. MORRISON: My name is William Morrison. I  
6 am the college counselor at Highland Park High  
7 School; Highland Park, Illinois.

8 MR. ELLIS: Where did you go to college?

9 MR. MORRISON: The University of Illinois,  
10 proud graduate, class of 1994.

11 MR. ELLIS: After leaving college, what was  
12 your first job after college.

13 MR. MORRISON: First job with teaching at  
14 St. Rita High School. I'm a southsider originally.  
15 After my time at St. Rita, I went to Saint Xavier  
16 University, where I worked in admissions.

17 After receiving my masters degree from there, I  
18 went to Benet Academy in Loyola, Illinois, and  
19 worked as a senior counselor there before obtaining  
20 my current position at Highland Park High School.

21 MR. ELLIS: So when you were in admissions at  
22 Saint Xavier University, did you have occasion to  
23 deal with influence from outside the admissions  
24 office in the process?

1 MR. MORRISON: Oh, yeah.

2 MR. ELLIS: And where would that come from?

3 MR. MORRISON: A lot of the same things that  
4 you're hearing here. People above you, influence  
5 with alumni. I think one of the main differences  
6 from what we're hearing here and a private  
7 institution is the development list, you know, so a  
8 lot more influence with development from private  
9 institutions, perhaps, than public institutions,  
10 where I'm sure it goes on there as well.

11 CHAIRMAN MIKVA: How about legacy?

12 MR. MORRISON: Yeah, somewhat of legacy. You  
13 know, Xavier is a little different. Saint Xavier is  
14 a much less like an institution than the University  
15 of Illinois, so, like I say, could mean a little  
16 more at a place like that where they have a  
17 tradition of sending kids, especially a neighborhood  
18 college like that, where there's a lot of students  
19 from the south side and the south suburbs, who are  
20 going there. My mom is a graduate of there, for  
21 example, so.

22 MR. ELLIS: At Benet, you were a guidance  
23 counselor there?

24 MR. MORRISON: Yes. A little senior counselor

1 there, a little different counseling model, which  
2 means I was in charge of the senior class, but it  
3 was generally a college counselor-type role. I  
4 would say 85 percent to 90 percent of what I did was  
5 college counseling, recommendation, writing,  
6 liaising with college representatives, things like  
7 that.

8 MR. ELLIS: During that time, was Benet Academy  
9 considered a feeder school to the University of  
10 Illinois?

11 MR. MORRISON: Yes, it is.

12 MR. ELLIS: While you were at Benet Academy,  
13 had you heard of Category I?

14 MR. MORRISON: I had not.

15 MR. ELLIS: When did you first hear of  
16 Category I?

17 MR. MORRISON: Actually, as part of this  
18 process. Even at Highland Park, and I have an  
19 intimate knowledge of the way admissions works at  
20 the University of Illinois, I had no idea that there  
21 was a specific category for this type of student.

22 COMMISSIONER LOWRY: If you didn't know it by  
23 Category I, were you aware of this type of a process  
24 that existed? Did you know that you could, that a

1 student could be admitted through some other channel  
2 by calling someone?

3 MR. MORRISON: Sure. But, you know, that's  
4 common knowledge amongst college universities across  
5 the country. I wouldn't say that that was  
6 necessarily specific to the University of Illinois.

7 COMMISSIONER LOWRY: But you knew about that at  
8 the University of Illinois?

9 MR. MORRISON: Sure. It happens in athletics,  
10 it happens through development, it happens  
11 everywhere at all schools.

12 COMMISSIONER LOWRY: Thank you.

13 MR. ELLIS: Either during your time at Benet or  
14 now at Highland Park, do you see it with these other  
15 big ten schools?

16 MR. MORRISON: Yes.

17 MR. ELLIS: Are there any schools, based on  
18 your experience, either from Benet or Highland Park,  
19 where it doesn't happen?

20 MR. MORRISON: No.

21 MR. ELLIS: How many --

22 CHAIRMAN MIKVA: At the University of  
23 Wisconsin?

24 MR. MORRISON: University of Wisconsin has

1 something that's built right in, for example, for  
2 legacies, like if these are considered under  
3 in-state standards as opposed to out-of-state  
4 standards, so there are a number of institutions  
5 that actually have a formal process where it's built  
6 in and it's known and everybody's aware of it.

7 CHAIRMAN MIKVA: How about political influence?

8 MR. MORRISON: I couldn't speak to that,  
9 because we don't have -- I mean, we're in Illinois,  
10 we're not Wisconsin, so I don't think I could speak  
11 to that.

12 It would be more legacies, families who've  
13 donated money to a specific institution, whether it  
14 be Wisconsin or Michigan.

15 We have a legacy at Highland Park of, a legacy  
16 of legacies, you know, third and fourth generation  
17 Michigan families.

18 MR. ELLIS: And in Michigan those legacies  
19 status give preference to applicants?

20 MR. MORRISON: It's going to help. It's always  
21 going to help. It would even help at a place like  
22 University of Illinois, if the student's not a  
23 Category I student, kind of like, all things being  
24 equal, we're deciding, we got two spots with five

1 candidates who all look the same; well, these two,  
2 their parents went, so we can give them the nod.

3 MR. ELLIS: Do you have a sense as to the  
4 magnitude of consideration of Category I type  
5 factors at Illinois versus other colleges, say, in  
6 the big ten or the other public universities that  
7 you have experience with?

8 MR. MORRISON: I would say it would be  
9 comparable from what I understand of how category I  
10 went at University of Illinois and my experience  
11 with dealing with other institutions. I would say  
12 it would be comparable.

13 MR. ELLIS: One of the --

14 MR. MORRISON: And that's, excuse me, once  
15 again, to clarity, that's at the undergraduate  
16 level.

17 This MBA and law school stuff I think has taken  
18 it to another level, but this is strictly at the  
19 undergraduate level.

20 MR. ELLIS: When you say "taken it another  
21 level," what do you mean? First of all, probably  
22 new to you, right?

23 MR. MORRISON: New to me definitely, but I  
24 think there's a large difference when we're talking

1 the types of numbers we're talking about.

2       When we're talking about undergraduate  
3 admissions at the University of Illinois, the  
4 Category I students, from what Stacy Costel  
5 [phonetic] testified to, that's 33 students admitted  
6 out of 17,000, that's .002 percent, that's actually  
7 less than .002 percent of their admitted pool.

8       When we're talking you only admit 250, and  
9 there's a couple of influence in there, that's a  
10 larger percentage.

11       And, you know, some of the things, I don't know  
12 how true some things are, about trading jobs and  
13 scholarship offers and things like that, I think  
14 that's a whole 'nother ball game.

15       MR. ELLIS: When you were at Bennett Academy,  
16 the commission would like to get a sense of how the  
17 Category I process at the undergraduate level looks  
18 to the high school counseling and high school  
19 admissions level, and from that perspective.

20       When you were at Bennett Academy, did you have  
21 a sense when a student who was admitted through  
22 Category I would occur?

23       MR. MORRISON: Not at Bennett Academy, no. I  
24 wouldn't say that I had enough experience at that

1 time and was, had enough knowledge of how the  
2 process works in the University of Illinois at that  
3 time.

4 I was only a college counselor for two years as  
5 opposed to, now I've been doing it 11, so a little  
6 different.

7 MR. ELLIS: So during that time, you never got  
8 a call from somebody at the admissions, in the  
9 admissions department that said, I want to let you  
10 know this person --

11 MR. MORRISON: Yeah.

12 MR. ELLIS: -- is being admitted, one of those  
13 kinds of calls?

14 MR. MORRISON: Not from the University of  
15 Illinois.

16 MR. ELLIS: Okay. From other schools?

17 MR. MORRISON: Oh, absolutely. Public schools,  
18 private schools, that's a common practice amongst  
19 admissions professionals is to, it's a common  
20 courtesy, to be honest, you know.

21 Just like I would do the same the other way.  
22 If I felt that, for example, we'll have twins  
23 applying to a school, colleges like to know ahead,  
24 you know what I mean.

1           Some of the things like that that I think are  
2 important to know, and that's one of the things I  
3 think we try to do on both sides of the desk is be  
4 professionally courteous to each other. Hey, this  
5 is coming down the pipe.

6           MR. ELLIS: Sorry, go ahead.

7           COMMISSIONER LOWRY: Just to understand, in  
8 your background you say that you serve as chair of  
9 the government relations committee of the Illinois  
10 Association of College Admissions Counseling, where  
11 you lobby in Springfield for that organization?

12          MR. MORRISON: Yes, ma'am.

13          COMMISSIONER LOWRY: Do you think that people  
14 who don't -- who work outside of government  
15 relations would feel the same way that you do, that  
16 it's such common practice?

17          MR. MORRISON: I would say people who worked at  
18 the type of institution that I have, where they  
19 routinely get these types of calls, yes.

20          COMMISSIONER LOWRY: If you -- excuse me, is  
21 this -- is it common that someone in your position  
22 at a school like yours would serve in this capacity  
23 or is that a personal interest and choice of yours?

24          MR. MORRISON: That's a personal interest and

1 choice. I'm currently completing my dissertation in  
2 educational policy at Loyola so that's a personal  
3 interest of mine, but that organization contains  
4 about 1500 members state wide that are both guidance  
5 counselors and college admissions professionals.

6 So it's, you know, there's a lot of people  
7 involved in the organization and you kind of flow  
8 toward your area of interest.

9 COMMISSIONER LOWRY: But they're not all  
10 engaged in lobbying?

11 MR. MORRISON: No, correct. So, for example,  
12 last year we went down with about 12 or 15 people  
13 who volunteered on their own time to go down to  
14 Springfield, and last year we were lobbying for a  
15 student counselor ratios and some things about  
16 certification. We have different agendas when we go  
17 down each year.

18 COMMISSIONER LOWRY: In your tenure as guidance  
19 counselor, have you ever had any discussions with  
20 any legislators about any students entering U of I?

21 MR. MORRISON: No, I have not.

22 COMMISSIONER LOWRY: From your school?

23 MR. MORRISON: The only time I ever did was --  
24 I shouldn't say no, I have not, but it was in

1 regards to a legislative scholarship that was given  
2 to a student and that was just a courtesy thank you  
3 call, and that would be the only discussions I've  
4 ever had.

5 COMMISSIONER LOWRY: Did you initiate that?

6 MR. MORRISON: I did.

7 MR. ELLIS: Mr. Morrison, while you've been at  
8 Highland Park, have you gotten one of the courtesy  
9 calls from Illinois explaining why a particular  
10 student was admitted?

11 MR. MORRISON: I didn't, I never got a courtesy  
12 call like out of the blue. The only time that I,  
13 you know, in the time that I've been there, only one  
14 student -- you know, I know we've had a number of  
15 Category students, now that I know what Category I  
16 is, like only one student never jumped off the page  
17 at me as somebody that was like a, how did this  
18 happen, and I knew ahead of time why; so that the  
19 call I got was just, yes, this student is going to  
20 be admitted, but it was never something, like, that  
21 came out of the blue that I didn't know was already  
22 coming.

23 MR. ELLIS: When you say you knew why, could  
24 you explain that without identifying the person?

1 MR. MORRISON: Sure. It was family history of  
2 the student's, third generation Illinois, three  
3 other siblings had gone to the school, and family  
4 member was a donor.

5 MR. ELLIS: A larger donor, as far as you were  
6 concerned?

7 MR. MORRISON: Well, he had a lot of money, so  
8 you could take a guess, but I'm not sure.

9 MR. ELLIS: And other than that instance, have  
10 there ever been times when you looked at your  
11 ranking of people -- how many people apply to U of I  
12 from Highland Park, in a given year?

13 MR. MORRISON: Probably 150, 160 a year.

14 MR. ELLIS: And how many get in?

15 MR. MORRISON: We average about 70 percent  
16 admit rate.

17 CHAIRMAN MIKVA: 70?

18 MR. MORRISON: 70 percent, yes.

19 MR. ELLIS: So of the, of the 30 that don't get  
20 in, you haven't had the wow, I wonder how that  
21 happened, other than the one time?

22 MR. MORRISON: No, I would say in general, even  
23 kids that I know -- like, for example, I have known  
24 Category I students like, that I know -- at time I

1 didn't know they were Category I -- but I had known  
2 a lot of those students in the past, but I never got  
3 calls because they were admissible on their own, you  
4 know.

5 MR. ELLIS: In other words, you knew that they  
6 were being tracked separately or were going to get  
7 special consideration, if need be or?

8 MR. MORRISON: Right, but it was never  
9 anything, like some of the ones we had this past  
10 year, for example, I had students who had no help at  
11 all, who were lower at profile academically who were  
12 admitted without any assistance.

13 COMMISSIONER LOWRY: So are you saying that the  
14 Category I students, you were aware of them before  
15 they went in?

16 MR. MORRISON: Once again, I didn't know it was  
17 Category I at the time, but I knew that -- I know  
18 some of the students have connections to the  
19 university.

20 Generally speaking, though, I don't know what's  
21 happening behind the scenes with phone calls that  
22 are being made. I would say that that's rare. It  
23 tends to happen more with private institutions where  
24 people inquire about, you know, making those types

1 of contacts.

2           COMMISSIONER LOWRY: In your school, Highland  
3 Park, those students that you know have connections,  
4 do you keep a separate, do you keep a record of  
5 those students as you're tracking who gets in and  
6 who you're counseling?

7           MR. MORRISON: No, I do not.

8           MR. ELLIS: How is it that you come to know how  
9 they have connections?

10          MR. MORRISON: Generally it comes through  
11 meetings with families, so I meet with almost all  
12 juniors -- myself and my partner, there's two of us.  
13 We cover the junior class and seniors, and so  
14 sometimes parents will just ask that question. I  
15 know so and so, so and so, you know, do you think  
16 that would help? And they'll ask my advice on  
17 whether or not I feel a phone call would be, should  
18 be made.

19          MR. ELLIS: And did that kind of discussion  
20 occur when you were at Bennett Academy, where  
21 meetings with parents, they would say, I know so and  
22 so, or you know?

23          MR. MORRISON: Sure, yeah. I would say it  
24 would be similar. The difference would be at Benet,

1 you know, Highland Park North Shore is a big ten  
2 country so there's a lot of big ten.

3 At Benet, it was Notre Dame and Boston College.  
4 It's a Catholic school, that's what they were  
5 looking for.

6 COMMISSIONER LOWRY: This 70 percent that you  
7 talked about, your admit rate, does that refer to  
8 the people that you counsel or is there --

9 MR. MORRISON: That's our overall admit rate at  
10 the University of Illinois. It varies, you know,  
11 it's gone down to like 66 or 67, but some years it's  
12 between 65, 70 percent.

13 CHAIRMAN MIKVA: How many of them attend?

14 MR. MORRISON: It's been rising in recent years  
15 because of the economy. I think we had 61 go this  
16 year.

17 CHAIRMAN MIKVA: 61 percent?

18 MR. MORRISON: No, 61 students.

19 CHAIRMAN MIKVA: Which should be about what  
20 percent?

21 MR. MORRISON: 70 percent, quick numbers,  
22 right, 70, so maybe 60 percent of the students were  
23 offered admission would go, but that's been rising,  
24 like I said, in the past couple of --

1 CHAIRMAN MIKVA: U of I as being close and  
2 known as a frequent backup school for --

3 MR. MORRISON: I would say in the past a lot of  
4 students would have considered it -- well, it  
5 depends, like some students it's the stress school.  
6 That's really where they would like to be, and they  
7 wonder if they can get in. For other students, it's  
8 a safety school so it just kind of depends on the  
9 student as to their academic profile.

10 COMMISSIONER LOWRY: I just want to finish  
11 'cause we didn't cover this background.

12 MR. ELLIS: Go ahead.

13 COMMISSIONER LOWRY: How many counselors, how  
14 many peer counselors, other than Eliza Gilbert, are  
15 there?

16 MR. MORRISON: There's nine counselors who  
17 cover the students' personal, academic, and they  
18 also do post-secondary counseling. And then there's  
19 myself and Liza Gilbert who is, who we are the  
20 college counselors and so we do strictly college and  
21 career counseling, vast majority of college  
22 counseling. Correct, just the two of us.

23 COMMISSIONER LOWRY: And you specialize in  
24 counseling student athletes and special needs

1 students?

2 MR. MORRISON: Correct.

3 COMMISSIONER LOWRY: And she specializes in  
4 counseling students of color?

5 MR. MORRISON: Yes, ma'am.

6 COMMISSIONER LOWRY: What's the difference  
7 between special needs students and students of  
8 color --

9 MR. MORRISON: Special needs students are  
10 someone with a learning difference.

11 COMMISSIONER LOWRY: Handicap or just --

12 MR. MORRISON: Handicap, yeah, learning  
13 disability, dyslexic, auditory functioning problems,  
14 there could be an array of things.

15 We have excellent services for that. Our  
16 school is known for it so we have a large population  
17 of those students.

18 COMMISSIONER LOWRY: You have a large  
19 population of the --

20 MR. MORRISON: Students with learning  
21 differences, correct.

22 COMMISSIONER LOWRY: What's the percentage of  
23 your students of color?

24 MR. MORRISON: We are about 20 percent students

1 of color, which is actually unusual for a school in  
2 the North Shore, but we not only service Highland  
3 Park but we now only service Highwood, which is  
4 predominantly a Hispanic community.

5 COMMISSIONER LOWRY: So when you say students  
6 of color, are you including African-American --

7 MR. MORRISON: Africans-Americans [sic] and  
8 Hispanics, correct.

9 We're about 15 percent Hispanic and about  
10 3 percent African-American and then a couple  
11 percent, [unintelligible] how they define that.

12 COMMISSIONER LOWRY: And of that 70 percent,  
13 those 61 students, what percentage of that were  
14 special needs students?

15 MR. MORRISON: I couldn't speak to that.

16 COMMISSIONER LOWRY: Do you know if any of them  
17 were?

18 MR. MORRISON: Oh, sure, some of them would be.  
19 You know, technically, a special needs student is  
20 somebody who, depends on how you quantify that.

21 So like a special needs student is someone who  
22 needs extended time so there could be a kid who's  
23 got a 32 on his ACT and 5.2 GPA on a 5.0, who's  
24 technically a special needs student because he has

1 an auditory processing issue or has Asperger's,  
2 where something like that would be, qualified for  
3 extended time so there's a lot of kids --

4 COMMISSIONER LOWRY: So it's not black and  
5 white that they are either special needs or they're  
6 not?

7 MR. MORRISON: Correct, correct.

8 Because someone who is -- there might be  
9 somebody -- it's hard to explain, but a special  
10 needs student, in my definition, my practicing  
11 definition would be someone who needs assistance  
12 above and beyond standard accommodations.

13 So extended time on a test, for example, is a  
14 standard accommodation, so that could be a 504  
15 student, where the technical definitions matter.

16 So a student who's a 504 plan is given the bear  
17 minimum accommodations afforded them under that  
18 section of the Americans with Disabilities Act. So  
19 someone who falls under IDEA, which is the  
20 Individual with Disabilities Educational Act, has an  
21 IEP, which is Individual Education Plan.

22 So someone with an IEP has a lot more needs  
23 than somebody with just a 504. So someone with an  
24 IEP would be somebody who would be really interested

1 in meeting with me and really looking for proper  
2 school placement, as opposed to somebody with a 504  
3 where, when you just need extended time, every  
4 school in the country, by federal mandate, has to  
5 provide that. So that's an easy thing to do. Like  
6 I wouldn't necessarily know who those students were,  
7 but I would know who the IEP kids are.

8 And to be honest, I would never send them to  
9 the University of Illinois 'cause support services  
10 at U of I are not comparable to support services  
11 elsewhere, such as University of Wisconsin.

12 COMMISSIONER LOWRY: Lastly, in that same  
13 grouping, those 61 students, what was the percentage  
14 of students of color?

15 MR. MORRISON: I couldn't tell you off the top  
16 of my head. I couldn't tell you.

17 COMMISSIONER LOWRY: Approximately how many  
18 Hispanics and how many African-Americans?

19 MR. MORRISON: I don't know. To be honest, I  
20 couldn't tell you. I would say --

21 COMMISSIONER LOWRY: We're only talking 61  
22 students.

23 MR. MORRISON: I know, but I don't break them  
24 out that way, you know what I mean? And I only work

1 with half of the class, you know what I mean, so I  
2 don't -- and I don't work with the students of  
3 color. The majority of the students of color would  
4 work with Eliza --

5 COMMISSIONER LOWRY: If it's 3 percent, that's  
6 probably one student or two students --

7 MR. MORRISON: Right.

8 COMMISSIONER LOWRY: -- so do you remember if  
9 they are any.

10 MR. MORRISON: Oh, there's definitely some. I  
11 would say it's anywhere between 5 to 8 students.

12 CHAIRMAN MIKVA: Students?

13 MR. MORRISON: Students.

14 COMMISSIONER LOWRY: Out of 61?

15 MR. MORRISON: Yes, ma'am.

16 COMMISSIONER LOWRY: And about the same of  
17 Hispanics? And I understand you're not giving me  
18 exact --

19 MR. MORRISON: Yeah, I would say -- no, I would  
20 say that that would be African-American students and  
21 Hispanics combined. I would say 5 to 8.

22 COMMISSIONER LOWRY: Okay, all right. Thank  
23 you.

24 MR. ELLIS: Mr. Morrison, you were aware of the

1 possibility of Category, what you now know to be  
2 Category I from Benet, so I take it it was no  
3 surprise when you got to Highland Park.

4       Was there any explanation of how the process  
5 worked from predecessors or other people in the  
6 office when you got to either Bennett or Highland  
7 Park?

8       MR. MORRISON: No, there is not.

9       MR. ELLIS: Have you ever met with trustees or  
10 donors of the university or anybody making that  
11 Category I recommendation?

12       MR. MORRISON: No, I have not.

13       MR. ELLIS: Have you ever met with any trustees  
14 about admissions issues at Illinois?

15       MR. MORRISON: No, I have not.

16       MR. ELLIS: Do you have a sense at Highland  
17 Park as to whether the undergraduate admissions at  
18 Illinois applies a quota on its feeder schools and  
19 only accepts a certain number from a given school  
20 like Highland Park?

21       MR. MORRISON: My sense would be that they do  
22 not do that, there is no quota system. The  
23 University of Illinois office of undergraduate  
24 admission has a very complex way that they go about

1 admitting students through predictive GPA so, you  
2 know, that's kind of what they use. So they don't  
3 necessarily look at schools in a bunch and things  
4 like that.

5 They have way too many applications from way  
6 too many schools to do it like that. I would say  
7 that's a much more common practice at private  
8 institution that receive a lesser number of  
9 applications.

10 MR. ELLIS: Do you have suggestions for change,  
11 reform, ideas in the wake of what you've now come to  
12 know as Category I on the admissions process from  
13 the high school guidance counselor perspective?

14 MR. MORRISON: Sure. I think one of the main  
15 reasons that I wanted to speak here today was to  
16 make sure that the integrity of the standard, the  
17 general undergrad, undergraduate admission process  
18 is maintained.

19 The office of undergraduate admission, from  
20 all, from all I've read and heard about the hearings  
21 here, I hope we all understand what a tough job they  
22 have and what a good job they've done, since at  
23 least I've been involved in college counseling.

24 They have a 93 percent retention rate. The

1 University of Illinois has a 93 percent retention  
2 rate compared to 67 percent nationally. They have  
3 an 82 percent graduation rate compared to 50 percent  
4 nationally for peer institutions.

5       So what they're doing at the undergraduate  
6 admission level is working. The University of  
7 Illinois is a top ten public institution ranked by  
8 U.S. News & World Report, and in the top 50 national  
9 institutions. It's also, by far, the most diverse  
10 institution in the big ten.

11       So the standard undergraduate admission process  
12 at University of Illinois is working and working  
13 well, in my opinion. I do think that there could be  
14 some adjustments to Category I, obviously.

15       This, in a lot of ways, reminds me of the  
16 legislative scholarship fiasco that happened a  
17 couple of years. For those of you that will  
18 remember when all this came out, that legislators  
19 were trading scholarships for political favors.  
20 This sounds a lot like it to me.

21       What many legislators have done is taken that  
22 process from the shadows into the open through  
23 actual, you know, written applications and in open  
24 process whereby everybody knows how those

1 scholarships are given out, how the process works,  
2 the list of students is published, and so on and so  
3 forth.

4       Therefore, my recommendation would be that  
5 Category I needs -- in my opinion, it needs to stay  
6 in one way or form or another, simply because there  
7 are a lot of legitimate reasons for legislators,  
8 trustees, et cetera, et cetera, to recommend  
9 students.

10       For example, there are some entire counties in  
11 the State of Illinois where they do not get one  
12 single person to attend the University of Illinois.

13       CHAIRMAN MIKVA: Trustees --

14       MR. MORRISON: I'm sorry?

15       CHAIRMAN MIKVA: Why would the trustees need to  
16 be involved in this process? We know that the  
17 trustees aren't generally educators by profession.

18       MR. MORRISON: Sure.

19       CHAIRMAN MIKVA: And they're not geographically  
20 situated from the legislative side.

21       MR. MORRISON: Sure. I would say that, that  
22 would be one that you could, once again, like I  
23 said, look at.

24       I mean, legislators definitely need to be. The

1 reason for a trustee would be the reason for, the  
2 same thing, a reason for a legislator, if they had a  
3 candidate they felt could be a benefit to the  
4 university if he or she was admitted, they should be  
5 able to share that opinion; however, not in the  
6 manner that it's been done.

7       So if it was done in writing, if one specific  
8 admission counselor on staff was charged with  
9 accepting those recommendations, if it was known  
10 publicly, as has already been here, as it's been  
11 shown publicly; if it's known publicly that that,  
12 that that file existed and that all those  
13 recommendations were being kept and were open,  
14 freedom of public information act, in my opinion,  
15 those recommendations would all then become  
16 legitimate that a legislator or a trustee would be  
17 forwarding names of students that they felt could  
18 most benefit.

19       COMMISSIONER LOWRY: Why not just have them  
20 apply like every other student?

21       MR. MORRISON: Because -- well, first of all,  
22 like I said, my number one is with legislators.  
23 There are entire counties in the State of Illinois  
24 that some years don't send a student to the

1 University of Illinois, and I see that as a great  
2 injustice.

3 I would say the same thing about some of our  
4 Chicago public schools, that we just don't send  
5 enough kids to --

6 COMMISSIONER LOWRY: But we don't see that as  
7 Category I. If you look at the makeup of  
8 Category I, they don't fit that --

9 MR. MORRISON: But there is -- from what I've  
10 heard, there was 25 students from Chicago public  
11 schools that were Category I students over the past  
12 three years.

13 CHAIRMAN MIKVA: Interestingly, though, the  
14 legislative, not making it brief [phonetic] from  
15 legislature on all counts, but it seems to be, from  
16 what we've seen in the e-mails and so on, that the  
17 legislators, with one or two exceptions, were not  
18 the ones who have been putting pressure on the  
19 university to admit people who shouldn't otherwise  
20 be admissible.

21 MR. MORRISON: Right.

22 CHAIRMAN MIKVA: That seems to have come  
23 from --

24 MR. MORRISON: From one of the trustees.

1 CHAIRMAN MIKVA: Trustees and maybe some --

2 MR. MORRISON: Yeah, I would be -- yes, I would  
3 be unaware of that.

4 CHAIRMAN MIKVA: And I see no upside to their  
5 having -- since the university doesn't except  
6 letters of recommendation generally.

7 MR. MORRISON: Sure, right.

8 CHAIRMAN MIKVA: I see no upside to either the  
9 trustees or alumni being given special permission.  
10 I do understand what you're saying about the  
11 legislators representing a geographical mix.

12 MR. MORRISON: Right, right, right.

13 And once again --

14 CHAIRMAN MIKVA: Let me tell you that you  
15 aren't going to be able to stop them.

16 MR. MORRISON: Sure, right, right, sure.

17 And once again, you would have a better  
18 knowledge of the trustees' role on this than I  
19 would. I haven't been privileged to that  
20 information, but I would say that my main concern  
21 then would be, like I said, legislators' ability for  
22 two-fold.

23 First is, once again, representing certain  
24 counties, and a lot of legislators are very good

1 about youth outreach and having youth programs and  
2 government programs, student, a lot of initiatives  
3 where they have very close contact with students and  
4 can have a good gauge on those students who whether  
5 or not they would be a good fit to the University of  
6 Illinois; and then because they're legislators,  
7 obviously, I would like, want that to be a more  
8 public process.

9 MR. ELLIS: One final question, since the news  
10 of Category I's come out, have you gotten calls from  
11 parents who believed that, you know, their student  
12 was skipped over for a Category I or concerned  
13 generally about how the admissions process is going  
14 to work in the fall, in light of all that's come  
15 out.

16 MR. MORRISON: I haven't gotten any, but I  
17 would say that the vast majority of this has come  
18 out since I've been out of school. I would  
19 anticipate that, though.

20 I think that for the most part, our parents are  
21 pretty savvy, as far as the process and how this  
22 works, so the fact that these students were admitted  
23 off of the wait list would lessen that for them,  
24 strictly because they would know that someone who

1 was admitted off a wait list didn't take a spot from  
2 another student. You know, these were students who  
3 were brought in after the fact to appease whoever it  
4 may be, so that they didn't actually take a spot  
5 from a student.

6 So I would think that a lot of our parents  
7 would understand that, and, and would be less  
8 concerned about that.

9 COMMISSIONER JUDGE: I have one last question.  
10 You said something that I found very interesting,  
11 and you said that of all the big ten schools,  
12 University of Illinois is the most diverse.

13 MR. MORRISON: Correct.

14 COMMISSIONER JUDGE: Could you explain that?

15 MR. MORRISON: The most racially diverse of the  
16 students, of the schools in the big ten. It's  
17 actually the least geographically diverse, so  
18 there's been a lot of hubbub over the past couple of  
19 years about University of Illinois admitting more  
20 out-of-state students and things such as that.

21 We have the highest percentage of in-state  
22 students than any other big ten university and we  
23 have the largest racial diversity.

24 COMMISSIONER JUDGE: Do you know why that is?

1 MR. MORRISON: Some of it would be demographics  
2 and some of it would be initiatives on the part of  
3 University of Illinois over the past 5, 6 years to  
4 actively recruit students of color.

5 COMMISSIONER LOWRY: What do you mean by  
6 racially diverse? What is racially diverse to you?

7 MR. MORRISON: African-American,  
8 Hispanic-American, Native-American, Asian-American.

9 COMMISSIONER LOWRY: What does that look like  
10 to you? Give me a number. I've heard -- I can't  
11 tell you how many reports from alumni, people who go  
12 to the school that say that many of the schools  
13 there have no diversity.

14 MR. MORRISON: The University of Illinois last  
15 year, in the public statistics said they had 28.7  
16 percent students of color admitted into the freshman  
17 class.

18 COMMISSIONER LOWRY: 28.7.

19 MR. MORRISON: 28.7 percent.

20 COMMISSIONER LOWRY: And that's who?

21 MR. MORRISON: That would be Asian-American,  
22 African-American, Hispanic-American and --

23 COMMISSIONER LOWRY: So that's a collective  
24 number?

1 MR. MORRISON: Right, correct. And they could  
2 give you the breakdown better but that's just what I  
3 say.

4 CHAIRMAN MIKVA: I was impressed with the  
5 retention rate. That is high.

6 MR. MORRISON: It's very high, and that's what  
7 my concerns are surrounding the general  
8 undergraduate admission process. That is done with  
9 years and years of back data, so any attempts to  
10 mess with that is naturally gonna, it's gonna mess  
11 with outcomes such as retention rate and graduation  
12 rate.

13 That's an 82 percent graduation rate and a  
14 93 percent retention rate, when schools will tell  
15 you that 5 or 6 percent of kids who don't come back  
16 for freshman or sophomore year are coming, aren't  
17 coming back on their own volition.

18 I mean, it's not like they're losing -- they're  
19 choosing the right kids to fill their classes and  
20 supporting them through the process well, so I just,  
21 that was my main concern in coming here today.

22 COMMISSIONER LOWRY: Which school are you  
23 talking about?

24 MR. MORRISON: The entire university.

1           COMMISSIONER LOWRY:  So if you looked at, say,  
2  the dental school.

3           MR. MORRISON:  No, the undergraduate  
4  admissions, I'm sorry.  Once again, undergraduate,  
5  yeah.  And those retention rates and graduation  
6  rates you hear are from peer institutions, so  
7  nationally four-year public doctoral institutions.

8           CHAIRMAN MIKVA:  Thank you very, very much.

9           MR. MORRISON:  Thank you very much for having  
10 me.

11          CHAIRMAN MIKVA:  We have one more witness.  
12 Suppose we take 45 minutes for lunch.  Do that.  
13 Come back at quarter of 2:00.

14                         (WHEREUPON, the deposition  
15                         was recessed until 1:49 p.m.,  
16                         this date.)

17          CHAIRMAN MIKVA:  Commission should come back to  
18 order.

19          Let's talk about Monday, if we can, for a  
20 moment about future meetings.

21          Mr. Ellis has suggested that we can have a bus,  
22 courtesy of his firm, that will drive us down to  
23 Champaign, he's confirmed it.  And the reason I'm  
24 all for it, besides not wanting to make that drive

1 by myself, which I have done for many, many times.

2 No more boring drive.

3       Anyway, but in addition, we can't obviously  
4 have any meetings. We're not going to have any  
5 meetings on the bus, but on the way back and on the  
6 way down, individuals can talk to them about the  
7 kinds of things that we want to see drafted in the  
8 report.

9       Get a chance to get some feedback from you  
10 because they're going to be drafting a report after  
11 next week and [unintelligible].

12       Anyway, in addition, we ought to talk about our  
13 future meetings. We've got Monday set in the  
14 Champaign. Counsel think that we'll need at least  
15 one more witness meeting where we might be having  
16 additional witnesses. That would be here in  
17 Chicago, and then I think we will need maybe two  
18 sessions, at least one about the report.

19       My thought was that we have one session where  
20 we would review the report in -- by the commission  
21 and that I think can and should be a closed meeting,  
22 since we may well be talking about personnel and I  
23 think that comes in under the exceptions to the open  
24 meetings rule.

1           And then we'll need a final meeting where we  
2 proof [phonetic] the report, there would be a vote,  
3 and that of course, will be an open meeting.

4           So we have to talk about two public meetings  
5 next week, maybe three, depending on what  
6 everybody's schedule is. We're already set for  
7 Monday the, the 27th the. All right.

8           Now, what's -- when do you think you would have  
9 more witnesses, Chung.

10          MR. CHUNG: Judge, I think we were working with  
11 university counsel to schedule additional  
12 interviews. It's an ongoing process. I think if we  
13 could think about either the 30th or the 31st, I  
14 guess I'm reluctant to go as far as the 31st, but  
15 perhaps the 30th, for a date for the witness  
16 meeting, then that gives us enough time to identify  
17 and prepare the witnesses and then present them and  
18 still leave enough time to incorporate their  
19 information into the subsequent meetings where the  
20 report will be discussed so.

21          CHAIRMAN MIKVA: Well, the 30th is a tough day  
22 for me. I could do the 29th.

23          COMMISSIONER JUDGE: I'm in agreement with you.

24          COMMISSIONER LOWRY: I have a Pension Task

1 Force Meeting on the 29th.

2 CHAIRMAN MIKVA: Do you have a problem with the  
3 30th?

4 COMMISSIONER JUDGE: I'm with you on the 30th  
5 being bad and the 29th being better.

6 CHAIRMAN MIKVA: We're going to have to plan on  
7 who's all available. This is for witnesses.

8 COMMISSIONER SCHOLZ: Not on the 30th.

9 CHAIRMAN MIKVA: How about on the 29th?

10 COMMISSIONER SCHOLZ: On the 29th, at least by  
11 [unintelligible].

12 CHAIRMAN MIKVA: Mr. Estrada.

13 COMMISSIONER ESTRADA: The morning is better.

14 CHAIRMAN MIKVA: On the 29th?

15 COMMISSIONER ESTRADA: Right.

16 CHAIRMAN MIKVA: Can you do it by conference  
17 call?

18 COMMISSIONER ESTRADA: Sure.

19 COMMISSIONER LOWRY: I'm in a Pension Task  
20 Force Meeting at 9 o'clock.

21 CHAIRMAN MIKVA: Can you come in whenever that  
22 finishes or -- I don't know how many witnesses we're  
23 going to have.

24 COMMISSIONER LOWRY: Actually, if I'm not

1 mistaken I believe 11 o'clock and 1 o'clock are my  
2 meetings, 11:00 and 1:00.

3 CHAIRMAN MIKVA: Why don't we start at 9:30 on  
4 the 29th? I know that pushes you, Ted, but, okay.

5 And then the 31st for the first meeting on the  
6 report and that'll be an executive session.

7 COMMISSIONER JUDGE: And that'll be here?

8 CHAIRMAN MIKVA: That'll be here in Chicago.

9 COMMISSIONER JUDGE: How long do you think that  
10 would be.

11 CHAIRMAN MIKVA: I would hope not more than a  
12 couple of hours, especially if we've given our ideas  
13 to counsel before then and they've incorporated  
14 those.

15 COMMISSIONER SCHOLZ: So there might be a draft  
16 by then?

17 CHAIRMAN MIKVA: Hopefully there will be a  
18 draft.

19 COMMISSIONER LOWRY: On the 31st?

20 CHAIRMAN MIKVA: On the 31st, right.

21 COMMISSIONER ESTRADA: 9:30.

22 CHAIRMAN MIKVA: On the 29th.

23 COMMISSIONER JUDGE: 9:30.

24 CHAIRMAN MIKVA: We're going to have a morning

1 session at -- suppose we make it 9 o'clock. That'll  
2 give you a little more time.

3 COMMISSIONER LOWRY: Okay.

4 CHAIRMAN MIKVA: 9 o'clock on witnesses. And,  
5 Ted, if it turns out you don't have witnesses that  
6 we need to hear.

7 MR. CHUNG: Yes.

8 COMMISSIONER JUDGE: Could we go into session  
9 then if we didn't.

10 CHAIRMAN MIKVA: If we didn't, we could go to  
11 session that day.

12 MR. CHUNG: We'll hold that and then --

13 CHAIRMAN MIKVA: Let's the whole day, then, if  
14 we can.

15 You'll come back in, if we have to break out,  
16 if we have -- that's going to be an executive  
17 session after the witnesses so.

18 COMMISSIONER LOWRY: Well, if it's an executive  
19 session, I think we should really try to get all of  
20 us here for that.

21 CHAIRMAN MIKVA: What time is your meeting  
22 through?

23 COMMISSIONER LOWRY: I have an 11 o'clock and a  
24 1 o'clock.

1 CHAIRMAN MIKVA: You won't be through 'til 3:00  
2 or so.

3 COMMISSIONER LOWRY: Yes.

4 CHAIRMAN MIKVA: Are they downtown?

5 COMMISSIONER LOWRY: They have been here, when  
6 they're in Chicago.

7 CHAIRMAN MIKVA: Suppose we made the executive  
8 session at 3 o'clock on the 29th.

9 Will that work with everybody? Okay.

10 COMMISSIONER LOWRY: Thank you.

11 COMMISSIONER JUDGE: So we start at 9:00 and  
12 executive at 3:00?

13 CHAIRMAN MIKVA: Right.

14 COMMISSIONER JUDGE: Great.

15 CHAIRMAN MIKVA: And then on the 31st, all  
16 things being lucky, we will have a public session  
17 for the final draft.

18 Can we do that in the morning, 9:30? And there  
19 will be a vote.

20 MR. ELLIS: We probably need a little more time  
21 between the 29th and the 31st. Is that possible,  
22 Judge? I know --

23 CHAIRMAN MIKVA: August is rough for me but.

24 MR. ELLIS: We'll just make it happen.

1 CHAIRMAN MIKVA: Can you make it happen?

2 MR. ELLIS: I'll just turn it around.

3 CHAIRMAN MIKVA: Frankly, our time runs out on  
4 August 5th.

5 MR. CHUNG: August 8th which is a Saturday.

6 COMMISSIONER JUDGE: You're gone in August?

7 CHAIRMAN MIKVA: I'm usually gone in -- let's  
8 keep it for the 31st. If you're running into  
9 problems, we'll put it over.

10 MR. ELLIS: Okay.

11 CHAIRMAN MIKVA: Nine o'clock on the 31st for  
12 public meeting, 29th for the witnesses and executive  
13 session, and our bus trip on the 27th.

14 All right. Can we call our last witness?

15 MR. CHUNG: Your Honor, the last witness is  
16 here. I believe he's out in the hallway.

17 CHAIRMAN MIKVA: All right. Thank you very  
18 much, sir, for agreeing to come here before us and  
19 give us the benefit of your views.

20 For my sake, the University of Illinois  
21 foundation is the alumni fundraising.

22 DR. MICEK: It is simply the, primarily works  
23 for the university. Just to do fundraising, there's  
24 a separate alumni association.

1 CHAIRMAN MIKVA: It is the fundraising --

2 DR. MICEK: It is the fundraising office,  
3 right.

4 CHAIRMAN MIKVA: And you have nothing to become  
5 an [unintelligible].

6 DR. MICEK: I did not have anything to do with  
7 that.

8 CHAIRMAN MIKVA: I'll let Mr. Chung inquire.

9 MR. CHUNG: Yes, Judge, thank you.

10 Doctor, please state your full name.

11 DR. MICEK: Sydney S. Micek.

12 MR. CHUNG: And Dr. Micek, you said you're a  
13 Ph.D., correct?

14 DR. MICEK: I am.

15 MR. CHUNG: What do you do for the University  
16 of Illinois Foundation?

17 DR. MICEK: I'm officially the president and  
18 CEO of the University of Illinois Foundation.

19 MR. CHUNG: How long have you been president  
20 and CEO of the foundation?

21 DR. MICEK: About nine and a half years.

22 MR. CHUNG: As president and CEO, what  
23 generally are your job duties and responsibilities?

24 DR. MICEK: Well, I am responsible, hired by

1 the foundation's board of directors, and, and in  
2 that role work with university leadership, both at  
3 the university level as well as on the campuses to  
4 develop strategies to secure private gifts for the  
5 university and then, when those gifts come in, to  
6 guide the processes that administer those gifts.

7 MR. CHUNG: You were hired in 2000, correct?

8 DR. MICEK: January 1, 2000.

9 MR. CHUNG: And before you came to the  
10 foundation, what did you do?

11 DR. MICEK: I was at Syracuse University for  
12 20 years, I went to Syracuse as a faculty member and  
13 department chair, and then moved into corporate  
14 foundation relations in the mid-eighties, and then  
15 became a vice president for development at Syracuse  
16 in '91.

17 MR. CHUNG: In '91, so from '91 through 2000,  
18 you had a development role, with respect to Syracuse  
19 University?

20 DR. MICEK: Right. Corporate foundation  
21 relations also was, has a development relationship,  
22 recognizing that there are generally three sources  
23 of private support for universities.

24 One coming from individuals, corporations, and

1 foundations.

2 MR. CHUNG: Is Syracuse a private or a public  
3 institution?

4 DR. MICEK: It's a private university.

5 MR. CHUNG: So the position you've held with  
6 the foundation is the only such position you've held  
7 with regard to a public institution, is that fair?

8 DR. MICEK: That is correct.

9 MR. CHUNG: Now, the foundation, is it a  
10 separate legal entity from the university itself?

11 DR. MICEK: It is.

12 MR. CHUNG: Could you describe that for the  
13 commission?

14 DR. MICEK: Yeah, it's, the University of  
15 Illinois Foundation is a separate 501(c)(3)  
16 corporation, established in 1935, with the mission  
17 of working with the university to secure and  
18 administer private gifts.

19 MR. CHUNG: And you've used the term private a  
20 couple of times now. I take it that's, as opposed  
21 to public gifts, correct?

22 DR. MICEK: Correct, we do not work on raising  
23 any public funds, any public monies.

24 MR. CHUNG: And again, the categories of

1 private gifts principally are what?

2 DR. MICEK: Principally are support from  
3 individuals, alumni, and friends of the university.  
4 We also, when we provide figures, as far as private  
5 support, we also take into consideration support  
6 from private corporations as well as private  
7 foundations.

8 MR. CHUNG: So alumni and friends, those are at  
9 the individual level, is that fair to say?

10 DR. MICEK: Right, right.

11 MR. CHUNG: Corporations and foundations.

12 DR. MICEK: Foundations.

13 MR. CHUNG: In a typical year, what would be  
14 the breakdown, in terms of all foundation donations,  
15 between the individual donations and then the  
16 corporate and foundation donations?

17 DR. MICEK: Generally it's been my experience  
18 that probably about 60 percent of the monies that  
19 come in, that are part of the cash flow coming in  
20 from gifts and pledge payments and grants and so  
21 forth, it's about 60 percent from individuals, about  
22 40 percent from corporations and foundations, could  
23 be 55, 45, but let's just say 60/40.

24 CHAIRMAN MIKVA: Does that include the very

1 large grants that are made, capital grants, 30,  
2 \$40 million which you don't get many, I suppose.

3 DR. MICEK: We love large grants, but, Judge,  
4 we're only counting, it would be like support coming  
5 from Caterpillar or support coming from Abbott Labs.  
6 We do not count any federal monies, we do not count  
7 any state monies.

8 CHAIRMAN MIKVA: But every once in a while you  
9 will get a very large gift from a corporation or  
10 from a foundation or from an individual.

11 Are those included in, in your allocation?

12 DR. MICEK: In our numbers, yes.

13 CHAIRMAN MIKVA: Pardon?

14 DR. MICEK: Yes, they are.

15 CHAIRMAN MIKVA: Okay. Didn't you just, U of I  
16 get a \$300 million gift or contribution a couple of  
17 years ago.

18 DR. MICEK: In June 7th, when we kicked off our  
19 large campaign that we're currently in, we had a  
20 hundred million dollar commitment made by one of our  
21 good donors, and which was the largest gift ever  
22 committed to the university.

23 CHAIRMAN MIKVA: And that's included in this?

24 DR. MICEK: That would be included in, in the

1 gift totals for that year, but in terms of the  
2 overall campaign, yes.

3 MR. CHUNG: Doctor, you just made reference to  
4 a campaign. A campaign can stretch over and  
5 typically would stretch over a period of years,  
6 correct?

7 DR. MICEK: That's correct. A lot of campaigns  
8 stretch over possibly 7, 8, 8 and a half years,  
9 depending upon the strategy that you set up.  
10 There's usually a quiet phase, where you are trying  
11 to build up momentum and then you make some public  
12 announcement, and then you go into a public phase,  
13 and those two phases together usually are combined  
14 to be known as the campaign in total.

15 MR. CHUNG: And in addition to campaigns, like  
16 the one you're currently in, there's an annual  
17 fund --

18 DR. MICEK: Correct.

19 MR. CHUNG: -- for donations from both  
20 individual and corporate donors, is that correct?

21 DR. MICEK: Yeah. Primarily the annual fund is  
22 geared to individual, for individual support.  
23 Annual funds often are tied into individual schools  
24 and colleges within each campus, but all of those

1 monies are added up so that we can add up to what  
2 total giving has been for that year, and then in the  
3 campaign we're counting all of that, so it's a  
4 cumulative thing over that, the period of the  
5 campaign.

6 MR. CHUNG: And so you testified that ballpark  
7 figure 60 percent of donations come from  
8 individuals, 40 from corporate and foundations.

9 DR. MICEK: Mm-hmm.

10 MR. CHUNG: With respect to the 60 percent,  
11 roughly how many individual donors account for the  
12 60 percent? Are we in the thousands, in the tens of  
13 thousands?

14 DR. MICEK: Let me just say that -- I mean, the  
15 last time I looked at this, it might be like we look  
16 at the amount and we look at the number of gifts  
17 that come in and probably adding all that up, maybe  
18 to the tune of maybe 120,000 gifts a year, because  
19 we're counting small gifts, large gifts, and so  
20 forth.

21 MR. CHUNG: I'm sorry, that's specifically with  
22 regard to the individual donations or does that  
23 include both corporate and foundation as well?

24 DR. MICEK: I believe that would include all

1 gifts, but, you know, you think of the -- but it  
2 would be much more, instead of the 60/40 ratio, as  
3 far as where is support coming from, of that, of the  
4 individuals in corporate, probably of the hundred,  
5 let's say 120,000, I would guess probably 110,  
6 115,000 of those gifts came from individuals.

7 MR. CHUNG: So the vast majority of the gifts  
8 are from an individual?

9 DR. MICEK: Absolutely.

10 MR. CHUNG: But in terms of looking at the  
11 aggregate dollars, the breakdown is 60/40?

12 DR. MICEK: That's correct.

13 MR. CHUNG: Okay. If an individual contributes  
14 through his or her company, is that counted as a  
15 corporate donation or is that counted as an  
16 individual donation or both?

17 DR. MICEK: Well, we only count one. What we  
18 try to do there, if somebody is in a corporation and  
19 they make a hundred-dollar gift and the corporation  
20 has a matching program and they match it one for  
21 one, that would be \$200 benefit to the university  
22 which we would receive. We would acknowledge the  
23 individual's gift, and we would also acknowledge the  
24 corporation, their support, so we would keep that

1 separate.

2 MR. CHUNG: Okay. Does the foundation have a  
3 means by which it classifies individual donors based  
4 on the level or amount of contributions, either on  
5 an annual basis or over a lifetime?

6 DR. MICEK: We do. We have two, what we call  
7 giving societies. We try to recognize people and  
8 encourage people to do annual support, and we have  
9 started a couple of years ago an annual giving  
10 society called the Chancellor's Circle, which we  
11 have on each of the campuses; and to achieve that  
12 level of recognition, one has to give some, totaling  
13 sometime during that year a total number of gifts of  
14 \$2,500, 2,500.

15 Some of the individual schools and colleges  
16 have their own kind of recognition programs. Of  
17 course they may be recognizing their donors at,  
18 let's say, a thousand dollars a year, so there's the  
19 annual giving component. And then we also have what  
20 we call a Lifetime or Cumulative Giving component,  
21 which is known as the President's Counsel, which has  
22 been in existence for a number of years.

23 We probably have in the President's Council  
24 probably close to 11,000 individuals, who in their

1 lifetime have given gifts totaling at least \$25,000  
2 or more, but the minimum to get into that cumulative  
3 giving society is 25,000.

4 MR. CHUNG: Then once you are in the  
5 President's Council, is it fair to say that as you  
6 progress within the council, donate more and more,  
7 you can reach additional designations?

8 DR. MICEK: Right, there are different levels.  
9 25,000 is kind of the entering level. We have a,  
10 and then there's like 50,000, a hundred thousand,  
11 500,000, and a million and above level.

12 MR. CHUNG: And other than being identified  
13 with a particular, I'm using the term designation,  
14 President's Council, for instance, do donors who  
15 reach these various thresholds get other benefits  
16 that are in any way tied to the university?

17 Example might be athletic tickets, you know,  
18 tickets to other events, cultural events at the  
19 campus, that sort of thing.

20 DR. MICEK: Well, nothing dealing with tickets  
21 to events and things like that. One thing that we  
22 try to do is, if they are a President's Council  
23 member, give them access to the library, so that  
24 would be one way.

1           Very often we do regional events around the  
2 country. Generally we're going to invite those  
3 people who President's Council members and  
4 Chancellor's Circle members to those events, because  
5 we're in the business of establishing relationships,  
6 ongoing relationships.

7           And so a part of our job is to not only thank  
8 them, but also let them know the impact their gifts  
9 are having, and also to steward them in such a way  
10 that they will continue to support us because  
11 generally we recognize that your best donors are  
12 people who have given before, as they've invested  
13 and they see the difference the gifts make.

14           MR. CHUNG: Now, in order to accomplish all of  
15 this, with regard to the relationship building and  
16 the various levels of designation, I presume you are  
17 tracking your donors and then providing data,  
18 putting data into a database that will indicate, for  
19 instance, on an individual donor basis what level of  
20 donation they've had over time, what classification  
21 they're currently in?

22           DR. MICEK: We keep a track of how much people  
23 are giving annually so we can see where they are  
24 with respect to the Chancellor's Circle. We're

1 tracking that annually and then we also track it on  
2 a cumulative basis so we know how much people have  
3 given each year, you know, in their lifetime.

4 MR. CHUNG: Does the office track contacts with  
5 individual donors? For instance, if someone within  
6 the foundation made a phone call or sent a letter,  
7 an e-mail to a particular donor, maybe making an ask  
8 or maybe not making an ask, just having contact --

9 DR. MICEK: We do.

10 MR. CHUNG: -- would that be included in the --

11 DR. MICEK: Yes, we do.

12 MR. CHUNG: And the purpose of tracking that  
13 type of communication or contact is what?

14 DR. MICEK: Well, just knowing the kind of  
15 relationships or contacts have been made, helping  
16 people understand over time how that relationship  
17 has evolved, and as we think about what potential  
18 gift the person might be able to make down the road,  
19 we might strategize in terms of what that gift might  
20 be, for what purpose, who might be benefiting, and  
21 so we're trying to build individual strategies, and  
22 so those individual contact reports are helpful as  
23 we build the strategies for individual gift giving.

24 MR. CHUNG: Do you have personnel within the

1 foundation who are assigned to particular groups of  
2 individual donors, if you understand that question?

3 DR. MICEK: We have one individual who is our  
4 associate vice president for donor campus relations,  
5 and her role is to basically monitor and basically  
6 steward our President's Council members. And then  
7 our annual giving staff, the person who heads up our  
8 annual giving programs on each of the campus,  
9 they're monitoring and stewarding the annual giving  
10 that donors make.

11 And so an individual donor can be recognized  
12 both for the annual support they give as well as  
13 special gift support that would be President's  
14 Council.

15 MR. CHUNG: You're touching on this a little  
16 bit. So you have the foundation staff, employees of  
17 the foundation, and then is it fair to say that  
18 there are also additional development officials that  
19 are part of, officially employed by the university  
20 and within individual colleges of the university?

21 DR. MICEK: That's correct.

22 MR. CHUNG: Could you explain for the members  
23 of the commission kind of how this network of  
24 development officials, how they're structured

1 vis-a-vis the university and the foundation?

2 DR. MICEK: I'll try, I'll try.

3 Generally, it's, it would be more like a matrix  
4 organization. The foundation ends up working with  
5 the entire university, i.e., all three of the  
6 campuses. And then on each campus there are,  
7 because of the centralized nature of the campuses,  
8 with respect to schools and colleges, athletics,  
9 student fairs, there are individuals in those units  
10 or those schools and colleges that have their own  
11 individual gift offices.

12 MR. CHUNG: Do they all have their own  
13 individual gift offices, all the colleges, to your  
14 knowledge?

15 DR. MICEK: Almost, I would say, on the  
16 Urbana-Champaign campus and on the Chicago campus,  
17 the answer would be yes.

18 Small schools and colleges may be one or two.  
19 Larger schools like the Urbana-Champaign campus like  
20 liberal arts and sciences or engineering would have  
21 many more than two, could be as many as, say eight,  
22 ten.

23 On the Chicago campus, for example, the med  
24 school would have a large number of individual

1 gift -- development officers working with actually  
2 the medical departments. But there's a -- and so  
3 those individuals who are employed on the campus are  
4 university employees.

5       Then there are also fundraising staff as well  
6 as what we call gift management staff or gift  
7 administrative staff that are foundation employees.  
8 And those are, foundation employees are paid by the  
9 foundation. University employees are paid by the  
10 university.

11       MR. CHUNG: But they do work together --

12       DR. MICEK: But they do work together. And  
13 there's, the link pin between the foundation and  
14 each campus is the vice chancellor for the  
15 Urbana-Champaign campus was the vice chancellor for  
16 institutional advancement, who also carries a  
17 foundation title of senior vice president of the  
18 foundation.

19       That person is dually paid. This is one of the  
20 unique things about Illinois, that person is dually  
21 paid 50/50 by the campus and by the foundation and  
22 that person reports to the chancellor and to me, as  
23 far as in a supervisee/supervisor role.

24       MR. CHUNG: So that person, both by function

1 and by title, brings together the foundation  
2 advancement personnel or development personnel and  
3 then the university personnel?

4 DR. MICEK: Yes.

5 MR. CHUNG: And that person reports both to  
6 you --

7 DR. MICEK: Right.

8 MR. CHUNG: -- and to the chancellor?

9 DR. MICEK: That's the matrix category.

10 MR. CHUNG: To whom do you report?

11 DR. MICEK: I report to the foundation's board  
12 of directors, hired by the board, and I'm  
13 responsible to that group. That's why I'm CEO of  
14 the foundation.

15 MR. CHUNG: And that board of directors is an  
16 entirely separate group than the board of trustees  
17 that oversees the university?

18 DR. MICEK: Entirely separate, correct?

19 MR. CHUNG: And no overlap at all, in terms of  
20 actual individuals being on both boards, as far as  
21 you understand?

22 DR. MICEK: No overlap, as far as voting  
23 members and so forth. The president, by our  
24 charter, the president of the university and the

1 chairman of the board of trustees are ex-officio  
2 members of the foundation's board, but they are not  
3 voting members.

4 MR. CHUNG: So you have a various, separate but  
5 coordinated development operations going on at the  
6 different colleges?

7 DR. MICEK: Correct.

8 MR. CHUNG: And they are individually  
9 attempting to obtain donations from entities and  
10 from individuals over time?

11 DR. MICEK: Right.

12 MR. CHUNG: The funds, once they are in fact  
13 committed and then provided, they don't go to the  
14 individual colleges, they all go, the donations go  
15 to the foundation, is that correct?

16 DR. MICEK: Well, the individual donations come  
17 to the foundation. We receive the gifts, and then,  
18 as those, what's in those receipts then move on to  
19 the donors for tax purposes and so forth, along with  
20 thank you letters.

21 But then the foundation also makes sure that  
22 those gifts, then, are entered into the right  
23 accounts so that they are used by the beneficiary of  
24 the gift and also for the purpose for which the gift

1 is intended. So that's something that we really  
2 track because we want the donors to know and, of  
3 course, we want the university to use those gifts in  
4 the appropriate way.

5 MR. CHUNG: So no matter what college the  
6 donations is initially intended for, the funds are  
7 receded by the foundation and then ultimately  
8 allocated back to the appropriate fund that  
9 corresponds to the college, is that a fair  
10 generalization?

11 DR. MICEK: Right, it's moved back, that's  
12 right.

13 MR. CHUNG: And then you track that money flow  
14 and you also track and monitor the actual use of  
15 those funds for the intended purpose?

16 DR. MICEK: Right, that's the intent of that  
17 whole process.

18 MR. CHUNG: And is it also fair to say that the  
19 vast majority of donated funds are earmarked for  
20 specific purposes and specific colleges?

21 DR. MICEK: It is. Probably, I would say  
22 probably 98 percent of the monies that we receive  
23 from private sources are earmarked for specific  
24 purposes. We would call it restricted. Probably 2

1 percent comes in unrestricted. And most of the  
2 unrestricted would come in in the form of probably  
3 annual.

4 CHAIRMAN MIKVA: In the form of what?

5 DR. MICEK: In the form of annual, current use  
6 gifts.

7 MR. CHUNG: I want to spend the rest of the  
8 time asking you questions about the Category I  
9 admissions process.

10 DR. MICEK: Okay.

11 MR. CHUNG: What has come to be discussed  
12 publicly as Category I.

13 Did you know that term, before it became sort  
14 of part of the public parlance after the stories  
15 broke about this case?

16 DR. MICEK: Personally, no. I have never heard  
17 of Category I.

18 MR. CHUNG: Okay. Does the foundation have any  
19 official role with regard to admissions of  
20 applicants to either the undergraduate school or  
21 colleges or any of the graduate colleges at the  
22 university?

23 DR. MICEK: No, we do not.

24 MR. CHUNG: Does the foundation have any sort

1 of policy, written policy, that would in any way  
2 govern the conduct of foundation employees in  
3 relation to admissions at the university?

4 DR. MICEK: We do not. That's purely an ad hoc  
5 basis.

6 CHAIRMAN MIKVA: It is what?

7 DR. MICEK: It's on an ad hoc basis that we  
8 deal with this, but we do not have a policy.

9 MR. CHUNG: And in terms of it being on an ad  
10 hoc basis, what do you mean by that?

11 DR. MICEK: That we have no policy, that as we  
12 receive various information, various requests that  
13 might relate to admissions, we would just move those  
14 requests on to, to the appropriate campus.

15 CHAIRMAN MIKVA: To whom?

16 DR. MICEK: Generally to the vice chancellor  
17 for institutional advancement on the Urbana campus,  
18 because that's our contact.

19 CHAIRMAN MIKVA: Would be who?

20 DR. MICEK: Currently the gentleman is Dr. Jim  
21 Schroeder. And so we would, at least I would move  
22 that on to Jim, and then he would continue to move  
23 that onto the, to the appropriate people, whether it  
24 was directly to admissions or to a specific school

1 or college or whatever the intended next step would  
2 be.

3 CHAIRMAN MIKVA: Did you ever move any directly  
4 to the chancellor?

5 DR. MICEK: I may have sent something directly  
6 to Chancellor Herman, but if I would, I would be  
7 carboning Jim, because Jim -- the vice chancellor  
8 usually would be the one who would be moving this  
9 on. But generally, Judge, I would normally move  
10 that on to Jim.

11 CHAIRMAN MIKVA: Did you ever move any on to --  
12 did you ever initiate a request to President White?

13 DR. MICEK: No, I didn't, because the  
14 admissions decision's really a campus decision, not  
15 a university-wide decision, so I would move things  
16 on to -- I might if, if it was somebody, let's say a  
17 member of our board who President White and Richard  
18 Herman would know, and I sent this to, sent the  
19 communication to move this information on to Jim, I  
20 might cc both of them because they know that  
21 individual, and I think it would be advantageous for  
22 them to know that this individual has contacted us  
23 about whatever they're contacting us about.

24 MR. CHUNG: Doctor, let me just try to segment

1 this out. The population of persons interested in  
2 applicants that the foundation was dealing with was  
3 the donor population, is that general statement  
4 accurate?

5 DR. MICEK: That would be correct, sure.

6 MR. CHUNG: So people that were donors or  
7 prospective donors, from time to time, would make  
8 inquiries, make requests, have other types of  
9 communications with people in the foundation office,  
10 including yourself, concerning an applicant or a  
11 prospective applicant?

12 DR. MICEK: That's what would happen.

13 MR. CHUNG: At that level of generality, how  
14 often did that occur on a weekly, monthly, annual  
15 basis; whatever frame of reference assists you?

16 DR. MICEK: You know, my own view is that if,  
17 because we deal with a lot of different interactions  
18 with donors and so forth, so you know, in the mix of  
19 all of those, a very minimal amount would deal with  
20 inquiries about admissions, just a very minimal.

21 And so, you know, my feeling that, you know,  
22 for myself, you know, I might get, you know, maybe  
23 three inquiries a year. I don't even know. I  
24 might, might not get any. Other staff members might

1 get inquiries because of the relationships they have  
2 with the donors. Donors felt most comfortable  
3 contacting them, but I really don't know. We don't  
4 track that, so I wouldn't know.

5 MR. CHUNG: So it wasn't just you, as far as  
6 you understand, in the foundation staff that was  
7 receiving inquiries or requests, et cetera, from  
8 donors regarding applicants?

9 DR. MICEK: That's correct.

10 MR. CHUNG: Even colleagues of yours were  
11 receiving similar types of --

12 DR. MICEK: Of course there would be other  
13 colleges because of relationships they build with  
14 donors. That would just depend upon who the donor  
15 felt they wanted to contact, as far as moving their,  
16 asking them to help them move their inquiry along.

17 MR. CHUNG: And how would these communications  
18 come in from the outside from the donors into your  
19 office? Was there, was it typically by e-mail, by  
20 letter, by phone, by all of the above, other means?

21 DR. MICEK: All of the above.

22 MR. CHUNG: Okay. And can you generalize about  
23 the nature of these communications? Were they  
24 specific requests for assistance, were they requests

1 for status updates, were they requests for anything  
2 else?

3 DR. MICEK: Well, there might be times when it  
4 would be a status update. A friend of mine's  
5 youngster had applied, I'm very interested in this,  
6 could you keep me informed, person asked me to  
7 check.

8 It could be that we have a parent who is a  
9 President's Council member and they send a letter  
10 inquiring about, letting us know that their son or  
11 daughter has applied, and if there's any, here's  
12 some information we'd like to make sure they would  
13 have about this, so they would be asking us to pass  
14 along, because they didn't know anybody in the  
15 admissions so that we were the ones who had the  
16 relationship with them, so they would feel most  
17 comfortable in contacting us first.

18 But generally, when -- if there is an unstated  
19 policy, it was that we would pretty much serve as a  
20 conduit and try to move that information on as a  
21 courtesy to donors with whom we're wanting -- we  
22 have a relationship with wanting to continue to have  
23 a relationship.

24 MR. CHUNG: It seems clear that once these

1 communications came in from this donor population  
2 into your office, you had no policy or protocol of  
3 sorts to have them funnel up to you or any other  
4 specified individual for purposes of then passing  
5 them on?

6 DR. MICEK: That's correct.

7 MR. CHUNG: So is it your understanding that  
8 individual foundation personnel who received these  
9 dealt with those communications in the ways they  
10 individually saw fit.

11 DR. MICEK: That's correct.

12 MR. CHUNG: Do you have an understanding of how  
13 any of your colleagues within the foundation dealt  
14 with the kinds of inquiries you were getting from  
15 the donor population about applicants?

16 DR. MICEK: You know, I really don't have a  
17 real good feel and I haven't had -- I mean, it's not  
18 something that I quite honestly that I worry about.  
19 I know that we've got an outstanding professional  
20 staff. Most of them are pretty experienced, so I  
21 really -- it's something that, that I really don't  
22 know what they would do, as far as how they would  
23 try to move that information on.

24 MR. CHUNG: Do you have any sense at all of the

1 total volume -- you've talked about roughly three  
2 yourself in a given year, give or take?

3 DR. MICEK: Right.

4 MR. CHUNG: Can you estimate at all about the  
5 total volume for all communications into the  
6 foundation from donors or prospective donors  
7 regarding applicants, in a given year?

8 DR. MICEK: No, I really can't. You know,  
9 obviously it's more than -- I know that there's  
10 other, other contacts that occur, but as far as  
11 giving you some kind of volume, I have, I really am  
12 not sure.

13 MR. CHUNG: Okay. So you've talked about how  
14 the communications come in, they're in your office,  
15 and then you used the term conduit, the information  
16 is passed along, you said typically to the associate  
17 vice chancellor.

18 DR. MICEK: The vice chancellor, right.

19 MR. CHUNG: At times with a copy as well to the  
20 chancellor?

21 DR. MICEK: Sometimes.

22 MR. CHUNG: Sometimes.

23 DR. MICEK: Only if I thought that it was  
24 important that the chancellor and/or the president

1 knew the person, and I just wanted to give them a  
2 heads up.

3 MR. CHUNG: And in so doing, in referring that  
4 information in to the university, as you described,  
5 did you have a practice as to how you did it, what  
6 you said along the way, whether you did it by phone,  
7 by e-mail, by any other means?

8 DR. MICEK: It would vary. If I received an  
9 e-mail, I might just ask my assistant to move this  
10 along. I might, based upon the nature of the  
11 inquiry who is, you know, the complexity of the  
12 inquiry or whatever it might be, I might type a very  
13 short e-mail, pass that along.

14 So it really varied, as far as how I would  
15 communicate that. Primarily I was, you know, trying  
16 to give who would be receiving the e-mail the  
17 appropriate information that I thought would be  
18 helpful to them.

19 MR. CHUNG: And what was the appropriate  
20 information you thought would be helpful to the  
21 recipient of your information, when the information  
22 began as a donor communication about an applicant?

23 DR. MICEK: Well, it would depend on,  
24 obviously, what the sender, you know, the person who

1 is doing the inquiring what, you know, what they had  
2 sent in their communication.

3       You know, one of the things we recognize is  
4 that, you know, our role is not to be involved in  
5 the admissions decision-making process. We  
6 recognize that it's a complex process, it's a  
7 challenging one for the admissions office, for the  
8 university. It's a university decision to do this,  
9 but given what we're trying to do, as far as  
10 providing good stewardship, building good  
11 relationships with donors.

12       As I mentioned, you know, we would try to move  
13 these things on merely as a courtesy and with the  
14 idea that we also thought it would be helpful to the  
15 university as it considered the array of information  
16 both quantitative as well as the qualitative  
17 information that they would be receiving about a  
18 particular applicant, to let, that this would be one  
19 additional piece of information that might be  
20 helpful to them as they would be about the ultimate  
21 job of making that judgment call on, on the  
22 applicant's application.

23       MR. CHUNG: Did you have any understanding that  
24 the information you were providing, in the first

1 instance to, whether it was Chancellor Herman or  
2 associate, the vice chancellor, did you have any  
3 understanding that that information was ultimately  
4 going to get to the admissions office?

5 DR. MICEK: Well, I anticipated that somehow  
6 they would get it to the admissions office because  
7 it was related to admissions, ultimately, to that  
8 pool of information that the admissions office was  
9 going to have to consider to make that choice. I  
10 know that's, it was a similar thing that we did in  
11 Syracuse.

12 MR. CHUNG: Sir, you said just a second ago  
13 that your role as the foundation and as an employee  
14 of the foundation was not to be involved in the  
15 admissions decision-making process.

16 DR. MICEK: Right.

17 MR. CHUNG: Not to be involved in --

18 DR. MICEK: To have a direct involvement. We  
19 do not make the decision as to whether they should  
20 be admitted or not.

21 MR. CHUNG: And my question to you would be,  
22 would you have the same answer if, instead of being  
23 involved in the process, the statements were  
24 influencing the process, do you feel like the

1 foundation could appropriately seek to influence the  
2 decision-making process with regard to any  
3 particular applicant to the university?

4 DR. MICEK: Well, I think -- and I think I may  
5 have stated this before but, you know, we definitely  
6 see the foundation's role as trying to help the  
7 university raise money. It's a challenge these  
8 days, given the, as you all have heard, the  
9 declining percentage of state support, so private  
10 giving has become increasingly important, in support  
11 of students whose scholarships and faculty try to  
12 help, hire and train faculty and so forth; and so we  
13 think it's, as do other universities around the  
14 country, we think it's appropriate that the  
15 university knows that if we get a request that for,  
16 for help, it's important that we think that it's  
17 important that we move that information along for  
18 their consideration --

19 CHAIRMAN MIKVA: You say help this time and not  
20 information. You help in getting them admitted?

21 DR. MICEK: No, I -- who we're trying to help,  
22 in this instance, we're trying to help the  
23 admissions, the people who are involved in the  
24 admissions decision. Have an additional piece of

1 information --

2 CHAIRMAN MIKVA: What is the information, that  
3 somebody who has contributed is interested in that  
4 person?

5 DR. MICEK: That could be one of the pieces of  
6 information that we would pass along.

7 CHAIRMAN MIKVA: Is that a legitimate  
8 consideration, you think, for admission?

9 DR. MICEK: I think it is today. I do.

10 CHAIRMAN MIKVA: To who, to the admissions  
11 people?

12 DR. MICEK: I think, along with the array of  
13 information, Judge, that admissions people want to  
14 consider, I think it's, I think it is useful,  
15 because of, of the help that very interested people,  
16 people who've invested in the university through  
17 their giving, many for, you know, some make small  
18 gifts and they do that over many years through  
19 annual giving, some make larger gifts, but as we  
20 would get an inquiry, we think there's a value from  
21 the foundation's point of view for knowing, for the  
22 admissions people knowing that we have a supporter  
23 of the university who's very important to us, for  
24 them to have that information.

1           CHAIRMAN MIKVA: I understand that that's  
2 support to the foundation.

3           Do you think that that helps the admissions  
4 process?

5           DR. MICEK: That would be --

6           CHAIRMAN MIKVA: That is -- stop.

7           Do you think that the admissions people can  
8 make a more informed decision about whether that  
9 applicant should or should not be admitted based on  
10 whether somebody who has given money, be it a  
11 relative or a friend or a business person, says,  
12 makes a recommendation on behalf of that person or  
13 says, I would like to see this person admitted? Do  
14 you think that helps the admissions process?

15          DR. MICEK: You know, obviously, it's the, what  
16 really helps, what they want to consider is left up  
17 to the university to the admissions people. As far  
18 as my perspective, I think it's one additional piece  
19 of information, along with the array of information  
20 they have about the entire individual that  
21 admissions might want to consider, but it's up to  
22 the admissions people to decide that.

23          CHAIRMAN MIKVA: This is atrocious. I  
24 understand why it's important to the foundation.

1 DR. MICEK: Right.

2 CHAIRMAN MIKVA: But why do you think it would  
3 be important to the admissions people?

4 DR. MICEK: Because the, I would say that it  
5 would be important to the admissions people because,  
6 because they represent the university. They're  
7 making a decision for the university and the  
8 university values the kind of support, private  
9 support that supporters of the university make.  
10 It's increasingly important. These people support,  
11 as I mentioned, in the form of scholarships, faculty  
12 support, as you know --

13 CHAIRMAN MIKVA: But how do you -- if you were  
14 an admissions person and you got a letter from the  
15 fundraising arm of the university that said, this  
16 guy gave a million dollars, he wants to get his  
17 great nephew into the university, look at it, what  
18 would you think was the message being sent to you?

19 DR. MICEK: That the foundation cares a great  
20 deal about this individual.

21 CHAIRMAN MIKVA: You wouldn't feel under any  
22 pressure?

23 DR. MICEK: That would be up to them to decide.

24 CHAIRMAN MIKVA: No, I'm asking you --

1 DR. MICEK: If I'm the admissions person, no, I  
2 would be interested in knowing that, but based upon  
3 the criteria that I've chosen to use to make the  
4 decision.

5 CHAIRMAN MIKVA: So it shouldn't really make  
6 any difference in the decision now, should it?

7 DR. MICEK: That's up to the -- again, I have  
8 to come back, that's really up to the admissions  
9 people as they think about it.

10 And I think that's true in schools all the way,  
11 all across the country, that they take these -- they  
12 take this information into consideration. How much  
13 they weighed it compared to all the other data that  
14 they have about the individual, but I think that  
15 admissions people recognize that private donors do  
16 make a difference in the continuation and support of  
17 our students and so forth.

18 So it just depends upon what the university in  
19 the end really values, as far as making that final  
20 call, accept it or not accept it.

21 CHAIRMAN MIKVA: Ted.

22 MR. CHUNG: Doctor, if you begin from the  
23 premise, which I think you said that, that the fact  
24 that an applicant is somehow connected to a donor is

1 legitimate and useful information for admissions  
2 purposes, right, is that the premise?

3 DR. MICEK: The premise is that it's one piece  
4 of information that may be useful to the admissions  
5 people --

6 MR. CHUNG: Okay.

7 DR. MICEK: -- as they consider all the  
8 information or all the data that they have about an  
9 applicant.

10 MR. CHUNG: Okay. Does it then follow from  
11 that proposition that the level of donations, the  
12 extent of donations, the magnitude of donations,  
13 with respect to that particular donor makes that  
14 information even more legitimate and even more  
15 useful --

16 DR. MICEK: Well --

17 MR. CHUNG: -- to the admissions process?

18 DR. MICEK: Yeah, I understand. I think I  
19 understand the question.

20 As I mentioned in my comment to Judge Mikva,  
21 what's valuable to us, and we continually state  
22 this, you know, gifts of all sizes or all levels are  
23 really important to us. Continuous giving is very  
24 important over time and so forth; and obviously,

1 when large gifts come in of the size that we are  
2 talking about, you know, it's wonderful and we  
3 strive to get that 'cause we hope people will be  
4 able to do something like that for us in their  
5 lifetime and so forth.

6 But as far as moving that information along  
7 based upon gift size or level of donor  
8 contributions, generally, it's based upon the  
9 relationships that we have with individual donors or  
10 supporters who are requesting them.

11 And so it could be a donor who may have only,  
12 who may have a cumulative value of 25,000 and that  
13 information could be moved on, as well as people  
14 who've done 250 or 2.5 million.

15 CHAIRMAN MIKVA: Do you tell them how much?

16 DR. MICEK: Pardon?

17 CHAIRMAN MIKVA: Do you tell the admissions  
18 people how much they --

19 DR. MICEK: No, generally, we do not tell them  
20 that.

21 CHAIRMAN MIKVA: Do you tell them the category  
22 that the particular person is in?

23 DR. MICEK: Sometimes we might say that this is  
24 a President's Council member or a Chancellor's

1 Circle member, if that's in the communication, which  
2 would only signal that that's what they're in, but  
3 we don't say that they're a \$25 million donor or  
4 something like this. Rarely do we do that. A lot  
5 of times they know that from what they've read.

6 MR. CHUNG: Now, focussing on what you  
7 described as the conduit function of passing along  
8 information that you've now received and are turning  
9 over to the university.

10 DR. MICEK: Right.

11 MR. CHUNG: In so doing, was it your practice  
12 not to add any additional information or, I guess in  
13 particular, personal perspective about the donor or  
14 the applicant for purposes of consideration by the  
15 admissions staff?

16 DR. MICEK: I think that's generally true. We  
17 would not try to add on. In other words, we would  
18 just try to move this on letting them know that  
19 we've had an inquiry from the donor and here it is.

20 MR. CHUNG: Do you recall ever doing anything  
21 that could be construed as advocating for or  
22 supporting the admission of a particular applicant?

23 DR. MICEK: Well, I can recall, you know, one  
24 e-mail that I was reviewing the other day where an

1 option, an option was provided, you know, there was  
2 some discussions going back and forth that I learned  
3 about, about a particular applicant, and they were  
4 asking the importance of this individual and, and we  
5 indicated that just it's an important individual,  
6 but again, trying to reiterate, in the end this is  
7 really up to you, but if you ask is this an  
8 important individual to us from a donor, you know,  
9 as a donor, we would say yes, it's an important  
10 individual, but at the same time we always want the  
11 admissions people to know, and I think they know  
12 this, that in the end it's their call. This is,  
13 we're just passing this along.

14         And, you know, obviously, we would, if somebody  
15 that we're trying to build a relationship with and  
16 who's been a donor, we always love to give happy  
17 news, but a lot of times we have to give unhappy  
18 news, and so in that role, you know, we're a conduit  
19 then to, but a lot of times we're a conduit back,  
20 especially to those donors, whether it's happy news  
21 or not happy news.

22         MR. CHUNG: So when you provided information  
23 into the university, there were occasions when you  
24 received a response back from the university and

1 you, in turn, would provide the response to the  
2 donor or the donor's family?

3 DR. MICEK: Right.

4 MR. CHUNG: Just if I could refer you to what  
5 appears as Exhibit 4, the one-page document, with a  
6 number, Bates number UNIVER 001390.

7 Do you have that in front of you?

8 DR. MICEK: I do.

9 MR. CHUNG: Doctor, is that the document you  
10 were just referring to, about where you were  
11 providing something that might be deemed a  
12 recommendation or advocacy?

13 DR. MICEK: Yes.

14 MR. CHUNG: And just so the record is clear,  
15 it's an e-mail that you didn't author, that Craig  
16 Bisani [phonetic] authored to Keith Marshall in  
17 January of 2008 regarding Cat I, Category I.

18 And their e-mail reads, Dr. Micek believes that  
19 it would be helpful if we could admit -- the name of  
20 the applicant's redacted -- but understand that he  
21 will have to be placed in a general studies school  
22 for consideration in the second round of admissions.

23 I told Sid -- that would be you, doctor -- that  
24 I would request that you place him in the pool, so

1 let me know if that's acceptable to you.

2 What is Craig Bisani.

3 DR. MICEK: Craig Bisani at that time was the  
4 interim vice chancellor, before Jim Schroeder was  
5 hired, and he was an interim vice chancellor. He's  
6 a member of the foundation staff, who at that time,  
7 was on loan to the campus to basically serve as the  
8 interim vice chancellor.

9 MR. CHUNG: Do you remember this specific  
10 applicant?

11 DR. MICEK: I don't remember fully the specific  
12 applicant, but what I do recall about this, having  
13 seen this e-mail before, that Craig had, had called  
14 me indicating that the person, I think the person  
15 had applied to the communications school was not  
16 going to be able to be accepted for communications.

17 And there was another that the, that  
18 Mr. Marshall or Dr. Marshall indicated that there  
19 would be the possibility of being able to put him  
20 into the, the general studies pool. And given the  
21 fact that if that was an option, I thought, you  
22 know, I communicated back to Craig, if that's, if  
23 that's an option, that they, they think will work,  
24 that this person would be successful in, I would, I

1 would suggest, you know, that, that would be helpful  
2 or, you know, go ahead and do it.

3 MR. CHUNG: There is a fair amount of evidence  
4 I think in this, in the record of this commission  
5 that shows dialogue back and forth between personnel  
6 within the governmental affairs office at the  
7 university and Keith Marshall, who oversaw  
8 admissions, specifically Category I, and persons in  
9 the admissions office working with him on  
10 Category I.

11 Some of that discussion involved individual  
12 candidates and the question, and the dialogue was  
13 about whether to ultimately to admit the candidate,  
14 and at times, one of the considerations was how  
15 important is this candidate, and it was really not  
16 so much the candidate, it was the person behind the  
17 candidate.

18 DR. MICEK: Right.

19 MR. CHUNG: How important was the person behind  
20 the candidate. I think that's a fair representation  
21 of at least part of the record here.

22 My question to you is, with that context, how  
23 often were you, and apparently this is one instance,  
24 in a situation where you were brought into a

1 dialogue, either directly or through someone like  
2 Craig Bisani, where there was discussion back and  
3 forth about whether to admit a particular candidate  
4 backed by a donor?

5 DR. MICEK: In my recollection, this may have  
6 been really the only one where, that we went to this  
7 point of discussion, so I can't -- honestly, I  
8 cannot recall other, other such situations to which  
9 I was involved or where I would have made, you know,  
10 suggested Craig, would have caused Craig to make  
11 this statement.

12 You know, just as a reflection, my thought in  
13 this instance was, I know, I know who the  
14 applicant's parent is, the parent has been a good  
15 donor to the university, I know that the good donor  
16 wanted to have his son get in, I was prepared to let  
17 this good donor know that the son was not going to  
18 get in.

19 I got communicated by, from Craig that Keith  
20 Marshall said that they might be able to move him  
21 into this general studies, general studies program,  
22 and my communication back to Craig was, if that's  
23 possible that, would be wonderful.

24 And I, quite honestly, I looked at that, not

1 only as the head of the foundation, but also a  
2 parent. You know, if I was a parent and knew that  
3 my son or daughter had an option of getting in,  
4 let's say at the University of Illinois, and their  
5 first choice wasn't available but there was a second  
6 choice, that would be wonderful, if that's, if they  
7 really wanted to be at the University of Illinois  
8 and they were willing to forgo their first choice.

9       So as a parent, as well as head of the  
10 foundation, I commented to Craig, I think it would  
11 be helpful if we could admit him, but I didn't see  
12 that, I didn't see that, quite honestly, as  
13 influencing the decision. It was, it was really a  
14 situation where Mr. Marshall or Dr. Marshall had  
15 indicated there was this other option.

16       As the head of admissions, he was indicating  
17 there was another option, and so if there was  
18 another option, you know, after talking to  
19 Mr. Marshal, you know, your choice, but if you feel  
20 like you can admit him, please do so. I know the  
21 parents's going to be very happy about it. If you  
22 feel you can't, then don't admit him. I'll  
23 communicate that to the donor.

24       CHAIRMAN MIKVA: That isn't what you said.

1 DR. MICEK: What did I say?

2 CHAIRMAN MIKVA: You said it would be very  
3 helpful if he was admitted.

4 DR. MICEK: Well, I did say it was very --  
5 that's what Craig said but, yeah, it would have been  
6 helpful.

7 CHAIRMAN MIKVA: Do you think the university  
8 has a problem here?

9 DR. MICEK: In what sense?

10 CHAIRMAN MIKVA: On this Category I list?

11 DR. MICEK: You know, I think every, you know,  
12 first off, you know, it's been my practice in the 30  
13 something years I've been involved in higher  
14 education that college universities across the  
15 country, whether they called it Category I or  
16 there's a filing system or so forth, you know, they  
17 value friends of the university, whether they be  
18 donors or friends, they value that information as  
19 part of the admissions process and so, you know, I,  
20 you know, I think, it's, it's an appropriate piece  
21 of information to pass along.

22 CHAIRMAN MIKVA: So then you don't think that  
23 the Category I is a problem?

24 DR. MICEK: In the general sense, no. What I

1 don't know, other than, you know, what I've read, I  
2 think that, you know, the extent to which it has  
3 evolved or how it's evolved and so forth in  
4 Illinois, I mean, I know that's what you are all  
5 looking at, and I think that's great.

6 But in terms of, for, for any institution, any  
7 admissions office, who gets special requests, I  
8 would, you know, they need to file this someplace.  
9 And, and to me, that's what -- as I've come to  
10 understand it, that's pretty much what Category I  
11 is.

12 CHAIRMAN MIKVA: So you don't think Category I  
13 is a problem?

14 DR. MICEK: I really don't.

15 CHAIRMAN MIKVA: Or at least you don't think  
16 you've done anything wrong or at least you don't  
17 think you've done anything different than any other  
18 university?

19 DR. MICEK: I don't think the university has  
20 done anything wrong, no, I don't.

21 CHAIRMAN MIKVA: And you don't think the alumni  
22 office has done anything wrong, I mean, at your  
23 organization, has done anything wrong?

24 DR. MICEK: I really do not, no.

1           COMMISSIONER SCHOLZ:  Would you, as were  
2   formulating recommendations, favor warding off some  
3   development from admissions?

4           DR. MICEK:  I would really hate to see that  
5   recommendation come forward.  You know, the reason I  
6   think that's, I just think that in reality, I mean,  
7   I think this is appropriate and reasonable  
8   information to pass along, and to be considered as  
9   part of the overall picture.

10          COMMISSIONER SCHOLZ:  Are you saying it's  
11   important because the admissions department knows  
12   that a student comes from a background that has been  
13   involved with the university or because in your  
14   position you need to maintain this relationship with  
15   a particular donor that's recommending?

16          DR. MICEK:  I would say yes and yes.  I think  
17   it's important.  I think, you know, in one sense  
18   we're all in this together.  And my job is to worry  
19   about raising support, admissions job is to worry  
20   about admitting candidates.  In one sense I think  
21   it's important that admissions does its job, that we  
22   provide them with the best information that will  
23   help them, but ultimately will not in any way  
24   disadvantage the university either, in the sense of,

1 as a courtesy, allowing people who have invested in  
2 the university and who we want to keep investing in  
3 university, to be able to at least pass the  
4 recommendation along or inquiry along and so forth.

5 And some of those inquiries come from parents  
6 who are donors, some come from individuals who know  
7 the kid down the street and they do that on their  
8 own, or a parent ask them to do that kind of --

9 CHAIRMAN MIKVA: Did it ever occur to you that  
10 this would disadvantage kids whose parents never  
11 went to college 'cause they're not likely to be  
12 contributors to the University of Illinois?

13 DR. MICEK: They may not be.

14 CHAIRMAN MIKVA: Likely, they never went to any  
15 college.

16 DR. MICEK: That's fair.

17 CHAIRMAN MIKVA: But this policy that is  
18 clearly helpful to raise money for the university  
19 disadvantages kids who are first generation to go to  
20 college, doesn't it?

21 DR. MICEK: Well, I think what happens there,  
22 you know, my belief there is that a lot of the kids  
23 who have never gone to college, might be first  
24 generation kids and so forth, maybe of lower poverty

1 levels, who may not have a donor, let's say, sending  
2 an inquiry on their behalf, what they gain by us  
3 maintaining those good relationships with those  
4 donors, is that those donors provide tremendous  
5 support for scholarships, financial aid, that really  
6 help those kids who are of lesser means --

7 CHAIRMAN MIKVA: If they get admitted.

8 DR. MICEK: If they get admitted.

9 CHAIRMAN MIKVA: But the likelihood of them  
10 getting admitted is not as good as if they had  
11 somebody who was a donor already on their behalf?

12 DR. MICEK: But I can't, I can't say that. I  
13 can say it's valuable information, but that has to  
14 be left up, Judge Mikva to --

15 CHAIRMAN MIKVA: That's probably my bias. I  
16 come from a family who's -- who I was the first one  
17 that went to college so I never had --

18 DR. MICEK: So was I.

19 CHAIRMAN MIKVA: So I would have never had a  
20 donor who would have written to the State University  
21 of Wisconsin to get me in.

22 DR. MICEK: But I also know that I had a  
23 scholarship because of somebody who was good enough  
24 to do that, and I was very helpful and it was very

1 helpful to me, but I know my folks were extremely  
2 happy about that. They were happy that I could get  
3 that, and --

4 CHAIRMAN MIKVA: You would have been unhappy if  
5 it turned out that you didn't get in because you  
6 didn't know a donor.

7 DR. MICEK: Well, I probably would be going to  
8 the two-year college instead of the college I went  
9 to, at home.

10 CHAIRMAN MIKVA: Ted.

11 MR. CHUNG: Just one final question on  
12 Exhibit 4, doctor. First of all, do you recall  
13 thinking, with regard to this applicant, that it  
14 would be helpful if the applicant were admitted?

15 DR. MICEK: Yeah, I think -- I felt it would be  
16 helpful in the relationship that we had with this  
17 person's parent, person had been a donor, so I  
18 thought it would be helpful but, again, and I just  
19 want to reiterate, I know you've heard me say this  
20 before, in the end, it had to be left up to the  
21 university to decide whether to admit or not. I  
22 said, you know, from my perspective, as head of the  
23 foundation, it would be helpful.

24 MR. CHUNG: You've anticipated my very next

1 question, which is, helpful in what respect? The  
2 respect in which you thought it would be helpful  
3 would be with regard to the work you were trying to  
4 do in advancing the mission of the foundation?

5 DR. MICEK: Sure, exactly, yeah, I think so.

6 MR. CHUNG: And so the extent that, I'm  
7 assuming that it would not have been helpful to  
8 admit this student from the perspective of the  
9 mission of the admissions office, right, then you  
10 might have a disagreement or divergence or opinions  
11 about helpfulness?

12 DR. MICEK: Well, what I would have had is I  
13 would have had to respond back to the parent to say,  
14 your son is not going to -- I'm sorry to say your  
15 son's not going to be admitted, I feel very bad  
16 about this, I know you're disappointed.

17 And, you know, the discussion would follow  
18 beyond that, but that's, sometimes that's a tough  
19 message that you've got to give back. And I know in  
20 my own case, you know, I might comment on  
21 [unintelligible], I represent the university, I  
22 might be talking about as a parent, you know,  
23 sometimes, you know, we want all of your students  
24 who are admitted to succeed. We wouldn't want to

1 admit anybody that got in that wouldn't succeed and  
2 so forth, so but that's where the admissions people  
3 have got, that's what they have to be looking at is  
4 will they, will this person succeed at the U of I?

5 MR. CHUNG: And would you agree that if the  
6 admissions office in its professional judgment  
7 decided that it did not want to admit a particular  
8 candidate, that the views and information of the  
9 foundation should not be taken into account, with  
10 regard to that particular applicant?

11 DR. MICEK: In the end, that's correct.

12 COMMISSIONER JUDGE: Was this person admitted?

13 DR. MICEK: I should know this probably, but I  
14 really don't know. I really don't know. My hunch  
15 -- well, I have hunches on -- I really don't know.  
16 Well -- and I don't know if the person was admitted,  
17 actually, were they, were they coming, I just don't  
18 know, but so I guess I can stop there. I could  
19 conjecture and say, but I just don't know, sorry.

20 MR. CHUNG: Doctor, I think you a few minutes  
21 ago you indicated you naturally would like to be  
22 able to deliver good news to a donor --

23 DR. MICEK: Right.

24 MR. CHUNG: -- to further develop that

1 relationship.

2 Does it also follow that naturally you would  
3 not want to deliver bad news to a donor who's got an  
4 applicant to the school with regard to admit an  
5 admissions decision?

6 DR. MICEK: Yeah, I love to give, I love to  
7 give happy news.

8 MR. CHUNG: Right, and you would prefer not to  
9 give bad news?

10 DR. MICEK: Yes, I would prefer not to give.

11 MR. CHUNG: Have you ever been in a situation  
12 where you were concerned about a particular  
13 applicant and the denial of that applicant and what  
14 that might do to the relationship with the, the, the  
15 donor connected to the applicant?

16 DR. MICEK: Could you repeat that again?

17 MR. CHUNG: Yeah, I'm wondering if you've ever  
18 been in a situation where you've been thinking, I  
19 may have to deliver bad news and we're going to feel  
20 that from the foundation in the form of a damaged  
21 relationship with the family?

22 DR. MICEK: Yeah, I felt that before.

23 MR. CHUNG: And you've delivered that bad news  
24 in the past?

1 DR. MICEK: I have.

2 MR. CHUNG: And have you ever, in those  
3 instances, experienced any appreciable drop-off in  
4 donations from that, those particular families?

5 DR. MICEK: Sometimes, sometimes not.

6 MR. CHUNG: Okay. In your own mind, do you  
7 attribute -- in the instances where the drop-off did  
8 occur, did you attribute that to the negative news  
9 on admissions?

10 DR. MICEK: I really don't know if there may  
11 have been a lot -- if that occurred, there may have  
12 been a lot other factors. I really don't know.  
13 There could have been other situations where the  
14 person may have been unhappy, not like with this  
15 information I gave but on other things with, with  
16 respect to the university, and I don't feel the  
17 Urbana-Champaign campus at the time decision by the  
18 trustees was to eliminate Chief Illiniwek as the  
19 symbol of the university. We had a number of donors  
20 who were very upset about that.

21 MR. CHUNG: And how many times did it happen  
22 where there was an applicant denied and then you  
23 noticed this decline in donations from the family?

24 DR. MICEK: Rarely, rarely. Generally if

1 they're alums or friends, they're initially hurt,  
2 they feel bad, they especially feel bad for their  
3 youngster and so forth, but they come to, I think  
4 come to realize that the university is still a great  
5 place, they're still a part of it, and they want it  
6 to continue to be a great place. Obviously, they're  
7 disappointed, but over time their love and continued  
8 support for the university continues.

9       So it's very rare where people just literally  
10 cut you off. And in fact, I'm not sure if I've ever  
11 had any situation where somebody's just cut us off  
12 from total support.

13       MR. CHUNG: In those few instances where  
14 there's been a decline, do you ever communicate that  
15 fact to anyone at the university?

16       DR. MICEK: No, we just track it. And, you  
17 know, we monitor it and we try to basically rebuild  
18 the relationship that, that the result of this may  
19 have been damaged a bit, but we try to get this  
20 person, you know, feeling good about, back to where  
21 they felt and so forth.

22       MR. CHUNG: Now, let me just go back in time a  
23 little bit.

24       Have you ever been in a situation where

1 up-front, before a decision is made on an applicant,  
2 a donor has made either a direct or implied threat  
3 or suggestion that donations might cease or  
4 precipitously decline, if an adverse decision is  
5 made?

6 DR. MICEK: You know, I don't recall, again,  
7 for myself ever, you know, having somebody kind of  
8 provide that direct or veiled threat.

9 MR. CHUNG: Can I direct your attention to  
10 what's in front of you as Exhibit 3, the one-page  
11 document which I showed you the other day, doctor.

12 DR. MICEK: Okay, I'm familiar with this.

13 MR. CHUNG: Rather than take you through every  
14 single word of this one-page letter, let me just ask  
15 you a few things about it.

16 It's a letter dated October 6, 2006, addressed  
17 to Steven Rugg, R-U-G-G, who's indicated as the  
18 treasurer of the foundation.

19 DR. MICEK: Right.

20 MR. CHUNG: And he was the treasurer at the  
21 time?

22 DR. MICEK: He was.

23 MR. CHUNG: And he's still the treasurer?

24 DR. MICEK: No.

1 MR. CHUNG: Has he left the foundation?

2 DR. MICEK: He has.

3 MR. CHUNG: And it's, the name of the writer is  
4 redacted and then there are redactions for I think  
5 the applicant as well.

6 Let me just read you a few excerpts and then  
7 I'll ask you a couple of questions.

8 It begins, Dear Mr. Rugg, I have received over  
9 the past few years letters from you and the  
10 University of Illinois thanking me and [redaction]  
11 for our donations. The next paragraph begins, Now I  
12 am asking you for assistance. My daughter [blank]  
13 will be applying to the University of Illinois for  
14 enrollment in the fall semester 2007.

15 Going down to the fourth paragraph, it  
16 concludes, I would be unbelievably disappointed if  
17 she is not supporting the orange and blue next year.  
18 Please help me remain an Illinois supporter and not  
19 put my support behind my alma mater Indiana.

20 And then finally in the last paragraph, What  
21 I'm asking is a favor for my daughter and me.  
22 Please use any influence you have with admissions  
23 for acceptance to the University of Illinois. She  
24 may accepted on her own, but I would like your

1 assistance.

2 First of all, before I showed this letter to  
3 you, you've never seen this before, correct?

4 DR. MICEK: That's correct.

5 MR. CHUNG: You don't have any familiarity with  
6 this particular applicant, I assume?

7 DR. MICEK: No.

8 MR. CHUNG: And you don't know if the applicant  
9 was admitted or denied?

10 DR. MICEK: I really don't.

11 MR. CHUNG: The other day you expressed your  
12 general impression about this letter to me.

13 Could you just repeat what you said for the  
14 commission?

15 DR. MICEK: Well, the paragraph where basically  
16 he's saying I'm going to pull my support if my  
17 daughter doesn't get in, or at least threatening to  
18 do that, that's a, that's a very disappointing  
19 paragraph, in my mind.

20 This is the kind of thing that I don't  
21 personally, I would not move along. I know if I had  
22 received it personally, I probably would have tried  
23 to call the donor and say, I received your letter,  
24 I'm disappointed by you saying what you said.

1           We are not going to be involved, you know, the  
2 foundation does not get involved in the admissions  
3 decision process, but also I think it's important  
4 that you know that the gifts that you have made to  
5 the university through the foundation have been  
6 viewed just as that, as gifts to the university. We  
7 thank you for that. We know that they make a  
8 difference, but we are not in the quid pro quo  
9 business.

10           You know, there's no, when one makes a gift,  
11 you're not buying your daughter's way in. You know,  
12 we would love to have your daughter here, but it's  
13 going to be left up to her. I mean, we're certainly  
14 willing to indicate your interest, but I think, I'm  
15 a little disappointed -- a lot would depend upon how  
16 well I knew this donor to say, you know, how  
17 straightforward I could be, as far as saying, I'm  
18 really disappointed that you, you would make this  
19 statement.

20           MR. CHUNG: Are you reacting to how explicit  
21 this letter connects admissions with cash?

22           DR. MICEK: I am.

23           MR. CHUNG: Okay. Now, is it reasonable to  
24 assume that if you are an admissions officer and you

1 receive an e-mail from someone at the foundation  
2 forwarded from the chancellor's office that talks  
3 about, not in explicit terms, but talks about an  
4 applicant coming from a donor's family, that you as  
5 the admissions officer would yourself make the  
6 connection between admission and cash?

7 DR. MICEK: Repeat that again. I'm trying  
8 to --

9 MR. CHUNG: Yeah, I know, that was a very  
10 complicated question.

11 I'm really asking you to put yourself in the  
12 shoes of the admissions officer.

13 DR. MICEK: Okay.

14 MR. CHUNG: This letter is directed to the  
15 foundation, it comes directly into the foundation  
16 from an applicant's parent. If you're in the  
17 admissions office and you get an e-mail that  
18 originates with the foundation and says, this is an  
19 important applicant from an important donor family,  
20 without having to have language like this, my  
21 question is, would you not in your own head draw the  
22 connection between having to make a favorable  
23 admissions decision and concern about not getting  
24 the donations in the future, the connection between

1 admission and the cash?

2 DR. MICEK: As I -- and I think I --

3 MR. CHUNG: It's still --

4 DR. MICEK: It's okay. Again, it was up to, if  
5 I knew the person, I would probably have called the  
6 person about this. Based upon that, I may have said  
7 or I may have moved on such and such has written a  
8 letter to us indicating that they're interested in  
9 their daughter getting in, but I would not, but I  
10 would not want to convey, I would not plan to convey  
11 to the admissions person this, let's call it this  
12 threat. Can I call it that, 'cause I see that's  
13 what it is.

14 And so that would have been based upon the  
15 conversation I would have had with the donor, if I'd  
16 had it. But based on the fact that I hadn't seen  
17 this and so forth, I'm not, I'm not sure if this  
18 letter was ever passed on. I just don't know. But  
19 I'm just telling you that in my, in my own, if I had  
20 seen it or had, had I received it, trying to give  
21 you my, my recollection to what I would have done.  
22 Is that helpful?

23 MR. CHUNG: Yeah, I mean, I'm trying to draw  
24 the distinction between the explicit message. In a

1 way this letter is just, it's stating explicitly  
2 what I imagine at least some donor parents are  
3 thinking implicitly; in other words, I may not be as  
4 willing to support the university if my kid does not  
5 get accepted, so that's the explicit message. And  
6 what might be an implicit message, but to the same  
7 effect, that comes in based on communications from  
8 the foundation about an applicant that's backed by a  
9 significant donor. And the implicit message may be  
10 one in the same --

11 DR. MICEK: Are you asking me what would I have  
12 done?

13 MR. CHUNG: Yeah, I'm really asking you to put  
14 yourself in the shoes of the admissions officer, not  
15 in the shoes of the foundation CEO; and if that's an  
16 impossibility, then, you need not answer the  
17 question.

18 DR. MICEK: Well, well, let me just not answer  
19 it, I guess, because I think I told you what I would  
20 do as foundation president, you know, not having  
21 been at the admissions, so I really don't know what  
22 I've received, but I think in all cases here, I  
23 think this is a very inappropriate letter and one  
24 that --

1           CHAIRMAN MIKVA:  You're missing, I think, the  
2 point of the question.  Forget about this letter.  
3 You're an admissions officer, say you're third down,  
4 you report to an assistant to the assistant to the  
5 Provost, and you get a letter from the foundation  
6 office saying, a very important donor of ours' son  
7 is up for admission, do what you can or hope you can  
8 help or I hope you'll do something.

9           What goes through the minds of that admissions  
10 officer when he or she is looking at the letter from  
11 the foundation?  What are they equating?

12           You've had some nice words about friends of the  
13 university and so one, but doesn't the admissions  
14 officer say well, what this letter is telling me is,  
15 this person contributes cash to the university and  
16 if we don't admit the son, I'll probably lose the  
17 cash?  Isn't that what the admissions officer, in  
18 your common judgment, experience, over the years,  
19 isn't that what they would be thinking?

20           DR. MICEK:  If I were to put it to the  
21 admissions officer the way you would, the way you  
22 put it --

23           CHAIRMAN MIKVA:  No, I just said, hope you can  
24 help or do what you can or, what do you think is

1 going through that admissions officer's mind?

2 DR. MICEK: Because the information that I  
3 would have passed along would have been, we've been  
4 contacted by this individual --

5 CHAIRMAN MIKVA: A very important donor.

6 DR. MICEK: By a very important donor about  
7 this individual, whether it's their son or daughter  
8 or friend.

9 CHAIRMAN MIKVA: Right.

10 DR. MICEK: This very important donor has  
11 and --

12 CHAIRMAN MIKVA: And that's all you say?

13 DR. MICEK: And here's some information.  
14 They're very supportive, they care about the  
15 place --

16 CHAIRMAN MIKVA: No, no, no, that's nice BS.  
17 This is a very important donor. Isn't that the  
18 message the admissions officer receives?

19 DR. MICEK: And what the admissions officer I  
20 would believe is receiving is that this is a very  
21 important person to the university.

22 CHAIRMAN MIKVA: Right.

23 DR. MICEK: Correct.

24 CHAIRMAN MIKVA: And what would the admissions

1 officer therefore think? If you were the admissions  
2 officer what would you, what would be, what would  
3 you be weighing in your mind?

4 DR. MICEK: I'd be weighing all the information  
5 that I have on this applicant along with this  
6 additional piece of information.

7 CHAIRMAN MIKVA: The additional piece of  
8 information meaning that the university has been  
9 getting cash and probably won't get cash, if you  
10 don't admit him.

11 DR. MICEK: That I don't know. I don't know  
12 that.

13 CHAIRMAN MIKVA: That wouldn't go through your  
14 mind? You're a very, you're a very clean-minded  
15 person. I can't say it any other way.

16 'Cause you understand whereas an admissions  
17 officer, maybe would take the message that --

18 DR. MICEK: They might, but at the same time  
19 it's, how they're weighing, weighing the message  
20 relative to all the other, all the other  
21 information --

22 CHAIRMAN MIKVA: They had all the other  
23 information. Supposedly they've made a decision to  
24 deny, they had all that other information. There's

1 one new fact coming in from you, your office. This  
2 is an important donor to the university, and what  
3 does that do to the equation?

4 DR. MICEK: It adds another piece of  
5 information that they have to consider.

6 CHAIRMAN MIKVA: Ted.

7 MR. CHUNG: I have no questions, Judge.

8 CHAIRMAN MIKVA: Thank you very much,  
9 Dr. Micek, for appearing. We appreciate your  
10 willingness to come before us.

11 DR. MICEK: Thank you.

12 CHAIRMAN MIKVA: End of witnesses?

13 MR. CHUNG: We have no further witnesses.

14 CHAIRMAN MIKVA: Anything else? We agreed on  
15 our dates next week. We stand in adjournment.

16 (WHEREUPON, the hearing was  
17 adjourned until 9:30 a.m.,  
18 July 27, 2009.)

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1 STATE OF ILLINOIS )

2 ) SS:

3 COUNTY OF C O O K )

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5 I, ELIA E. CARRI□ N, a Certified Shorthand

6 Reporter of the State of Illinois, do hereby certify

7 that I reported in shorthand the proceedings had at

8 the hearing aforesaid, and that the foregoing is a

9 true, complete and correct transcript of the

10 proceedings of said hearing as appears from my

11 stenographic notes so taken and transcribed under my

12 personal direction.

13 IN WITNESS WHEREOF, I do hereunto set my

14 hand at Chicago, Illinois, this 26th day of

15 July, 2009.

16

17

18 Certified Shorthand Reporter

19

20 C.S.R. Certificate No. 084.004641

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22

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