MU Faculty Council considers expanding voting rights

Non-tenure may get new status.

By Karyn Spory

Within a university, the word "faculty" can refer to either a professional designation or a governing body. Next month, the University of Missouri Faculty Council will vote to make the word "faculty" all-inclusive and by doing so will give non-tenure-track faculty the right to vote.

On March 4-8, the Faculty Council will hold an electronic vote to change the collective rules and regulations. Only tenure and tenure-track faculty will be voting.

The alterations would bring about two changes. The first would effectively change the definition of faculty to "all persons with full-time ranked academic appointments with professorial designation — Assistant, Associate and Full." This definition would include full-time ranked non-tenure-track faculty with professorial designation.

The second change would officially designate non-tenure-track as faculty and give them the right to vote on university issues with the exception of matters specific to tenure-track and tenured faculty.

During the faculty forum yesterday, Nicole Monnier, associate teaching professor of Russian, said the Faculty Council has not voted on campuswide issues that often.

"In the past 13 years, we've basically had 11 votes," Monnier said. "The proposal on the table is to give" non-tenure-track faculty "a vote on essentially those things that concern them."

Monnier also noted that in the past 13 years, only two ballots have dealt with tenure issues.

Four non-tenure-track representatives now serve on the Faculty Council. If passed, the changes would allow for the same number of non-tenure-track representatives, but they would now have voting powers.
The four non-tenure-track representatives would be selected in the same manner.

If the motion is successful, the proposal will be forwarded to the UM System and then to the Board of Curators for consideration at its April 11 meeting.

Over the course of this debate, many concerns about non-tenure-track faculty voting have been voiced. Some of these concerns include non-tenure-track faculty not being as invested in the university or being more susceptible to intimidation from administrators because they are hired on one- or three-year contracts.

Monnier said she didn't see the issue as pressure coming from administration, but rather if tenure and tenure-track faculty would stick up for their non-tenure-track colleagues.

"Meaning, if there is pressure being put on at a department level, are the departments healthy enough to support their own faculty regardless of their placement?" Monnier asked.

As for the investment of non-tenure-track faculty, Mark Linit, associate dean of the College of Agriculture, Food and Natural Resources, said all faculty are held to the same responsibilities within the college. "We're all the same, and we play by the same rules," he said.

Katherine Reed, a non-tenure associate journalism professor, encouraged those at the forum to talk to the people they know who are tenure and tenure-track "and who can actually vote on whether we vote."
Both St. Louis and Columbia garnered good marks in a recent study of what cities were the best in which to attend college. The heavy number-crunching, from the American Institute for Economic Research, took into account factors such as employment, housing and cultural institutions.

In the "major metros" category (2.5 million peeps or more), STL placed 13th, finishing ahead of San Diego and L.A., but one place behind Chicago. Boston took the top spot in the at category

On the list of "college towns" (under 250,000), Columbia finished at No. 10, two spots behind Lawrence, Kansas and three slots behind Champaign-Urbana, Illinois. Ithaca, New York was No. 1 in this class.

The two other category winners were San Jose, California and Ann Arbor, Michigan.
Details of Haith’s NCAA allegations notice released

By TEREZ A. PAYLOR
The Kansas City Star

After months of speculation, Missouri basketball coach Frank Haith finally knows the allegations he faces relating to the time he spent at Miami — and it appears to be a lot less serious than originally thought.

According to documents released by MU on Wednesday, Haith has been accused of failure to monitor by the NCAA, which is less serious than the unethical-conduct charge that CBSSports.com reported he would also face a month ago.

Through his attorney, Haith declined to comment Wednesday. But while an unethical-conduct charge could have led to a multiple-year show-cause penalty, the NCAA describes a failure to monitor on its website as “a serious violation that is similar to lack of institutional control but considered less significant.”

“A failure to monitor means that as a head coach, he did not maintain an environment of rules compliance in his program,” said Birmingham, Ala., attorney Don Jackson, who has represented athletes, coaches and universities in NCAA cases for 23 years.

“Candidly, that’s serious but not nearly as serious as an unethical-conduct charge.”

Imprisoned Miami booster Nevin Shapiro said in a 2011 Yahoo Sports report that Haith was complicit in a $10,000 payment to player DeQuan Jones, with assistant coach Jake Morton serving as the primary liaison in the deal. Haith has steadfastly denied the charge, as has Jones’ family.

CBSSports.com reported last month that the NCAA could find no proof of the payment in its two-year investigation but still planned to pursue the unethical-conduct charge. Days after that report, the NCAA acknowledged improper conduct by its enforcement staff in its Miami investigation.

The NCAA notice of allegations given to Haith says that Shapiro threatened to claim he had paid a Miami recruit unless Haith or Morton provided money to Shapiro. According to the NCAA, Haith failed to alert the athletic department, failed to ensure that Shapiro’s claim lacked merit or
disclose Morton’s financial dealings with Shapiro. Instead, the notice says, Haith gave money to Morton that he then provided to Shapiro.

According to the NCAA bylaw regarding failure to monitor, head coaches and staff have an obligation to report suspected rules violations and actual rules violations to their administration.

Jackson said could not recall a coach receiving a show-cause penalty for a failure-to-monitor charge. Two notable coaches who received NCAA discipline for failure to monitor are Baylor’s Scott Drew and Connecticut’s Jim Calhoun. Both were suspended for at least two games and were given recruiting restrictions.

Individuals named in a NCAA notice of allegations have 90 days to file a response, which is reviewed by the NCAA Committee on Infractions. That timeline would seem to indicate that any penalties enacted would not go into effect until the end of the season.

In a letter sent to MU Chancellor Brady Deaton detailing the charges, the NCAA informed him that although there is no institutional responsibility on the part of Missouri for possible violations involving Haith, it should be advised that action could eventually be taken that would limit his athletic related duties at MU for a designated period, should the committee rule against him.

Jackson, however, wondered whether the committee can bring itself to do that, given the extenuating circumstances.

“One of the roles of the infractions committee is to make credibility judgments about the evidence submitted,” Jackson said. “In this case, any evidence submitted by the enforcement staff here is highly lacking credibility, in my opinion. So that being the base, every factual aspect of this case now is questionable.”

Missouri said in a news release that it would not comment, but would continue to monitor the situation. One former Haith assistant at Miami — Michael Schwartz, now at Fresno State — has already been cleared by the NCAA.

But Morton, a former Miami assistant whose notice of allegations was first obtained today by The Miami Herald, and former Miami assistant Jorge Fernandez were accused by the NCAA of allowing Shapiro to promote Miami’s athletic programs and assist in the recruitment of three players, including former Kentucky star John Wall. Both Morton and Fernandez are also accused of providing impermissible travel and entertainment benefits to people associated with recruits.

One of the athletes, Durand Scott, eventually attended Miami and was suspended for six games last season for receiving impermissible benefits. Senior center Reggie Johnson was not named in Morton’s notice, but also sat out one game last year after the NCAA found that a family member had received impermissible travel benefits from a coach on the former staff.

Jackson, when made aware of the specific charges against Morton, said they sound primarily like secondary violations, though the fact Morton was also accused of accepting at least $6,000 from Shapiro for “supplemental income” gave him some pause.
“If there’s a factual basis to any of those charges, they can be looped back to the head coach as a failure to monitor, even though I believe it’s a number of secondary violations,” Jackson said.
Haith: No unethical conduct found

February 20  By BLAIR KERKHOFF The Kansas City Star

COLUMBUS — The University of Miami received the notice of allegations from the NCAA on Tuesday, and so did Missouri basketball coach Frank Haith, who was the Hurricanes' coach at the time covered in the investigation.

But the big revelation: Haith said the notice did not include an unethical-conduct charge. The possibility of the charge, which could have been career damaging and prompted a decision about Haith's employment at Missouri, was first reported last month by CBSSports.com.

It's not known what, if any, charges were listed against Haith.

"Contrary to what was reported, there was no unethical conduct in my notice of allegation," Haith said after the Tigers' 63-60 victory over fifth-ranked Florida. "We get a chance to defend ourselves."

Haith made the comment after he had risen to leave his happy postgame news conference. When he was peppered with questions about the notice, which started circulating during the game, Haith returned to his chair and spoke directly into the microphone.

"The biggest thing I want to tell you is I'm glad this thing is almost over," Haith said.

Haith said he informed athletic director Mike Alden after the game, in the hallway outside of the interview room just before Haith met with reporters. Alden had told an ESPN reporter during the second half that Missouri hadn't received a notice from Miami.

"Shoot, after 20 months, I think all of us are pleased that we can deal with it and move forward," Alden said. "I'm looking forward to working with Frank for a long time."

Alden had not seen the report when he spoke with reporters.

"He let me know just a little bit ago," Alden said. "I'll be glad we'll get a chance to work together with Frank, to be able to look through it."

The charges against Haith stemmed from an allegation by Miami booster Nevin Shapiro that a member of Haith's staff paid $10,000 to the family of DeQuan Jones, a former player.
An unethical-conduct penalty could have led to a multiple-year, show-cause penalty by the NCAA, which essentially prevents schools from hiring coaches. Haith’s situation would have been unique. He had moved to another school before the results of the investigation.

But with no unethical-conduct charge, it’s a moot point.

Typically, schools and individuals named in the notice of allegations have 90 days to file a response, and that can be reviewed by the NCAA Committee on Infractions. Penalties could be announced months later.

Miami blasted the NCAA in a statement on Tuesday evening, claiming that many allegations “remain unsubstantiated.”

The university noted that many charges were brought forth by Shapiro, “a convicted con man,” and that the NCAA was responsible for damaging leaks of unsubstantiated allegations over the course of the investigations.

Miami received the NCAA’s notice one day after president Mark Emmert announced the findings of an external review of its enforcement staff. In the last few weeks, the NCAA has acknowledged that it paid Shapiro’s attorney to use subpoena power to depose witnesses who were unwilling to cooperate with the investigation.

The depositions were tossed from the case against Miami, and university president Donna Shalala said the school had no intention of accepting sanctions other than ones it has self-imposed.

As for Haith and Missouri, the major step toward resolution came as a relief.

“It’s certainly been an interesting time,” Alden said. “There are probably many of us out there, that have been surprised by a lot of things. For us, we’re glad there’s going to be some closure.”
Allegation against Haith clarified

The NCAA’s nearly 2-year-old investigation of Miami, its credibility damaged by enforcement staff misconduct that led to an external probe and shakeup, alleges that Mizzou basketball coach Frank Haith “failed to promote an atmosphere for compliance” while he was guiding the Hurricanes before coming to MU just under two years ago.

The charge, a violation of NCAA Bylaw 11.1.2.1, boiled down to 147 words sent to Haith, his legal team and MU chancellor Brady Deaton on Tuesday and was released late Wednesday afternoon.

“It is alleged that after June 10, 2010, through the time that his employment ended at the institution in March 2011, Frank Haith (Haith), then head men’s basketball coach, failed to promote an atmosphere for compliance within the men’s basketball program.

“Specifically, Haith was aware that Nevin Shapiro (Shapiro), a representative of the institution’s athletics interests, threatened that unless Jake Morton (Morton), then assistant men’s basketball coach, or Haith provided money to Shapiro, Shapiro would make public a claim that Shapiro provided money to assist in the recruitment of a men’s basketball prospective student-athlete.

“After learning of the threat, Haith failed to alert anyone in the athletics department administration about Shapiro’s threat, ask reasonable questions of Morton to ensure that Shapiro’s claim lacked merit or disclose the fact that Morton engaged in financial dealings with Shapiro.

“Rather, Haith gave Morton funds that Morton then provided to Shapiro.”

And that was that.

More glaring than what was there was what was not:

No insinuation that Haith was complicit in a $10,000 payment from Shapiro through Morton to actually secure that player, DeQuan Jones, as alleged by Shapiro in an exhaustive report by Yahoo Sports in 2011. (Instead, the NCAA accused Morton, now at Western Kentucky, of accepting $6,000 in “supplemental income” from Shapiro.)

And no charge of unethical conduct, as had been reported was coming by CBSSports.com on Jan. 21.
Such an accusation, had it stuck, almost certainly would have jeopardized Haith’s job.

Instead, as the NCAA put it in an attached cover letter, Haith is “named, and therefore, at risk in Allegation No. 14” in the case against Miami.

But the “at risk” appears to be of considerably less weighty punishment than it would have been with an unethical conduct charge.

Based on recent precedents of generally similar accusations, it’s likely it would lead, at worst, to a suspension of several games for Haith.

And that’s only if Haith doesn’t win his case.

He has denied any wrongdoing all along, and he reiterated Tuesday night that he looks forward to the chance to defend himself now that the allegation has been formally made.

Haith and his attorneys have until May 20 to respond to the Committee on Infractions. One of his representatives, Michael L. Buckner, initially had planned to release a statement on Wednesday but ultimately declined to comment.

It’s not known how they will construct their rebuttal of the charge against Haith, who was interviewed three times by the NCAA: Oct. 6, 2011; Sept. 5, 2012 and Sept. 25, 2012.

But it might be assumed they would seize on two issues in particular: the tainted reputation of the NCAA enforcement staff in general and its work in the Miami case in particular, all of which was brought further to light in a teleconference Monday revealing the findings of the external probe had led to about 20 percent of the original report being expunged.

And then there’s the matter of the credibility of Shapiro, serving a 20-year prison sentence for his part in a $930 million Ponzi scheme.

Perhaps no one has addressed that issue more bluntly than Miami president Donna Shalala did in a statement she released Tuesday.

“Many of the charges brought forth are based on the word of a man who made a fortune by lying. The NCAA enforcement staff acknowledged to the University that if Nevin Shapiro, a convicted con man, said something more than once, it considered the allegation ‘corroborated’ – an argument which is both ludicrous and counter to legal practice.

“Most of the sensationalized media accounts of Shapiro’s claims are found nowhere in the notice of allegations. Despite their efforts over two and a half years, the NCAA enforcement staff could not find evidence of prostitution, expensive cars for players, expensive dinners paid for by boosters, player bounty payments, rampant alcohol and drug use, or the alleged hundreds of thousands of dollars in cash and gifts given to student-athletes as reported in the media.

“The fabricated story played well – the facts did not.”
Bernie: Miami inquiry shames the NCAA

7 hours ago • BY BERNIE MIKLASZ • bmiklasz@post-dispatch.com

When Mizzou basketball coach Frank Haith has his day before the NCAA Committee on Infractions, he needs to go Al Pacino on the hopelessly corrupt hypocrites who have the audacity to pass judgment on the alleged misdeeds of others.

Al Pacino?

In the 1979 courtroom drama “And Justice For All” Pacino plays a volatile young attorney, Arthur Kirkland, who erupts in an epic blast of vitriol during his opening statement to the jury.

When the crooked judge admonishes Kirkland for being out of order, Pacino delivered one of the best movie speeches in the history of film.

“You’re out of order!
“You’re out of order!
“The whole trial is out of order!”

That pretty much sums up the fraudulent NCAA’s shady system of justice.

Haith got caught up in the mess at Miami during his previous coaching spot. In a letter of allegations delivered to Haith and the Missouri administration, the NCAA accuses Haith of providing hush money to buy the silence of a convicted, Ponzi-scheming felon named Nevin Shapiro.

Shapiro, a Hall of Fame slimeball, threatened to go public with a charge that he’d given Miami dirty money to buy a recruit’s commitment. Shapiro had loaned $6,000 to Miami assistant Jake Morton, and wanted to be repaid. So he put the squeeze on Haith and Morton: Pay me back, or I’ll squeal to the NCAA.

The NCAA alleges that Haith proffered the hush money to keep this troublesome weasel from screeching. The NCAA believes that, if nothing else, Haith should have called off the jam and reported the shakedown to the NCAA gendarmes.

I personally like Haith, and I believe he’s the right coach for Mizzou. He’s done nothing in CoMo to damage his integrity or reputation. He’s been a positive leader. And if this allegation...
sticks, Haith may face a short suspension or be hindered by some relatively minor restrictions on recruiting.

Mizzou may get tagged with a glancing blow here, but the NCAA won’t punish the Tigers in a way that would significantly injure the program. Mizzou will be able to move forward with Haith, and I’m good with that.

I’ve outgrown the naïve, childlike belief that it’s realistic to expect major-college coaches to remain ethically pure. College sports are a business, and grimy money keeps the profits rolling in.

The NCAA’s power to enrich member institutions keeps the university presidents in line, because the people who run the schools are addicted to the sweet flow of cash. The universities benefit, the coaches benefit, and the “student athletes” provide a service that can get them an actual education or a platform for building a professional career. If the team wins, the fans and boosters are happy.

If you don’t think this is how the system works, then I offer my congratulations for your ability to live in a utopian Candy Land where nothing is real.

Understand that I’m not staking out a claim on Haith’s virtue. I’m not suggesting that he was clean or innocent at Miami. I’m not fitting him for an angel’s wings. I have no idea what Haith did or didn’t do at Miami.

But you’ll have to excuse me for not taking the NCAA’s word on it. You’ll have to forgive me for not embracing the testimony of the nefarious Shapiro. You’ll have to pardon me for being skeptical of this entire, filthy process.

The NCAA was exposed during a tainted Miami investigation. Two prominent enforcement officials were fired for improperly paying Shapiro’s lawyers to help them gather dirt on Miami. The NCAA’s own legal staff warned the investigators to stay clear of this unholy alliance, and the advice was ignored.

NCAA investigators threatened witnesses. The NCAA declared that Shapiro had adequately “corroborated” his own testimony simply by repeating the accusations. This is preposterously out of line and should unnerve any coach or administrator who hopes to receive fair treatment from the NCAA.

And this pollution raises a natural question: How many other coaches and programs were victimized by the NCAA’s dishonest enforcement squad of rogues and bullies? Do you really believe that this was an isolated, once-in-a-lifetime event? How many careers have been ruined by outlaw NCAA cops?

During Mark Emmert’s grandstanding term as NCAA president, the NCAA has messed up multiple investigations with questionable tactics. And though Emmert wants us to believe that he should be held accountable, he continues to have a job.
This goes against the operating principle specified by NCAA Bylaw 11.1.2.1, which holds head coaches responsible for the misconduct of assistants or anyone involved in the program.

Even if the boss didn’t know about the rules violations committed by employees, he’ll be slapped with sanctions. That’s the NCAA’s lofty standard, but it only applies to others. In this situation, Emmert is the head coach. But he isn’t resigning his post. He hasn’t been fired. His arrogant power will remain untouched, because the university presidents lack the courage to take him on.

This is shameful.

The NCAA has to get out of the enforcement business. As ESPN basketball analyst Jay Bilas correctly points out, how can we trust the integrity of a system that allows the NCAA to be the detective, the prosecutor, the judge, the jury and the executioner?

There’s a glaring need for independence here. A separate organization, or an arbitrator who can examine allegations in a fair, trustworthy manner and issue a good-faith ruling.

There’s also a need for a new NCAA president.

Emmert — to use the preferred NCAA vernacular — lacks institutional control.

“If I had any say in this, Mark Emmert would be standing in the unemployment line,” Bilas told me. “He has proven that he’s not a capable leader in that organization. And going forward, for the NCAA to have any chance to do anything positive, there has to be a new direction and new leadership.”

The NCAA is out of order.

This whole trial is out of order.
Haith, others may wait months for Miami resolution

February 21 By TIM REYNOLDS AP Sports Writer

CORAL GABLES, Fla. — When Frank Haith first spoke this week about the allegations against him as part of the NCAA’s investigation into Miami, the Missouri basketball coach talked about how relieved he is that the long process is nearing an end.

That may be wishful thinking.

The NCAA has told Haith and others involved in the Miami matter that their cases may not be heard until July - so any penalties that are forthcoming might not arrive until next fall, at least.

On Wednesday, Missouri released documents that the NCAA sent Haith as part of the notice of allegations against Miami, where he coached from 2004 through 2011. Two key dates jump out in the NCAA’s planning: May 20, when responses by those named in the allegations are due, and an undetermined period in July - when the governing body for college athletics is planning to convene its Committee on Infractions.

That is, "unless all parties ... agree to a shortened response time," the NCAA said.

And that could happen. If not, this long saga - which most people weren't aware of until August 2011, though in actuality started nearly a year earlier - may just keep dragging along.

That doesn't mean progress isn't happening. Miami President Donna Shalala is expected to talk to the infractions committee during their meeting later this week - she'll be on the phone and it's not expected to be "a formal hearing for Miami at this point," said a person who spoke to The Associated Press on condition of anonymity because the information was not to be publicly released.

The AP reported Tuesday night, when the NCAA's allegations were delivered to Miami, that Haith was hit with a charge of failure "to promote an atmosphere for compliance." Missouri confirmed that Wednesday.

The charge stems from his actions when former booster and convicted felon Nevin Shapiro - whose claims sparked this investigation - allegedly wanted money in exchange for not going
public with accusations that he paid to help the Hurricanes recruit a player. The same accusation also included Jake Morton, a former member of Haith's staff at Miami.

"After learning of the threat, Haith failed to alert anyone in the athletics department administration about Shapiro's threat, ask reasonable questions of Morton to ensure that Shapiro's claim lacked merit or disclose the fact that Morton engaged in financial dealings with Shapiro," read Haith's portion of the notice of allegations. "Rather, Haith gave Morton funds that Morton then provided to Shapiro."

Missouri has been told by the NCAA that it does not face any possible sanctions, but that Haith's ability to coach may be affected "if he is found in violation" of rules.

"Missouri, while not a subject of this NCAA investigation, will continue to monitor the process," the school said in a release.

Haith is one of a handful of former Miami coaches who were named in the report. Another former member of his staff, Jorge Fernandez, is one of three former Hurricanes assistants who the NCAA believe provided false or misleading information during the probe into the Hurricanes' athletic department.

Also on that list with Fernandez: Former football assistants Clint Hurtt, now a coach at Louisville, and former Miami and Florida football assistant Aubrey Hill.

The NCAA said all three violated "principles of ethical conduct" as part of the notice of allegations served against the Hurricanes, according to a person who spoke to The AP on condition of anonymity because the allegations were not yet released publicly.

Other coaches are named or referenced in the allegations, but only Hurtt, Hill and Fernandez are facing the ethical-conduct charge, commonly known as NCAA Rule 10.1.

Miami is facing the charge that it had a "lack of institutional control" - one of the worst things the NCAA can levy against a member school. The charge revolves around how the school allegedly failed to monitor the conduct of Shapiro, a convicted Ponzi scheme architect who provided cash, gifts and other items to players, coaches and recruits.

Shalala's stance is that Miami has already suffered enough through self-imposed sanctions. She declined to comment further on Wednesday.

The NCAA alleged Hurtt and Hill provided meals, transportation and lodging to a small number of recruits, current players, or both. Both were interviewed by the NCAA during the probe and allegedly denied providing those extra benefits, statements the NCAA said were contradicted by players.

Hurtt also took a $2,500 personal loan from Shapiro, which was repaid. The NCAA also believes he sent about 40 impermissible text messages to recruits.
Fernandez, the NCAA alleged, "knowingly provided extra benefits" in the form of an air ticket. The NCAA said Fernandez denied using air miles for the tickets for a men's basketball player and a high school coach, despite evidence to the contrary.

Several other former Miami coaches are named in the allegations as well, including Morton, who the NCAA said accepted "supplemental income" of at least $6,000 from Shapiro. Morton is now on the staff at Western Kentucky.

Also named in the report is former Miami football assistant Joe Pannunzio, who was found to have sent about 30 impermissible text messages. Pannunzio is now on the staff at Alabama, and is not believed to be facing major penalties.

Some of the allegations in the NCAA's letter are more than 10 years old, including one in which Shapiro allegedly bought a suit for former Miami star running back Willis McGahee to wear to the Heisman Trophy ceremony in 2002.

Other allegations include that he paid for dinners at Benihana, televisions, sneakers, Miami Heat tickets, bowling parties, one player's engagement ring, a used washer-dryer set for current New England Patriots lineman Vince Wilfork, and that he directed his girlfriend to give two former Hurricanes no-show jobs for a couple of months.
Missouri releases Notice of Allegations of former Miami Hurricanes basketball coach Frank Haith

BY SUSAN MILLER DEGNAN

The Miami Herald has learned through a public records request of the specific Notice of Allegations that the NCAA delivered to former University of Miami basketball coach Frank Haith — now the coach at Missouri.

Haith’s Notice of Allegations reads as follows:

“It is alleged that after June 10, 2010, through the time that his employment ended at the institution in March 2011, Frank Haith, then head men’s basketball coach, failed to promote an atmosphere for compliance within the men’s basketball program.

“Specifically, Haith was aware that Nevin Shapiro, a representative of the institution’s athletics interests, threatened that unless Jake Morton, then assistant men’s basketball coach, or Haith provided money to Shapiro, Shapiro would make public a claim that Shapiro provided money to assist in the recruitment of a men’s basketball prospective student-athlete.

“After learning of the threat, Haith failed to alert anyone in the athletics department administration about Shapiro’s threat, ask reasonable questions of Morton to ensure that Shapiro’s claim lacked merit or disclose the fact that Morton engaged in financial dealings with Shapiro.

“Rather, Haith gave Morton funds that Morton then provided to Shapiro.”
Haith charged with failure to promote atmosphere of compliance

By Steve Walentik

The NCAA's notice of allegations delivered Tuesday to Frank Haith and the University of Miami charges the Missouri coach with failure to promote an atmosphere of NCAA compliance and failure to monitor the activities of his staff.

Missouri released a copy of the notice of allegations against Haith yesterday afternoon.

Specifically, the NCAA alleges that Haith learned Nevin Shapiro had threatened that he would go public with a claim that he'd provided money to aid in the recruitment of a player unless Haith or assistant coach Jake Morton paid off Shapiro.

The NCAA alleges that when Haith learned of Shapiro's threat, he didn't notify anyone in Miami's athletic administration or question Morton to make sure Shapiro's claim lacked merit, nor did he disclose Morton's financial dealings with the disgraced booster. Instead, it alleges that he gave Morton what amounted to hush money to give to Shapiro.

Missouri's release did not have a response to the allegation from Haith.

Those alleged actions would be in violation of NCAA Bylaw 11.1.2.1, which outlines the responsibility a head coach has to have control over his program.

The notice of allegations makes no mention of the charge, made public in a Yahoo.com report in August 2011, that Haith acknowledged and expressed gratitude for a $10,000 payment Shapiro said he made to help secure the commitment of recruit DeQuan Jones in the summer of 2008. That had been among the most damning allegations Shapiro made in the Yahoo story, in which Shapiro described rampant rules violations involving dozens of Miami athletes. If substantiated, that could have resulted in an unethical conduct charge, which surely would have brought stiff penalties on Haith, including a possible show-cause penalty if proved.

Haith could still face punishment if the NCAA Committee on Infractions finds him in violation of the lesser charge.
Haith has had the investigation hanging over his head at least since Yahoo published its report. The NCAA stated it interviewed Haith three times — Oct. 6, 2011, and Sept. 5 and 25, 2012.

A letter from Rachel Newman Baker, the managing director of enforcement at the NCAA, to MU Chancellor Brady Deaton states that Missouri faces no institutional responsibility for possible rules violations but that the NCAA could still take action against Haith that would affect his job at Missouri.

In the past three years, former Connecticut Coach Jim Calhoun and Baylor Coach Scott Drew were charged with failure to promote an atmosphere of NCAA compliance and failure to monitor the activities of their staff and were ultimately punished with multi-game suspension and some recruiting restrictions.

But the NCAA is still months away from doling out punishment in the Miami case. Individuals named in the notice of allegations have until May 20 to respond to the charges. The NCAA’s Committee on Infractions is expected to hear appeals in the case later this summer.

Haith said after acknowledging his receipt of the notice of allegations in the wake of Tuesday night’s victory over Florida that, “It is just an allegation, so we get a chance to defend ourselves.”

Missouri, in its news release, said, “The University of Missouri, while not a subject of this NCAA investigation, will continue to monitor the process and will not comment at this time.”

Here is the notice of allegations involving Frank Haith:

• 14. [NCAA Bylaw 11.1.2.1]: It is alleged that after June 10, 2010, through the time that his employment ended at the institution in March 2011, Frank Haith (Haith), then head men’s basketball coach, failed to promote an atmosphere for compliance within the men's basketball program. Specifically, Haith was aware that Nevin Shapiro (Shapiro), a representative of the institution's athletics interests, threatened that unless Jake Morton (Morton), then assistant men's basketball coach, or Haith provided money to Shapiro, Shapiro would make public a claim that Shapiro provided money to assist in the recruitment of a men's basketball prospective student-athlete. After learning of the threat, Haith failed to alert anyone in the athletics department administration about Shapiro's threat, ask reasonable questions of Morton to ensure that Shapiro's claim lacked merit or disclose the fact that Morton engaged in financial dealings with Shapiro. Rather, Haith gave Morton funds that Morton then provided to Shapiro.
NCAA says Missouri's Haith not watching closely enough at Miami

By Brendan Meyer
February 20, 2013 | 10:54 p.m. CST

COLUMBIA — Missouri men's basketball coach Frank Haith is accused of not paying close enough attention.

Wednesday, Haith's notice of allegations from the NCAA was made public by the Missouri athletics department. The notice claims that the head coach failed to promote an atmosphere for compliance for not monitoring his assistant coaches while at the University of Miami.

Haith coached at the University of Miami before becoming Missouri's head coach in 2011.

John Infante, a current writer for the Bylaw Blog and a NCAA compliance officer for two Division I universities from 2008 to 2011, said the allegation says Haith looked the other way while his assistants were violating NCAA rules.

He wasn't "doing enough education," Infante said by phone.

"It's sort of one step removed from encouraging his coaches to go out and commit these violations ... this idea (when recruiting) of 'I'm not going to tell you to cheat, but I'm not going to ask any questions about how you did it.'

"As a result, they (head coaches) might not be committing violations, but their assistants are going out and committing violations."

The notice alleges that Haith was aware of interactions between former assistant coach Jake Morton and former Miami booster and current federal inmate Nevin Shapiro.

"Haith was aware that Nevin Shapiro threatened that unless Jake Morton or Haith provided money to Shapiro, Shapiro would make public a claim that Shapiro provided money to assist in the recruitment of a men's basketball prospective student-athlete," according to the notice.
When Haith learned of the threat, he “failed to alert anyone in the athletics department administration, ask reasonable questions of Morton to ensure that Shapiro’s claim lacked merit or disclose the fact that Morton engaged in financial dealings with Shapiro.”

The notice ends by saying that instead of notifying someone, Haith gave Morton funds to provide to Shapiro.

Haith, who is represented by Columbia lawyer Wally Bley, will have 90 days to respond to the NCAA in writing, which will then lead to a hearing in front of the NCAA committee on infractions.

During that time, Infante said Missouri could self-impose sanctions against Haith to prove to the NCAA that he has already been punished in case he is found guilty but that such action would have to first be approved by Haith.

The Miami investigation came to light in August 2011 when Yahoo Sports reported improper interactions between Shapiro and the Miami football and basketball programs. In the report, it claimed that Shapiro supplied Morton with $10,000 to lure former basketball recruit DeQuan Jones in the summer of 2008. Following his incarceration for conducting a Ponzi scheme, Shapiro left angry messages to Morton and Haith, and Morton returned the money in June 2010.

There was no mention of Jones or the $10,000 transaction in either Haith’s or Morton’s notice of allegations.

Last month, before the NCAA announced that it had gathered information improperly, CBSSports.com reported two allegations against Haith citing unnamed sources. Those allegations were unethical conduct and a failure to promote an atmosphere for compliance.

On Jan. 23, NCAA President Mark Emmert called for an external review of the investigation, claiming that there was “improper conduct” within the NCAA during the process of the investigation.

Monday, Emmert said that about 20 percent of the original data collected during the investigation had been thrown out.
MU Chancellor Brady Deaton also received a letter on Tuesday from the NCAA regarding the notice of allegations.

Within his letter, it states that “although there is no institutional responsibility on the part of Missouri for possible violations involving Mr. Haith, please be advised that action could be taken that would limit Mr. Haith’s athletically-related duties at Missouri for a designated period if he is found in violation.”

In February 2011, then University of Connecticut men’s basketball coach Jim Calhoun was also charged with a failure to promote an atmosphere for compliance because of recruiting violations.

The NCAA penalized Calhoun with a three-game coaching suspension, put the basketball program on three years probation and removed one scholarship for three years.

Following Tuesday’s win over Florida, Haith acknowledged that he had received the notice.

“The biggest thing I want to tell you is I’m glad this thing is almost over with,” he said.
Nixon releases $8.5M to higher education

By American staff

Following the release of the state’s January 2013 general revenue report, Gov. Jay Nixon made available nearly $8.5 million for higher education institutions in Missouri for the current fiscal year, which runs through June.

The funds were provided as a result of continued improvement in general revenue collections, which grew by 18.4 percent last month compared to the same period in 2012.

The University of Missouri received nearly half of the funds, nearly $4 million. Missouri State University received $793,429 and the University of Central Missouri received $526,110. The fourth-largest recipient and the largest among community college systems was St. Louis Community College with $440,354. Lincoln University received $174,387, and Harris-Stowe State University received $95,887.

Nixon also made available $100,000 for the Missouri State Historical Society, housed at the University of Missouri, and $480,000 to fund three programs for foster care and children in need.
Hartzler, Blunt visit Columbia to talk budget cuts

Automatic cuts set for March 1.

By Andrew Denney

With automatic cuts to the federal budget set to take effect March 1, two of Missouri’s Republican representatives on Capitol Hill were in Columbia on Tuesday to discuss the need for cuts and to hear from constituents which parts of the budget should be spared.

The so-called sequestration set to happen next week will automatically cut $85 million from the federal budget and is the opening salvo in a plan intended to slice $1.2 trillion from the federal budget over the next 10 years. The sequestration was passed as a way to hold off a congressional fight over raising the debt limit.

U.S. Rep. Vicky Hartzler, R-Mo., and Sen. Roy Blunt, R-Mo., said in appearances yesterday that sequestration is likely. During remarks to the Columbia Rotary Club, Hartzler said she hopes sequestration can be averted. But for long-term reduction of federal debt, the government should emphasize spending cuts over tax increases, a consistent position for her party in debt talks.

"We can't tax our way to a balanced budget," Hartzler said.

Bank of Missouri President David Keller, who was in attendance to the meeting, said he is concerned about the federal deficit because, in his position, he has often come face to face with the "repercussions of too much debt."

"I see the problems that too much debt has on our households and businesses every day," Keller said. He said he also is troubled by the fact that the Federal Reserve has been keeping down interest rates in recent years. The possible consequences of holding down rates, he said, are that they could bounce back again in the future, thus increasing debt-servicing rates.
Aric Shriener, a local accountant, said that while government debt is not the most important issue to him politically, he sees it as a top issue facing the federal government because it could have detrimental effects for future economic growth in the country.

On his visit to Columbia, Blunt was provided a tour of the International Institute of Nano and Molecular Medicine at the University of Missouri campus. The institute houses some federally funded research projects. Before taking the tour, Blunt said he would be "committed" to supporting the university's research mission.

Rob Duncan, MU's vice chancellor for research, was along for the tour and said there is about $18 million worth of Department of Defense funding going to the university for research projects.

"I cannot emphasize how important it is to see that funding stream continue," Duncan said.

According to a release from Grass Roots Organizing, a local advocacy group for low-income families and individuals, the group was able to engage Blunt before he toured the facility to emphasize the importance of Head Start, public safety and mental health programs and to call on him to look for more revenue by closing tax loopholes and eliminating tax breaks.