

Approved: \_\_\_\_\_  
Date

4/28/99

## MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Barbara Lawrence at 9:00 a.m. on April 7, 1999 in Room 313-S of the Capitol.

All members were present except:

Committee staff present:      Avis Swartzman, Revisor  
   Ben Barrett, Legislative Research  
   Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee:    Jerry Blakemore, Chair, Midwestern Higher Education Conference  
   Phillip Sirotkin, Senior Advisor, Midwestern Higher Education Conference

Others attending:

The joint House and Senate Education committees met for the purpose of hearing from members of the Midwestern Higher Education Conference.

Senator Oleen introduced the commissioners and alternates some of whom were not able to attend today's meeting. (Attachment 1)

Chairperson Lawrence welcomed Dr. Blakemore, who made a few opening remarks and focused on the cost savings initiatives and pilot programs.

Phillip Sirotkin, spoke next and directed the joint committees to page 4 and spoke of the goals the commission uses to advance its involvement in higher education.

Chairperson Lawrence opened the floor to questions for the Commission.

It was asked if someone would expound on the Academic Scheduling Software Program. Mr. Sirotkin, detailed the history and work of this committee, from its inception in 1994, to the submission of its findings and program outcomes.

Dr. Tanner, Chairman of the House Education Committee, asked if the commission could provide some input on innovative services that could be provided for young children. He mentioned the low enrollment of some schools and busing for long periods of time.

This topic led to discussion on the telecommunications area and fiber optics and the parts that have been or will be played in the education area. The state of Iowa was mentioned and its reasons for not joining the compact.

Dr. Blakemore stated the Spring meeting would be June 11-12 where several issues would be addressed including tying higher education with primary and secondary education.

A few further comments were made. Chairperson Lawrence, hearing no further requests for questions, thanked the Commission members and adjourned the meeting.



*Midwestern Higher Education Compact*

**1998-99**  
**Annual Report**

*A report on the Compact's program activities to advance  
Midwestern higher education through regional cooperation.*

January 1999

*Senate Education  
Attachment 1  
4-7-99*

The Midwestern Higher Education Commission is a nonprofit regional organization established by compact statute to assist Midwestern states in advancing higher education through interstate cooperation and resource sharing.

Member states are:

Illinois	Missouri
Indiana	Nebraska
Kansas	Ohio
Michigan	Wisconsin
Minnesota	

MHEC seeks to fill its interstate mission through programs which:

- enhance productivity through reductions in administrative costs
- encourage student access, completion and affordability
- facilitate public policy analysis and information exchange
- facilitate regional academic cooperation
- encourage quality educational programs and services in higher education
- encourage innovation in the delivery of educational services

January 1999

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# MHEC in Kansas

Illinois Indiana **Kansas** Michigan Minnesota Missouri Nebraska Ohio Wisconsin

*The Midwestern Higher Education Commission is a nonprofit regional organization established by compact statute to assist Midwestern states in advancing higher education through interstate cooperation and resource sharing.*

**Academic Course Scheduling Program**      **\$109,300**

*Provides standards-based course scheduling software and support services to colleges and universities*

**Interactive Video Classrooms**      **\$132,500**

*Provides standards-based interactive video classroom designs, equipment and support services*

**Midwest Telecommunications Alliance**      **\$178,500**

*Provides colleges, universities, school districts and nonprofit organizations with worldwide voice, data, and video communications services*

**Midwest Student Exchange Program**      **\$4,441,200**

*Enables students to attend colleges and universities out-of-state at reduced tuition rates*

**Regional Master Property Program**      **N/A**

*Provides property insurance coverage tailored specifically to colleges and universities*

**Natural Gas Program**      **N/A**

*Provides for regional natural gas procurement, transport, storage and local distribution to colleges, universities and state government*

**Gross Savings**      **\$4,861,500**  
**Less State Dues Paid**      **\$464,000**  
**Net Savings**      **\$4,397,500**

## COMMISSIONERS

**TOM BRYANT**

*Interim Executive Director  
Kansas Board of Regents*

**CHRISTINE DOWNEY**

*State Senator*

**DUANE GOOSSEN**

*State Budget Director*

**LINDA HOLLOWAY**

*Kansas State Board of Education*

**JEFF PETERSON**

*State Representative*

## COMMISSIONER ALTERNATES

**LANA OLEEN**

*State Senator*

**RICHARD REINHARDT**

*State Representative*

**ANDY TOMPKINS**

*Commissioner of Education*



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**Kansas**

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## INTRODUCTION

The Midwestern Higher Education Commission is established through interstate compact legislation jointly enacted by the states of Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin.

The purpose of the Compact is to advance Midwestern higher education through interstate cooperation and resource sharing. The Commission is the governing body of the Compact, and is comprised of five appointees from each member state. Three Commissioners are appointed by each state's governor, and two are appointed by the state's legislative leadership. The Commission meets twice annually to establish priorities and oversee the programs of the Compact.

### *The Commission's goals are to:*

- Enhance productivity through reductions in administrative costs;
- Encourage student access, completion, and affordability;
- Facilitate public policy analysis and information exchange;
- Foster regional academic cooperation and services;
- Promote quality educational programs; and
- Encourage innovation in the delivery of educational services.

The Compact is founded on a philosophy of grassroots involvement by higher education. Its programs are established for the benefit of public and private non-profit colleges, universities, community colleges, technical colleges who reside in and serve the citizens of member states. Volunteer committees of practicing professionals from colleges, universities and state higher education leadership organizations oversee the development, implementation and oversight of Compact programs. Committee members are appointed through peer nomination processes, and are acknowledged for their expertise in specific subject areas.

Compact programs are financed largely through member state dues and foundation grants. The Commission offices are located in Minneapolis, Minnesota. Administrative support services are provided to the Commission through an agreement with the University of Minnesota. A small staff administers day-to-day program activities

### *Sixteen Initiatives To Advance Higher Education*

Since its inception in 1991, the Commission has undertaken 16 different initiatives in carrying out its mission. More than 600 public and private institutions, state agencies and leadership organizations have participated in these endeavors. Those MHEC programs dedicated to increasing productivity and reducing administrative costs (namely the Academic Course Scheduling Program, the Interactive Video Program, the Master Property Insurance Program and the Midwest Telecommunications Alliance) have produced significant financial savings through regional collaboration in leveraging the assets represented by Midwestern higher education. In addition, the Midwest Student Exchange Program has provided tuition savings to students electing to pursue college studies in neighboring states.

## Regional Cost Savings Benefits

To date, the Commission has supported six initiatives to improve productivity and reduce administrative costs through regional cooperation. The combined net savings benefits produced over the past five years is estimated to be approximately \$43 million dollars. Figure 1 provides a state-by-state summary of savings achieved through these programs. These estimates are based upon information provided by the endorsed vendors participating in the initiatives. The criteria varies from program to program.

**Figure 1**  
**Estimated Cost Savings Achieved through MHEC Programs: 1994-1998**  
 (\$ in thousands)

MHEC Initiative	IL	IN	KS	MI	MN	MO	NE	OH	WI
Academic Scheduling Software	\$276.8	\$122.1	\$109.3	\$235.0	\$61.0	\$162.4	\$69.8	\$364.8	\$292.3
Interactive Video Classrooms	\$4,547.3	\$3.7	\$132.5	\$1,185.9	\$1,809.2	\$1,029.2	N/A	\$2,521.5	N/A
Midwest Telecom Alliance	\$838.0	\$428.4	\$178.5	\$9,814.0	\$1,338.3	\$321.3	\$319.2	\$5,164.9	\$499.8
Midwest Student Exchange	N/A	N/A	\$4,441.2	\$1,419.5	\$487.0	\$1,548.1	\$3,516.2	N/A	N/A
Regional Master Property	\$595.1	N/A	N/A	\$247.0	\$470.4	\$1,001.4	\$366.7	\$173.0	N/A
Regional Natural Gas	\$109.2	\$118.3	N/A	\$0.2	N/A	N/A	N/A	\$56.5	\$285.5
<b>State Dues Paid 1992-1998</b>	\$464.0	\$174.0	\$464.0	\$464.0	\$464.0	\$464.0	\$464.0	\$464.0	\$232.0
<b>Net Savings Through MHEC Initiatives</b>	\$5,902.4	\$498.5	\$4,397.5	\$12,437.6	\$3,701.9	\$3,598.4	\$3,807.9	\$7,816.7	\$845.6

Notes:

1. Estimated region-wide savings over the five-year period totals \$43,006,500.
2. MSEP data reflects the tuition savings realized by participating students according to their state of residence.
3. Telecom Alliance savings based on combined participant and contributory traffic volume

The Compact also supports initiatives in the areas of public policy analysis, information exchange, regional academic cooperation and innovation in the delivery of quality educational services. Programs pertaining to these areas of emphasis include a study of minority faculty representation in higher education; a framework for the career development of women in higher education; a second generation format to support web-based postings of employment opportunities in higher education; a series of Internet listservs to enable rapid and efficient information exchanges

among higher education professionals; the development of standards to assure interoperability in the delivery of distance education; the identification of pedagogical features and capabilities for technology mediated instructional materials; and most recently, the convening of a regional policy summit on the future of Midwestern higher education.

The Commission, through the dedicated volunteer efforts of Midwestern college and university faculty and staff, continues to support the development of new initiatives. Several projects, currently in planning, offer excellent promise for building upon the success of the Compact.

The following report summarizes program activities underway in 1998-99 and provides information on outcomes achieved to date.

## **The Academic Scheduling Software Program**

As a result of requests received from 33 community colleges and private liberal arts colleges, the Commission established an Academic Software Committee in May 1994. The Committee was asked to investigate the academic scheduling needs of Midwestern colleges and universities and advise the Commission on ways that those needs might be addressed more efficiently through a regional program.

The Committee began its work by surveying more than 400 institutions about their scheduling processes and requirements. The survey results, together with a review of literature and consultations with more than 150 registrars and academic scheduling officers, provided the basis for a comprehensive statement on the features and capabilities sought in academic scheduling software products. The Committee's findings and recommendations were sent to the registrars and chief academic officers of all institutions in member states, and to more than 200 other colleges and universities throughout the nation who requested the information.

The Committee then examined products currently available in the marketplace. That investigation revealed a minimal diffusion of computer-aided course scheduling systems and pricing that was unaffordable to many institutions. Most products were bundled elements of comprehensive information system packages. In order purchase a scheduling product, an institution had to purchase a complete system package which was generally unaffordable to small and medium sized campuses. In addition, many of the bundled products had serious shortcomings in terms of course scheduling functionality.

The Committee submitted its findings to the Commission in 1994 together with the recommendation that a region-wide purchasing initiative be established through the Commission's Request for Proposals process. The Commission approved the Committee's recommendation, and in February 1995, a subcommittee was appointed to implement the RFP process based on the "features and capabilities" publication. The RFP culminated in the selection of two firms – Applied Business Technologies (ABT) and Universal Algorithms, Inc. (UAI) – to provide software products to interested institutions in member states. The negotiated discounts under this program ( ranging from 25% to more than 60%) had never before been offered by the endorsed vendors. These specially priced

offerings brought computer-aided scheduling within the financial reach of virtually all institutions in the Compact states.

The program was announced in November 1995 through letters and brochures mailed to the scheduling officers, registrars, facilities planners, physical plant directors, computing services directors and institutional research directors of all colleges and universities. In 1996 and 1997 a series of twenty-one regional seminars were held at various campus locations throughout the region. Well over 600 college and university staff attended, representing 297 public and private institutions. In 1997, a second brochure describing the program was prepared and mailed to those institutions who had not yet joined the program. A program summary was also included on the MHEC web homepage. In 1998, the process was repeated a third time.

### ***ACS Program Outcomes***

Colleges and universities have benefited from this program in several ways. First, the specifications developed by the Committee provided comprehensive guidelines for campuses to use in selecting scheduling software products. Second, in emphasizing and promoting the development of unbundled standards-based applications, the Committee sent an important message to the software industry, i.e. that there is a healthy educational market for such software products, and that colleges and universities do seek this type of flexibility in fulfilling their computing needs.

The regional information seminars enabled hundreds of academic scheduling officers and facilities planners to view first-hand the capabilities and advantages of using scheduling software products. Provosts and business vice presidents attending the seminars were able to assess the software's value and potential for increasing administrative productivity and operational efficiency. Another outcome of the seminars was the opportunity for academic officers to share ideas and information concerning their own scheduling experiences. These exchanges led to the creation of a dedicated Internet discussion forum sponsored by the Commission. The electronic forum allowed academic schedulers and facilities managers to continue discussions over the Internet. More than 300 institutional representatives have utilized this information exchange mechanism.

The success of the program is attested to by the fact that 95 colleges and universities (with all member states of the Compact represented) have purchased software from the endorsed vendors. Figure 2 summarizes the program's cost-savings benefits. To date, the combined savings benefits realized by participating institutions totals \$1,159,031.



Figure 2  
Academic Course Scheduling Program Savings

State	Retail Value	MHEC Purchase Price	Purchase Savings	License Renewal Savings**	Total Institutional Savings
Illinois	\$348,969	\$161,704	\$187,265	\$89,520	\$276,785
Indiana	\$178,762	\$84,889	\$93,873	\$45,760	\$139,633
Kansas	\$135,878	\$65,602	\$70,276	\$39,000	\$109,276
Michigan	\$313,500	\$140,000	\$173,500	\$61,500	\$235,000
Minnesota	\$83,427	\$35,942	\$47,530	\$13,480	\$61,010
Missouri	\$205,463	\$96,428	\$109,035	\$53,360	\$162,395
Nebraska	\$87,349	\$40,353	\$46,996	\$22,840	\$69,836
Ohio	\$463,766	\$220,108	\$243,658	\$121,120	\$364,778
Wisconsin	\$360,664	\$173,766	\$186,898	\$105,400	\$292,298
<b>Totals</b>	<b>\$2,177,823</b>	<b>\$1,018,792</b>	<b>\$1,159,031</b>	<b>\$551,980</b>	<b>\$1,711,012</b>

\* Numbers

are cumulative since program's inception in spring, 1996

\*\* Projected savings over the 4-year renewal cycle of the program

Equally as important as the cost savings realized in purchases, are the operational efficiencies achieved by using the software. These include:

- Increased productivity
- More timely responses to room scheduling requests
- Better fit between academic classes and the facilities used
- More knowledgeable and informed decision-making with regard to the assignment of facilities
- Better capital planning decisions concerning program requirements for new and renovated facilities.

The University of Minnesota estimates that it saves \$750,000 in annual operating costs as a result of automating and streamlining its academic scheduling and space management functions using the MHEC endorsed software. Kankakee Community College reports that the software has definitely proven its value as a tool in developing capital plans, designs and specifications. Clearly, the applications offered through this program, have more than justified the initial purchase price.

The program was originally scheduled to expire in 1998. However, at the request of several institutions, it is being renewed for an additional year. Through agreements with Universal Algorithms Inc. and Applied Business Technologies' new partner, Comquip, this software program will be available to institution in 1999.

## The Midwest Telecommunications Alliance

The Midwest Telecommunications Alliance succeeds an earlier Compact program entitled the Virtual Private Telecommunications Network (VPN) which was developed in 1994. When considering the renewal of the VPN in 1996, the Commission's Telecommunications Committee concluded that it

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would be more effective to promote the development of a mechanism to encourage institutions and network consortia of all types to work together to achieve optimal telecommunications pricing for everyone's benefit.

As a first step, the Committee joined with MiCTA, a statewide network association based in Michigan, and the North Central Regional Education Laboratories based in Illinois to form the Midwest Telecommunications Alliance. The goal of the Alliance is to leverage the combined volume of educational and other non-profit organizations and networks to obtain mega-volume pricing advantages on long distance voice rates, interactive video transmission rates, data communications, pay phone, calling card, and student resale rates. The Alliance was formally established in 1997, and has experienced excellent growth since that time. MiCTA serves as the Alliance administrator and negotiates rates and services on behalf of the membership.

### **Telecom Alliance Outcomes**

The original VPN and the more recent Alliance have produced substantial financial benefits for participating institutions and consortia. The VPN produced more than \$2.5 million in cost-savings during its three year span. The new Alliance has significantly improved upon those savings by successfully negotiating favorable telecommunication rates with multiple providers. The combined 1997 and 1998 savings accrued through both direct and contributory traffic totals \$16.2 million. The rates achieved through MiCTA represent a 36% average improvement in the original VPN. Furthermore, through agreements with Qwest, Sprint, MCI-WorldCom and AT&T, the Alliance provides institutions with an array of low cost voice, video and internet service options. The program is now available to institutions throughout the nation and the total volume achieved contributes to the volume benefits enjoyed by institutions in member states of the Compact.

**Figure 3  
Telecommunications Alliance Volume\*  
(in thousands)**

State	MHEC VPN Network 1994	MHEC VPN Network 1995	MHEC VPN Network 1996	Telecom Alliance 1997	Telecom Alliance 1998
Illinois	\$432.0	\$ 360.0	\$456.0	N/A	\$2,000.0
Indiana	N/A	N/A	N/A	\$500.0	\$700.0
Kansas	N/A	N/A	N/A	N/A	\$500.0
Michigan	\$4,300.0	\$3,228.0	\$4,932.0	\$11,000.0	13,000.0
Minnesota	\$2,310.0	\$ 2,448.0	\$2,556.0	N/A	\$1,700.0
Missouri	N/A	N/A	N/A	N/A	\$900.0
Nebraska	\$108.0	\$108.0	\$120.0	N/A	\$800.0
Ohio	\$1,804.0	\$1,776.0	\$2,016.0	\$1,700.0	\$11,200.0
Wisconsin	N/A	N/A	N/A	N/A	\$1,400.0
<b>Total Volume**</b>	\$8,955.0	\$7,920.0	\$10,080.0	\$13,200.0	\$32,200.0
<b>Estimated Annual Savings***</b>	\$895.5	\$792.0	\$1,008.0	\$4,719.0	\$11,495.4

\*Amounts represent total voice, video, and or data communications services purchased through the program.

\*\*Includes contributory traffic as well as participant traffic in member states

\*\*\*The 1997 and 1998 rates negotiated by the Alliance are approximately 36% below the expiring VPN rates. Estimated Alliance and VPN savings average 35.7% and 10% per year respectively.

Alliance membership has grown to more than 700 members nationally. Annual dues are \$75 per year. Alliance membership is open to all sectors of K-12 and higher education as well as state and local government agencies and non-profit public service agencies such as hospitals, fire departments, etc.

## The Interactive Video Classroom Program

The Interactive Video Program was established in 1994 to promote inter-operability standards in support of video-based distance education, and to make standards-based room designs, equipment and related services available to institutions at affordable prices. The program is entering its sixth year.

Since 1994, more than 200 institutions and consortia have acquired interactive video classrooms and equipment through this program. The combined retail value of these acquisitions totals \$46,700,425. The discounted purchase price totals \$35,446,904. The net savings realized by participating institutions and organizations totals \$11,253,521 (see Figure 4). In addition to public and private colleges and universities, several state agencies, K-12 school districts and local units of government have participated. The program has had a substantial impact on the ability of education and government to communicate through interactive video networks, and to function across networks with equipment from several different manufacturers.

**Figure 4**  
**Interactive Video Program Benefits**

State	Retail Value	MHEC Purchase Price	Net Institutional Savings
Illinois	\$18,609,634	\$14,038,321	\$4,571,313
Indiana	\$34,401	\$30,665	\$3,736
Kansas	\$599,372	\$466,914	\$132,458
Michigan	\$3,486,670	\$2,300,794	\$1,185,876
Minnesota	\$8,201,622	\$6,392,149	\$1,809,473
Missouri	\$5,758,429	\$4,729,191	\$1,029,239
Ohio	\$10,010,397	\$7,488,870	\$2,521,527
<b>Totals</b>	<b>\$46,700,525</b>	<b>\$35,446,904</b>	<b>\$11,253,622</b>

\*Above data represents the cumulative five year totals (1994-1998) of the program

The need for this initiative has been largely met. Thus, the program, in its present form, is scheduled sunset next year. The Telecommunications Committee is presently examining higher education's need for and interest in one or more new initiatives that focus on low-end video products and capabilities. The Committee has worked for more than five years to develop successful regional approaches to improve access to telecommunications services and to reduce costs. It continues to be a leading advocate of standards-based technology and endeavors to identify appropriate technology benchmarks that improve transmission quality.

## **The Master Property Insurance Program**

The Risk Management Committee was established in 1992 to facilitate the development of mechanisms to improve physical asset and human resource protection; risk management services; and research and information exchange among Midwestern institutions of higher learning.

In 1994, the Committee developed and implemented a Master Property Insurance Program that offered exceptional broad coverage, superior loss control and asset protection services at substantial premium savings for colleges and universities. The program also offered the added value benefits of claims support, loss control and prevention engineering services, research, presentations and publications on loss prevention practices. The firm of Johnson and Higgins, Inc. (now J&H Marsh & McLennan Sedwick James) was retained as program administrator through an RFP process. Direction and oversight of the Master Property Insurance Program is vested with the insured institutions. An oversight committee elected by the members meets quarterly with the program administrator and the underwriter to resolve problems and assure quality services to the membership. The Commission provides coordination and staff support to the insured group.

In 1997, the Master Property Program was renewed for a second three-year term. To build upon the success of the first three years and to further the advantage of the interests of the insured members, a funded deductible approach was instituted. This innovative feature provides dividend payments on an annual basis to member institutions subject to favorable loss experience. The underwriter for the program is Zurich-American. J&H Marsh & McLennan continues to serve as program administrator, and Captive Resources, Inc. was appointed program consultant to implement the funded deductible strategy.

### ***Master Property Outcomes***

On July 1, 1998, the Master Property Program entered its fifth year. The program currently enrolls 30 institutions and campuses. This year, the member institutions will realize almost \$300,000 savings on a \$1.9 million dollar premium base. These savings, added to those achieved in prior years, bring the total accrued financial benefits realized by participating institutions to more than \$2 million dollars. (See Figure 5.) In addition to direct savings produced through participation, seventy other non-enrolling institutions used the program to leverage better rates from their own carriers. While these institutions did not directly contribute to the program, they realized more than \$800,000 in premium reductions as a result of this offering.

**Figure 5**  
**Master Property Program Benefits**  
**1994-98**

State	Accrued Premium Savings to Participating Institutions 1994-98*	Savings Leveraged by Non-enrolling Institutions	Combined Savings Achieved by Enrolling & Non-enrolling Institutions
Illinois	\$196,000	\$399,000	\$595,100
Michigan	18,000	229,000	247,000
Minnesota	453,338	17,400	470,738
Missouri	969,435	32,000	1,001,435
Nebraska	352,674	14,000	366,674
Ohio	45,000	128,000	173,000
Totals	\$2,034,447	\$819,500	\$2,853,947

\*Based on actual accrued reductions in expiring 1993 premium rates. There have been no rate increases over the five-year duration of the program.

## **The Midwest Student Exchange Program**

The Midwest Student Exchange Program was established in 1994 to expand interstate educational opportunities for students in the member states of the Compact. Through reciprocity, residents of participating states may pursue designated out-of-state programs of study. The program makes these designated, out-of-state programs of study available to students at reduced tuition levels.

Five of the Compact states (Kansas, Michigan, Minnesota, Missouri and Nebraska) participate in the program. The public and private institutions of a state become eligible to participate on a voluntary basis when that state's higher education leadership signs the Midwest Student Exchange Agreement and appoints a representative to the Midwest Student Exchange Council. Each campus designates degree programs that will be offered to students, how many students will be admitted and the criteria for admission. Under the program, enrolling out-of-state students are charged 150 percent of a public institution's regular in-state tuition rate. Those students attending private colleges pay 90 percent of the institution's general tuition rate.

### ***Student Exchange Outcomes***

The program has witnessed steady growth over the past five years. Beginning with 366 students in 1994, enrollment has increased each year. In fall 1998, 1,726 students enrolled. (See Figure 6.) If this trend continues at the present rate, enrollments will surpass 2,000 students within the next two years.

**Figure 6**  
**Midwest Student Exchange Program Enrollment**  
 (by State of Residence)

State	Fall 1994	Fall 1995	Fall 1996	Fall 1997	Fall 1998
<b>Kansas</b>	49	99	162	563	793
<b>Michigan</b>	56	103	130	130	190
<b>Minnesota</b>	15	35	38	62	62
<b>Missouri</b>	118	127	123	107	152
<b>Nebraska</b>	128	186	332	451	529
<b>Totals</b>	366	550	785	1,313	1,726

The Midwest Student Exchange Program offers several advantages. The tuition burden of students pursuing designated programs of study at out-of-state institutions is reduced. Enrolling students and their families have saved approximately \$11.5 million in tuition costs since the program began five years ago. (See Figure 7.)

**Figure 7**  
**Midwest Student Exchange Tuition Savings**  
 by State of Residence\*  
 (in thousands)

State	1994	1995	1996	1997	1998	Totals
<b>Kansas</b>	\$100.3	\$208.7	\$351.9	\$1,259.4	\$2,520.9	\$4,441.2
<b>Michigan</b>	114.6	217.1	282.4	290.8	514.6	1,419.5
<b>Minnesota</b>	30.7	73.8	82.6	138.7	161.3	487.1
<b>Missouri</b>	241.6	267.7	267.2	239.4	532.2	1,548.1
<b>Nebraska</b>	262.0	392.1	721.1	1,008.9	1,132.1	3,516.2
<b>Totals</b>	\$749.2	\$1,159.4	\$1,705.2	\$2,937.2	\$4,861.1	\$11,412.1

\*estimate based on full academic year enrollment

The program provides several benefits to participating institutions as well. It offers them a mechanism for balancing academic program offerings with optimal enrollment levels. It also provides another means of diversifying their student populations. Many campuses have found the program to be of special value in attracting students with unique talents in academic areas such as the fine and performing arts where scholarship assistance is limited. The program also offers special advantages in promoting regional collaboration among institutions to expand access and reduce costly academic duplication.

## The Natural Gas and Utilities Initiative

The deregulation of the natural gas industry and the resulting increased competition in the marketplace may offer colleges and universities unique savings opportunities in the purchase of natural gas. In 1996, the Commission established a natural gas and utilities committee to examine these cost-savings opportunities and to develop a plan to regionally leverage mutual advantages both in natural gas pricing and supply stability.

Following an Request for Information (RFI) process conducted under Compact authority in which the initiative's guiding principles, structures and parameters were set forth, Enron Energy Services, Inc. was selected to act as the program's administrator. A master agreement with was signed in late February 1998, and the Committee, along with Enron, began work on developing a series of "prototype" strategies to test the viability of the regional procurement concept.

### *Prototype Trials*

In April 1998, announcements were sent to all institutions and state agencies in the Compact states inviting volunteers to participate in "proof of concept" prototype trials. Initial response was exceptional with 213 institutions and agencies expressing interest. Eight institutional and systemic configurations in five states (Wisconsin, Indiana, Ohio, Michigan and Illinois) were selected to participate in the "proof of concept" trials. To date, the prototype participants have purchased approximately 4.4 million decatherms of natural gas. Savings over local tariff rates total \$569,528. (See Figure 8.)

**Figure 8**  
**Estimated Natural Gas Savings in Prototype Trials**

	Est. Decatherm Volume	Est. Savings From Local Tariff Rates
Wisconsin*	3,000,000	\$285,461
Indiana	762,000	\$118,252
Ohio	397,525	\$56,458
Michigan	180,000	\$195
Illinois	65,000	\$109,162
Totals	4,404,525	\$569,528

Although the early results are promising, it remains to be seen whether or not the prototype approaches can be effectively implemented regionally in a manner that produces significant financial benefits on a wide scale. A large number of institutions and state agencies are monitoring the trials with the objective of future participation if positive results are forthcoming.



## **The Midwestern Higher Education Policy Summit**

An important step towards addressing the challenges of affordability, finance and change in higher education was taken when 110 state policy leaders and higher education leaders from Midwestern states met June 3-5, 1998, in Oak Brook, Illinois. This event, entitled the "Midwestern Higher Education Policy Summit" was co-sponsored by the Midwestern Higher Education Commission (MHEC), the Midwestern Legislative Conference and the Midwestern Governors' Conference of the Council of State Governments (CSG). It was supported by a grant from the W.K. Kellogg Foundation and with assistance from Ferris State University. Participants included state legislators, governor's office representatives, presidents, chancellors, and state higher education leaders from Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

The Summit's goals were to stimulate discussion and analysis of key higher education issues vital to the future of the region and to engender a renewed spirit of collaboration and cooperation among governors, legislators and higher education leaders. The meeting offered a unique opportunity for participants to convene in a neutral setting away from the state house. Three issues critical to shaping the future of higher education in the Midwest were addressed: (1) *increasing higher education's capacity for change*; (2) *ensuring affordability*; and (3) *developing long term funding, ensuring accountability, and stimulating productivity and efficiency*. Over the course of three days, 22 recommendations were set forth as guiding principles for individual states and institutions to utilize in pursuing further discussions on campus and in the respective states.

Clearly, the Summit goals of promoting leadership discussions on issues vital to the future of the region and engendering a renewed spirit of collaboration and cooperation among state policy leaders and educators were achieved. To date, five of the twelve states represented at the Summit have begun follow-up discussions on the issues discussed. Hopefully, all 12 Midwestern states will take up the challenge of developing consensus on a better, more responsive system of higher education that realizes the promise which it holds for the citizens of the Midwestern states.

Following the Summit, the Midwest Legislative Conference and the Midwestern Higher Education Commission each adopted resolutions urging the respective state legislatures and higher education institutions to give careful consideration to the recommendations approved by participants in the 1998 Midwestern Higher Education Policy Summit. A final report on Summit proceedings was prepared and mailed to the governors, legislators, presidents, chancellors and state higher education leaders of the 12 Midwestern states. The report may be obtained by contacting either the Commission office or the Council of State Governments Midwestern Office.

## **The Interactive Courseware Initiative**

In 1997, the Commission established a regional Committee of 18 faculty scholars and academic officers with acknowledged expertise in technology mediated instruction. The Committee's charge was to conceptualize and develop one or more initiatives to:

1. Increase faculty understanding of interactive courseware functionality and benefits.
2. Promote faculty development in the uses of interactive courseware.
3. Encourage new instructional products that meet the educational features and capabilities sought by faculty.
4. Facilitate faculty research on the learning outcomes and the continuous improvement of interactive courseware.
5. Make available the highest quality and most cost-effective commercial courseware at the best prices to the academic community.

The Committee focused its efforts on those academic disciplines and subjects characterized by widely diverse learner demands at various collegiate and career stages of learning. The initial emphasis was on general education components of undergraduate associate and baccalaureate degree programs; e.g. English, mathematics, natural sciences, social sciences, humanities and fine arts.

Four activities were identified in the Committee's action plan; the identification of criteria that set forth the educational features and capabilities to be incorporated into superior quality courseware; the assessment of courseware products currently available in the marketplace; the development of a faculty collaborative to facilitate the introduction, use and evaluation of those courseware products that meet the criteria of excellence; and the establishment of a distributed learning workshop to create new models and courseware materials to support *anytime, anywhere learning*.

### ***Identifying Educational Features and Capabilities of Quality Courseware***

The Committee compiled criteria on educational features and capabilities sought in superior quality courseware. The objectives were to provide educational benchmarks to guide faculty in selecting courseware products and to complement the technological specifications and standards being established through national efforts such as the National Learning Infrastructure Initiative.

In the compilation process, the Committee concentrated on "high end" distributed learning materials. Extensive reviews of learning research were conducted. Faculty, who are acknowledged for their expertise in distributed learning, were queried. In-depth examinations were made of various applications of learning principles and theories. The criteria identified were widely critiqued and underwent several iterations before being adopted by the committee. The adopted statement of desired courseware features and capabilities incorporates ten major elements:

- *Interactive Design*
- *Sound Pedagogical Strategy*
- *Learner Centered and Faculty Friendly*
- *Flexible Applications*
- *Appropriate Content Guidelines*
- *Ongoing Evaluation and Assessment*
- *Feedback/Report Generation*
- *Faculty Development Support*
- *Course Designations*
- *Standard Technology*

## ***Product Evaluations***

In November 1997, the Committee issued a nationwide RFI process to 140 providers of distributed learning materials. The results were disappointing. Fewer than one in ten organizations contacted had courseware products sophisticated enough to enable them to respond favorably to the information request. Of the private sector products, only two were found to be even remotely qualified and both had serious deficiencies. It quickly became evident to the Committee that the private sector has yet to produce "high end" courseware that incorporates the best of educational features sought by higher education and that merits wide adoption by higher education.

None of the campus-based products reviewed were appropriately structured, staffed or organized to create, monitor and continuously improve their courseware. Most consisted of very small faculty cadres of "lone rangers" who were supported by undergraduate and graduate student programmers and instructional designers. Nearly all focused upon building proof-of-concept lessons, software micro-worlds suitable for investigating cognitive consequences of mediated learning materials, or on supplementary lessons intended to be bolted onto conventionally communicated material.

## ***The Distributed Learning Workshop***

Based on its findings, the Committee recommended that the Commission establish a regional not-for-profit *Distributed Learning Workshop* to create courseware products that meet educational expectations for excellence in higher education. The Workshop's mission will be to produce inquiry-based learning materials through the strategic utilization of high quality, location independent, computer-mediated techniques.

The Workshop will undertake six interrelated and far-reaching initiatives. The Commission agrees with the Committee on the fundamental wisdom and merit of each. It believes that the implementation of these six initiatives will provide the 853 private and public colleges and universities in the Compact states the means and materials they need to leverage their individual and collective interests, expertise and resources towards transformational advancements in technology mediated instructional materials. The six initiatives are:

1. To create research-based standards for designing, developing, implementing and continuously improving high-quality computer-based instructional materials.
2. To create Internet-based standards and protocols for distributing computer-based instructional materials over the Internet.
3. To improve the educational achievement of entry-level college students by developing exemplary, standards-based computer-based instructional materials attuned to the special circumstances and learning support requirements of entry-level students.
4. To provide continuous professional development education and support for faculty interested in improving their understanding and knowledge of teaching and learning in

instructional settings in which computer-based instructional materials are used by their students.

5. To provide a variety of support mechanisms for faculty interested in developing their technological and pedagogical expertise in developing, customizing, using and evaluating computer-based instructional materials.
6. To support the efforts of MHEC-affiliated colleges and universities to form education technology partnerships with high schools.
7. A business plan and financial prospectus to support the workshop initiative is presently being developed. Upon completion, colleges and universities will be invited to join with the Compact as founding partners of the Workshop and matching funds to support implementation will be sought from appropriate foundations.

## **Information Exchange Services**

The Commission has been actively involved in the Internet since its inception, and continues to maintain a strong presence on the World Wide Web for the purpose of facilitating regional information exchanges among colleges and universities. Several Internet discussion groups are supported through the Commission's web server. These electronic forums enable highly efficient communications among college and university staff such as telecommunications directors, registrars and academic scheduling officers, institutional risk managers, and facility managers.

The Commission's web site at [www.mhec.org](http://www.mhec.org) contains up-to-date information on the various program activities of the Compact.

## **A Look Ahead**

The Commission continues its efforts to advance higher education through new and innovative approaches to interstate cooperation. Committees sponsored by the Commission are presently examining the merits and feasibility of several program proposals. These include the establishment of a Distributed Learning Workshop to develop exemplary technology mediated courseware materials based upon learning precepts and educational features and capabilities specified by college and university faculty; the development of an electronic warranty program that bundles the various types of equipment maintenance contracts into comprehensive service warranty packages at reduced prices; the establishment of a regional voluntary benefits initiative to enable the half million employees of Midwestern higher education to access various types of supplemental insurance at discounted prices; and the development of regional approaches to increase higher education's capacity to deliver distance education.

## The Compact's Success

There are several reasons for the Midwestern Higher Education Compact's success over the past seven years. In each program, regional cooperation is fostered to create new opportunities and benefits for Midwestern higher education. To attribute the success of Compact programs solely to regional cooperation, however, would ignore several other important contributing factors.

The Commission, rather than establishing a central bureaucracy, relies upon voluntary leadership from all sectors of higher education to develop and oversee Compact programs. Each committee appointed by the Commission assumes intellectual ownership of the program initiative for which it was established. The Commission serves as a facilitator in the developmental process. It provides the resources necessary to support the committees in their work. More than 600 representatives of public and private colleges, universities, community colleges, technical colleges, and state educational leadership organizations have served on Compact program committees.

The Commission has received the help of institutional and state representatives to assist in guiding its RFP processes. When proposals are invited from national vendors, the high quality of the RFP criteria conceptualized by the program committees have been strong negotiating points to accomplish program agreements.

One of the Compact's primary policies is to make all of its programs available to all sectors of higher education, from public and private community and technical colleges to large research universities.

The Commission does not engage in "reinvention." It is, however, committed to improving the performance of existing structures and alliances among institutions, systems, consortia and states throughout the Midwest to achieve practical and mutually beneficial outcomes for higher education. The Commission respects the integrity of inter-institutional consortia and does not seek to compete with these interests. The Commission's goal is to encourage the development of strategies that will enable these groups to form "alliances of alliances" to accomplish advantageous outcomes that cannot be fully realized through independent efforts.

# APPENDICES



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Jeff Finger, Beloit College, WI  
Becky Hintz, University of Minnesota - Twin Cities  
Christopher Johnson, Northwestern University, IL  
Frederick R. Johnson, Jr., Risk Management Division, Minnesota  
Gloria Moosmann, Cuyahoga Community College, OH

**Risk Management Committee, *continued***

David Pulda, University of Wisconsin System Office  
Larry E. Schultz, Nebraska State College System  
Larry Stephens, Indiana University at Bloomington  
Richard Thatcher, University of Toledo, OH  
Scott S. Wightman, Saint Louis University, MO

David Murphy, *Ex Officio*  
Rob Trembath, *Ex Officio*  
Phillip Sirotkin, *Ex Officio*

**Telecommunications Committee**

Craig Klimczak, Chair  
University of Missouri System Administration

Roger Bartlett, Nebraska Educational Telecom (NET)  
Rosemary Cary, Muskegon Area Intermediate School  
District, MI  
Michael Frazier, Denison University, OH  
Joseph Graba, Hamline University Graduate School of  
Education, MN  
Doris J. Hanson, TEACH Wisconsin  
Kenneth Johnson, Central Michigan University  
David King, Indiana Higher Education Telecommunication  
System & Purdue University  
Bill Mitchell, MORENet, Missouri  
Lynn Murphy, Waubensee Community College, IL  
Robert Nelson, Milwaukee Public Schools  
Carolyn Parnell, University of Minnesota - Twin Cities  
David R. Quimby, Saint Norbert College, WI  
Andrew F. Scharf, Jr., Kansas Department of Administration

David Murphy, *Ex Officio*  
Ann Grindland, *Ex Officio*  
Phillip Sirotkin, *Ex Officio*



# The Midwestern Regional Higher Education **COMPACT**

*Entered into by and between the States signatory hereto, to advance higher education through interstate cooperation to meet the needs of the Midwestern Region of the United States of America.*

## ARTICLE I. PURPOSE

The purpose of the Midwestern Higher Education Compact shall be to provide greater higher education opportunities and services in the Midwestern region, with the aim of furthering regional access to, research in and choice of higher education for the citizens residing in the several states which are parties to this Compact.

## ARTICLE II. THE COMMISSION

The compacting states hereby create the Midwestern Higher Education Commission, hereinafter called the Commission. The Commission shall be a body corporate of each compacting state. The Commission shall have all the responsibilities, powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states in accordance with the terms of this Compact.

The Commission shall consist of five resident members of each state as follows: the governor or the governor's designee who shall serve during the tenure of office of the governor; 2 legislators, one from each house (except Nebraska, which may appoint two legislators from its Unicameral Legislature), who shall serve two-year terms and be appointed by the appropriate appointing authority in each house of the legislature; and two other at-large members, at least one of whom shall be selected from the field of higher education. The at-large members shall be appointed in a manner provided by the laws of the appointing state. One of the two at-large members initially appointed in each state shall serve a two-year term. The other, and any regularly appointed successor to either at-large member, shall serve a four-year term. All vacancies shall be filled in accordance with the laws of the appointing states. Any commissioner appointed to fill a vacancy shall serve until the end of the incomplete term.

The Commission shall select annually, from among its members, a chairperson, a vice chairperson and a treasurer.

The Commission shall appoint an executive director who shall serve at its pleasure and who shall act as secretary to the Commission. The treasurer, the executive director and such other personnel as the Commission may determine, shall be bonded in such amounts as the Commission may require.

The Commission shall meet at least once each calendar year. The chairperson may call additional meetings and upon the request of a majority of the Commission members of three or more compacting states, shall call additional meetings. Public notice shall be given of all meetings and meetings shall be open to the public.

Each compacting state represented at any meeting of the Commission is entitled to one vote. A majority of the compacting states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Commission.

## ARTICLE III. POWERS AND DUTIES OF THE COMMISSION

The Commission shall adopt a seal and suitable bylaws governing its management and operations.

Irrespective of the civil service, personnel or other merit system laws of any of the compacting states, the Commission in its bylaws shall provide for the personnel policies and programs of the Compact.

The Commission shall submit a budget to the governor and legislature of each compacting state at such time and for such period as may be required. The budget shall contain specific recommendations of the amount or amounts to be appropriated by each of the compacting states.

The Commission shall report annually to the legislatures and governors of the compacting states, to the Midwestern Governors' Conference and to the Midwestern Legislative Conference of the Council of State Governments concerning the activities of the Commission during the preceding year. Such reports shall also embody any recommendations that may have been adopted by the Commission.

The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, foundation, person, firm or corporation.

The Commission may accept for any of its purposes and functions under the Compact any and all donations and grants of money, equipment, supplies, materials and services (conditional or otherwise) from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any institution, foundation, person, firm, or corporation, and may receive, utilize and dispose of the same.

The Commission may enter into agreements with any other interstate education organizations or agencies and with higher education institutions located in non-member states and with any of the various states of these United States to provide adequate programs and citizens of the respective services in higher education for the citizens of the respective compacting states. The Commission shall, after negotiations with interested institutions and interstate organizations or agencies, determine the cost of providing the programs and services in higher education for use of these agreements.

The Commission may establish and maintain offices, which shall be located within one or more of the compacting states.

The Commission may establish committees and hire staff as it deems necessary for the carrying out of its functions.

The Commission may provide for actual and necessary expenses for attendance of its members at official meetings of the Commission or its designated committees.

#### ARTICLE IV. ACTIVITIES OF THE COMMISSION

The Commission shall collect data on the long-range effects of the Compact on higher education. By the end of the fourth year from the effective date of the Compact and every two years thereafter, the Commission shall review its accomplishments and make recommendations to the governors and legislatures of the compacting states on the continuance of the compact.

The Commission shall study issues in higher education of particular concern to the Midwestern region. The Commission shall also study the needs for higher education programs and services in compacting states and the resources for meeting such needs. The Commission shall from time to time prepare reports on such research for presentation to the governors and legislatures of the compacting states and other interested parties. In conducting such studies, the Commission may confer with any national or regional planning body. The Commission may draft and recommend to the governors and legislatures of the various compacting states suggested legislation dealing with problems of higher education.

The Commission shall study the need for provision of adequate programs and services in higher education, such as undergraduate, graduate or professional student exchanges in the region. If a need for exchange in a field is apparent, the Commission may enter into such agreements with any higher education institution and with any of the compacting states to provide programs and services in higher education for the citizens of the respective compacting states. The Commission shall, after negotiations with interested institutions and the compacting states, determine the costs of providing the programs and services in higher education for use in its agreements. The contracting states shall contribute the funds not otherwise provided, as determined by the Commission, for carrying out the agreements. The Commission may also serve as the administrative and fiscal agent in carrying out agreements for higher education programs and services.

The Commission shall serve as a clearinghouse on information regarding higher education activities among institutions and agencies.

In addition to the activities of the Commission previously noted, the Commission may provide services and research in other areas of regional concern.

## ARTICLE V. FINANCE

The monies necessary to finance the general operations of the Commission not otherwise provided for in carrying forth its duties, responsibilities and powers as stated herein shall be appropriated to the Commission by the compacting states, when authorized by the respective legislatures by equal apportionment among the compacting states.

The Commission shall not incur any obligations of any kind prior to the making of appropriations adequate to meet the same; nor shall the Commission pledge the credit of any of the compacting states, except by and with the authority of the compacting state.

The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Commission.

The accounts of the Commission shall be open at any reasonable time for inspection by duly authorized representatives of the compacting states and persons authorized by the Commission.

## ARTICLE VI. ELIGIBLE PARTIES AND ENTRY INTO FORCE

The states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin shall be eligible to become party to this Compact. Additional states will be eligible if approved by a majority of the compacting states.

As to any eligible party state, this Compact shall become effective when its legislature shall have enacted the same into law; provided that it shall not become initially effective until enacted into law by five states prior to the 31st day of December 1995.

Amendments to the Compact shall become effective upon their enactment by the legislatures of all compacting states.

## ARTICLE VII. WITHDRAWAL, DEFAULT AND TERMINATION

Any compacting state may withdraw from this Compact by enacting a statute repealing the Compact, but such withdrawal shall not become effective until two years after the enactment of such statute. A withdrawing state shall be liable for any obligations which it may have incurred on account of its party status up to the effective date of withdrawal, except that if the withdrawing state has specifically undertaken or committed itself to any performance of an obligation extending beyond the effective date of withdrawal, it shall remain liable to the extent of such obligation.

If any compacting state shall at any time default in the performance of any of its obligations, assumed or imposed, in accordance with the provisions of this Compact, all rights, privileges and benefits conferred by this Compact or agreements here-under shall be suspended from the effective date of such default as fixed by the Commission, and the Commission shall stipulate the conditions and maximum time for compliance under which the defaulting state may resume its regular status. Unless such default shall be remedied under the stipulations and within the time period set forth by the Commission, this Compact may be terminated with respect to such defaulting state by affirmative vote of a majority of the other member states. Any such defaulting state may be reinstated by performing all acts and obligations as stipulated by the Commission.

## ARTICLE VIII. SEVERABILITY AND CONSTRUCTION

The provisions of this Compact entered into hereunder shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any compacting state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact entered into hereunder shall be held contrary to the constitution of any compacting state, the Compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of this Compact entered into pursuant hereto shall be liberally construed to effectuate the purposes thereof.

*This compact is now in full force and effect, having been approved by the Governors and Legislatures of more than five of the eligible states.*

**MEMBER STATES**

State of Illinois  
By Jim Edgar  
August 20, 1991

State of Michigan  
By James A. Blanchard  
July 24, 1990

State of Nebraska  
By Ben Nelson  
June 5, 1991

State of Indiana  
By Evan Bayh  
March 14, 1996

State of Minnesota  
By Rudolph Perpich  
April 26, 1990

State of Ohio  
By Richard F. Celeste  
January 9, 1991

State of Kansas  
By Michael Hayden  
April 25, 1990

State of Missouri  
By John D. Ashcroft  
May 9, 1990

State of Wisconsin  
By Tommy Thompson  
April 18, 1994

# Midwestern Higher Education Commission

## Bylaws

### Article I. Commission Purpose, Functions and Bylaws

#### Section 1. Purpose.

Pursuant to the terms of the Midwestern Higher Education Compact (hereinafter referred to as "the compact"), the Midwestern Higher Education Commission (hereinafter referred to as "the commission") is established to fulfill the objectives of the compact, including the development and promotion within the compacting states, of new and more efficient opportunities in higher education.

#### Section 2. Functions.

In pursuit of the fundamental objectives set forth in the compact, the commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the compacting states. The commission's activities shall include the preparation of reports, studies and recommendations, the provision of information and consulting services, the facilitation of resource sharing and exchanges, and the promotion and implementation of other initiatives related to the improvement of higher education in the compacting states, as provided by the compact, or as determined by the commission to be warranted by, and consistent with, the objectives and provisions of the compact.

#### Section 3. Bylaws.

As required by the compact, these bylaws shall govern the management and operations of the commission. As adopted and subsequently amended, these bylaws shall remain at all times subject to, and limited by, the terms of the compact.

### Article II. Membership

The commission membership shall be comprised as provided in the compact. The appointing authorities in each of the compacting states shall forward the names of their

appointees to the commission chairperson. After verifying compliance with the compact provisions governing commission appointments, the commission chairperson shall promptly acknowledge the receipt of all qualified appointments by letter to both the appropriate appointing authorities and the designated

appointees. The commission chairperson shall promptly advise the appropriate appointing authorities of the need to appoint new commission members upon the expiration of designated terms of the occurrence of mid-term vacancies.

### Article III. Officers

#### Section 1. Election and Succession.

As provided by the compact, the officers of the commission shall include a chairperson, vice chairperson and a treasurer, all of whom shall be duly appointed commission members. Officers shall be elected by the commission at any meeting at which a quorum is present, and shall serve for two years or until their successors are elected by the commission. The term of office for the chairperson and the vice chairperson shall be staggered from the term of office of the treasurer. No officer shall serve more than two terms successively.

#### Section 2. Duties.

The officers shall perform all duties of their respective offices as provided by the compact and these bylaws. Such duties shall include, but are not limited to, the following:

- a. *Chairperson.* The chairperson shall call and preside at all meetings of the commission, shall prepare agendas for such meetings, shall make appointments to all committees of the commission, and, in accordance with the commission's directions, or subject to ratification by the commission, shall act on the commission's behalf during the interims between commission meetings.
- b. *Vice Chairperson.* The vice chairperson shall, in the absence or at the direction of the chairperson, perform any or all of the duties of the chairperson. In the event of a vacancy in the office of chairperson, the vice chairperson shall serve as acting chairperson until a new chairperson is elected by the commission.
- c. *Treasurer.* The treasurer, with the assistance of the commission's executive director, shall act as custodian of all commission funds and shall be responsible for monitoring the administration of all fiscal policies and procedures set forth in the compact or adopted by the commission. Pursuant to the compact, the treasurer shall execute such bond as may be required by the Commission covering the treasurer, the



executive director and any other officers, commission members and commission personnel, as determined by the commission, who may be responsible for the receipt, disbursement, or management of commission funds.

#### **Article IV. Commission Personnel**

##### **Section 1. Commission Staff and Offices**

The commission shall appoint an executive director, who shall serve at its pleasure and who shall act as chief executive officer and secretary to the commission. The executive director shall hire and supervise such other staff as may be authorized by the commission. The executive director shall establish and manage the commission's office or offices, which shall be located in one or more of the compacting states as determined by the commission. The executive director may be entitled president of the commission.

##### **Section 2. Duties of the Executive Director.**

As secretary to the commission, the executive director shall keep minutes of all commission meetings and shall act as the custodian of all documents and records pertaining to the status of the compact and the business of the commission. As the commission's principal administrator, the executive director shall also perform such other duties as may be delegated by the commission or required by the compact and these bylaws, including, but not limited to, the following:

- a. Recommend general policies and program initiatives for the commission's consideration;
- b. Recommend for the commission's consideration administrative and personnel policies governing the recruitment, hiring, management, compensation and dismissal of commission staff;
- c. Implement and monitor the administration of all policies and program initiatives adopted by the commission;
- d. Prepare draft annual budgets for the commission's consideration;
- e. Monitor all commission expenditures for compliance with approved budgets, and maintain accurate records of account;
- f. Assist commission members as directed in securing required appropriations from the compacting states;

g. Executive contracts on behalf of the commission as directed;

h. Receive service of process on behalf of the commission; and

i. Prepare and disseminate all required reports and notices as directed by the commission.

#### **Article V. Meetings of the Commission.**

##### **Section 1. Meetings and Notice.**

The commission shall meet at least once each calendar year at a time and place to be determined by the commission. Additional meetings may be scheduled at the discretion of the chairperson, and must be called upon the request of a qualified number of commission members, as provided in the compact. All commission members shall be given written notice of commission meetings at least 30 days prior to their scheduled dates. Final agendas shall be provided to all commission members no later than 10 days prior to any meeting of the commission. Thereafter, additional agenda items requiring commission action may not be added to the final agenda, except by a vote of the commission in which two-thirds of the compacting states vote aye. All commission meetings, except executive sessions limited to personnel matters, shall be open to the public and prior public notice shall be provided in a manner consistent with the customs and practices of the compacting states.

##### **Section 2. Quorum.**

Commission members representing a majority of the compacting states shall constitute a quorum for the transaction of business, except as otherwise required in these bylaws. The presence of one or more commission members from a compacting state is sufficient to constitute the presence of that state for purposes of determining the existence of a quorum, provided the delegation present is entitled to vote on behalf of the state represented. The presence of a quorum must be established before any vote of the commission can be taken.

##### **Section 3. Voting.**

Each compacting state represented at any meeting of the commission is entitled to one vote. Fractional voting is prohibited. The commission members representing a single compacting state may, subject to applicable state laws, employ the means of their choice for determining their state's vote. In the event that a



minimum number of commission members is required by a compacting state to be present at a commission meeting in order to vote on behalf of such state, the presence of that number of commission members shall also be required by the commission for purposes of determining the existence of a quorum. Except as otherwise required by the compact or these bylaws, any question submitted to a vote of the commission shall be determined by a simple majority.

#### Section 4. Procedure.

Matters of parliamentary procedure not covered by these bylaws shall be governed by Robert's Rules of Order.

### Article VI. Committees

#### Section 1. Executive Committee.

The commission shall establish an executive committee, which shall be empowered to act on behalf of the commission during the interims between commission meetings. The composition, procedures, duties, budget, and tenure of such an executive committee shall be determined by the commission, except that each compacting state shall be entitled to equal representation and voting rights on the committee. The power of such an executive committee to act on behalf of the commission shall at all times be subject to any limitations imposed by the commission, the compact or these bylaws.

#### Section 2. Other Committees.

The commission may establish such other committees as it deems necessary to carry out its objectives. The composition, procedures, duties, budget and tenure of such committees shall be determined by the commission.

### Article VII. Finance

#### Section 1. Fiscal Year.

The commission's fiscal year shall begin on July 1 and end on June 30.

#### Section 2. Budget.

The commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years by such time as may be necessary to allow legislative appropriations from the compacting states to be secured. Commission budgets shall be submitted to the compacting states as required by the compact.

#### Section 3. Accounting and Audit.

The commission, with the assistance of the executive director, shall keep accurate and timely accounts of all receipts and disbursements of commission funds. The treasurer, through the executive director, shall cause the commission's records of account to be audited annually by a certified or licensed public accountant, and, as required by the compact, the report of such audit shall be made a part of the commission's annual report.

#### Section 4. Debt Limitations.

The commission shall monitor its own and its committees' affairs for compliance with all provisions of the compact and these bylaws governing the incursion of debt and the pledging of credit.

#### Section 5. Travel Reimbursement.

Subject to the availability of budgeted funds, and unless otherwise provided by the commission, commission members shall be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the commission or its committees.

### Article VIII. Required Reports

In addition to such other reports as may from time to time be required by the compact, these bylaws, or any action of the commission, the commission shall prepare and disseminate the following reports as required by the compact:

- a. An annual report documenting the commission's activities during the preceding year and including the annual audit report and any recommendations that may have been adopted by the commission.
- b. A biannual compact evaluation report, the first of which shall be prepared by January, 1995, analyzing the effects of the compact on higher education in the compacting states and including recommendations concerning the continuance of the compact.

## **Article IX. Adoption and Amendment of Bylaws**

Any bylaw may be adopted, amended or repealed by a majority vote of the compacting states, provided that written notice and the full text of the proposed action is provided to all commission members at least 30 days prior to the meeting at which the action is to be considered. Failing the required notice, a two-thirds majority of the compacting states shall be required for such action.

*As adopted by the Midwestern Higher Education Commission on March 10, 1991.*

*As amended by the Midwestern Higher Education Commission on May 20, 1995.*