

## NISTAC REVIEW

Last October the Kansas Board of Regents (KBOR) mandated that presidential exit analyses be undertaken at Regents' institutions when presidential searches are launched. The subsequent analysis for Kansas State University was conducted by Grant Thornton LLP from October 2008 through April 2009. One section of the report questioned specific policies, procedures and practices at NISTAC, thereby provoking the need for a more detailed analysis.

Wildman, Harrold, Allen & Dixon LLP has been engaged to conduct the assessment, and to ensure full transparency, a 5-member independent panel is recommended to review the audit firm's findings and report. See NISTAC Resolution for details.

### PROPOSED PURPLE RIBBON PANEL

KBOR Chair  
Former Governor/KBA Board Chair  
Former Manhattan Commissioner/Former Mayor  
Kansas Business/Foundation Exec. Comm.  
Manhattan Chamber of Commerce Board

or

Manhattan Economic Development

Jill Docking  
John Carlin  
Rich Siedler  
Randy Coonrod  
Neil Horton

or

Lucy Williams

### RESOURCES AVAILABLE FOR THE REVIEW\*

NISTAC Operations

Ron Trewyn, Ron Sampson, Kent Glasscock,  
Vicki Appelhans and Tammy Bueker

NISTAC Board

All Members

MTM Board

John Graham, Dennis Mullin, and Roger Sink

KTEC Commercialization

Kevin Carr, Michele Weigand, Trish Brasted, etc.

Manhattan Attorneys

Joe Knopp and Bruce Kent

K-State Attorneys

Cheryl Strecker and Pete Paukstelis

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\* Resources available to Wildman, Harrold, Allen & Dixon LLP and to the Panel if needed.

## **NISTAC RESOLUTION**

Wildman, Harrold, Allen & Dixon LLP has been engaged to conduct an in-depth assessment of concerns raised in the recent Grant Thornton review of NISTAC as part of the presidential exit analysis mandated by the Kansas Board of Regents. The Wildman Harrold team is led by Beth Fancsali.

**RESOLUTION:** To clarify and help address the issues raised by the recent analysis of NISTAC by Grant Thornton, and most particularly to help restore public confidence in NISTAC, the NISTAC Board of Directors recommends that President Schulz appoint a committee comprised of about five people to be convened as the NISTAC Review Panel. The Panel should be comprised of independent and respected individuals with the expertise needed to understand and assess the subject matter. The purpose of the Panel should be to assess the issues relating to NISTAC that arose from the Grant Thornton report by reviewing the follow-on Wildman Harrold completed analysis along with any recommendations the firm may suggest arising from that analysis. Specifically, Wildman Harrold will be seeking to determine and the Panel should help confirm:

1. If the recommendations made in 2006 by Wildman Harrold, following its legal review of NISTAC and its affiliates, were properly implemented;
2. If existing conflict of interest policies were followed in actions related to the establishment of a strategic partnership between NutriJoy, Inc. and The Coca-Cola Company; and
3. If any improper financial transactions were found, and particularly whether any individuals benefited from the NutriJoy/Coca-Cola transaction as a result of that person's position in NISTAC and in ways that either (a) were not provided to other investors or (b) disadvantaged public investments in NutriJoy via Kansas entities.