Menu Courey family pleased with investigation

By Dave Matter dmatter@post-dispatch.com 314-340-8508

COLUMBIA, Mo. • In response to the independent counsel’s release of its investigation into the University of Missouri’s handling of sexual assault allegations made by former swimmer Sasha Menu Courey, her family released a statement Monday saying they’re pleased with the findings and that UM system president Tim Wolfe reached out to the family and said MU is taking action “to strengthen the university's policies to ensure students are safe on campus.”

Here is the complete release, as found on sashbear.org, the website for the family’s SashBear Foundation.

The Family and Friends of Sasha Menu Courey are pleased with the results of the independent investigation conducted for the University of Missouri by Dowd Bennett and comforted by the immediate response by University of Missouri System President Tim Wolfe. President Wolfe contacted Sasha’s parents personally, to offer his deepest sympathy and confirmed that they will be taking action to strengthen the university's policies to ensure students are safe on campus. We are hoping the transformation in their support system will make a difference and become a model for other universities.

Our daughter Sasha went through a perfect storm of unfortunate events that led to her suicide. Although we cannot change the past, we hope that the lessons learned from the investigation will lead to positive changes for future athletes and students. We hope to see a transformation of the processes that colleges and universities have in place to deal with students struggling with mental health issues and sexual assaults, whether they are athletes or not. This will never bring Sasha back, but we are hoping the changes will prevent another situation like this from occurring again.

Since Sasha passed away, we have focused on raising awareness of mental health issues because the system failed her. Due to lack of services in her home Province, she could not get the help she needed. To transform this tragedy into a message of hope, our efforts today continue to be on mental health awareness. Whether a rape victim, someone born with a disorder, or just going through a tough time, one in four will need mental health support at some point in their life. It is time that support is available when it is needed, without having to languish on a waiting list.

In Sasha’s memory, the Sashbear Foundation, has been created with the vision of “Making Waves on Mental Health by building environments for the advancement of life coping skills”. The foundation’s goal is to lead a mental health reform by promoting awareness for the need of early prevention, recognition, timely intervention and access to affordable treatment of individuals with Borderline Personality Disorder. We are holding our second annual Borderline
5k Walk to “raise awareness and show our support for those in need” on May 25th at the Sunnyside beach boardwalk in Toronto. We hope everyone will consider coming out. Please visit sashbear.org for details.

UNIVERSITY OF MISSOURI

Sasha Menu Courey’s parents hope Mizzou learns from investigation

April 14
BY TOD PALMER
The Kansas City Star

University of Missouri system president Tim Wolfe picked up the phone Friday after the release of an independent counsel’s report into MU’s handling of sexual assault allegations by a former swimmer.

Nearly 900 miles away, the phone rang at the home of Sasha Menu Courey’s parents, Lynn Courey and Mike Menu.

Wolfe wanted to personally discuss the report’s findings and detail the university’s plans to better help students such as Menu Courey, who alleged that she was raped in February 2010 by at least one MU football player. The allegation was made in a journal entry Menu Courey’s parents discovered after she committed suicide in June 2011 at McLean Hospital in Boston.

“That was a very emotional moment for all of us to receive the deepest sympathy from the university,” Lynn Courey said of conversation with Wolfe. “It was a relief for us and it was really well received and appreciated.”

The report by the Dowd Bennett Law Firm in Clayton, Mo., was critical of MU, but her parents said they are pleased with the investigation’s thoroughness and recommendations.

“We’re all on the same page that things need to be done so that we have a better environment for all those students and staff that they feel safe,” Mike Menu said. “At the
same time, it’s important to be a model for other universities, to go above and beyond really the guidelines.”

**In public remarks, Wolfe said, “We’re truly sorry for this heartbreaking tragedy and apologize for whatever shortcomings that may have occurred on our part in our treatment of (Menu Courey) while she was one of our students.”**

He also vowed to make sweeping changes as a result of the investigation, including a recently completed inventory of practices and policies regarding sexual assault reporting and mental health, and an executive order that outlines the requirements for employees who learn of sexual assault allegations.

“Our daughter Sasha went through a perfect storm of unfortunate events that led to her suicide,” Menu Courey’s parents said in a statement released Monday. “Although we cannot change the past, we hope that the lessons learned from the investigation will lead to positive changes for future athletes and students.

“We hope to see a transformation of the processes that colleges and universities have in place to deal with students struggling with mental health issues and sexual assaults, whether they are athletes or not. This will never bring Sasha back, but we are hoping the changes will prevent another situation like this from occurring again.”

Menu Courey was a freshman on the Tigers’ swim team in February 2010 when the alleged sexual assault, which is under investigation by Columbia police, occurred.

She checked into an on-campus hospital twice in April 2010 and also underwent counseling with a university therapist, but her story underscores the difficulty many sexual assault victims have coming forward.

“I’m sure many people haven’t felt supported, so they have not sought help or support, because they hadn’t felt that the system was supportive enough,” Menu said. “Hopefully, this changes with a very strong message from the university as a whole.”

Missouri swim coach Greg Rhodenbaugh said he had no knowledge of the alleged sexual assault when he asked Menu Courey to stop training with the team in January 2011 in an effort to heal a lingering back injury and focus on counseling.

When Menu Courey checked herself into the hospital again in March 2011, she noted on an intake form “raped/football player” under a box asking about sexual abuse, but MU’s medical personnel were bound by privacy laws not to disclose that information.
During that 10-day hospital stay, Menu Courey was diagnosed with borderline personality disorder and, shortly after being released to her parents, attempted suicide on April 3.

She was then transferred to a treatment facility in Kansas City, where she signed a university withdrawal form on April 6 before her parents moved her to McLean Hospital.

Menu Courey wrote in her journal that she told former MU academic adviser Meghan Anderson about the rape allegation in a phone conversation May 12, 2011, but Anderson denied that claim.

One month later, Menu Courey committed suicide on June 17, 2011, while still at McLean Hospital.

“At the end, she had difficulty seeing the light at the end of the tunnel,” Courey said. “We have to provide help to all the victims, to all the Sashas of the world, by transforming the system, so the support is there for them.

“With all this, we’re going through all sort of emotions, but it’s still not going to bring back our daughter. It’s not easy. At the same time, we were hoping that the report will be able to transform the system, because we want to be able to prevent this from happening to other families. We do not wish this to anyone. It’s very difficult to live with.”

Menu Courey’s parents organized The Borderline Walk in Sasha’s memory last May to raise awareness, eliminate stigma and raise funds to support research of borderline personality disorder.

The second Borderline Walk to benefit the Sashbear Foundation is set for May 25 on the boardwalk overlooking Lake Ontario in Toronto. More information can be found online at Sashbear.org.

“As long as we transform the system, it will save lives,” Courey said. “Sasha felt like she couldn’t come forward and that she couldn’t really talk to someone. She didn’t know where to turn for support, but if we change this, it will save lives.”

Read more here: http://www.kansascity.com/2014/04/14/4959569/menu-coureys-parents-hope-mizzou.html#storylink=cpy
COLUMBIA — The parents of Sasha Menu Courey now believe their daughter's death can spur significant change.

The family announced in a statement Monday that they are pleased with the findings of an independent investigation into whether MU employees acted consistently with university policy and the law in the Menu Courey case.

The former MU swimmer committed suicide in 2011 after she was allegedly raped by three football players in 2010.

The Dowd Bennett law firm reported its findings to the UM System Board of Curators Friday, saying MU didn't meet its responsibilities in reporting sexual assault cases through Title IX. UM System President Tim Wolfe expressed his condolences to the family and promised action from the university.

As of now, it is unclear what that action will entail.

"Although we cannot change the past, we hope that the lessons learned from the investigation will lead to positive changes for future athletes and students," the family said in the statement. "We hope to see a transformation of the processes that colleges and universities have in place to deal with students struggling with mental health issues and sexual assaults, whether they are athletes or not."

Lynn Courey and Mike Menu, Menu Courey's parents, said in a Missourian interview March 29 that they now realize Menu Courey's alleged assailants might never be found or charged with a crime. A videotape made by one of the men that showed her alleged rape is missing, and the Columbia Police Department has contacted them to express that, they said.
"That’s probably the only hope: that somebody is able to come forward and give some information going back to that time," Mike Menu said by phone from Canada.

Now the family wants to make sure that people such as Menu Courey don’t fall through the cracks again. Her battles with borderline personality disorder and the alleged sexual assault pushed her past the breaking point but went largely unnoticed until it was too late.

The conversation about sexual assault and what’s wrong — not just at MU, but at large universities across the country — needs to start in earnest, Lynn Courey said. If that discussion were to start in Columbia, then the family would be able to find some closure, she said.

"Since Sasha’s story came out, a few people (at MU) have contacted us, and some have tried to report it (sexual assault) and some are still afraid to report it," she said. "They still don’t feel comfortable to come forward. That is what we need to find: a way for them to be able to come forward, so they don’t feel judged for this."

"Until that changes, I think we’re going to continue to see a lot of this," Mike Menu said. "Quite likely, there’s a lot more things not working than working."

The Dowd Bennett report concluded there was no proof that any MU employee knew of Menu Courey’s alleged assault while she was alive, other than medical personnel, who were not able to provide that information to the athletics department.

The report also said the university should have acted in February 2012, when an article in the Columbia Daily Tribune noted that Menu Courey claimed in her diary that she had been raped by a member of the football team.

The latest the university should have acted, the report said, was in November 2012, when documents — found during an open records request by the family — showed Menu Courey believed she had been raped.

MU also did not have proper Title IX procedures in place for employees, the Dowd Bennett report said, which is counter to the U.S. Department of Education’s requirements under Title IX.
"It’s not just about the rules, but, if the rules are followed and things still don’t change, what can be done above and beyond the rules," Mike Menu said. "It’s about founding a new system that can really work."

Wolfe said Friday that the next step is to evaluate the current procedures, policies and practices at each of the four UM campuses related to sexual assault and mental health services. This is phase two of a three-phase plan put in place by Wolfe in February.

A task force created to evaluate sexual assault and mental health services at MU completed phase one of the plan on April 2. That consisted of creating an inventory of the available resources at MU.

MU Chancellor R. Bowen Loftin released a statement through the MU News Bureau on Friday summarizing how MU is working to enhance its policies and procedures regarding sexual assault and mental health issues.

Mike Alden, MU athletics director, has created a subcommittee of the task force to examine how the department handles incidents involving students, the chancellor's statement said.

The subcommittee will evaluate the available resources regarding sexual assault and mental health specific to the athletics department, spokesman Chad Moller said in an email on Monday.

Rick McGuire, MU director of sports psychology, will serve as chairman of the committee. Other members are Pat Ivey, associate athletics director for athletic performance; Mitzi Clayton, associate athletics director for compliance; Bob Bailey, assistant dean of the Law School; and Andrea Hayes, an independent prosecutor in Columbia.

According to Loftin's statement, MU is examining how the Office of Student Conduct handles sexual assault cases and is considering creating an independent committee with special training to handle cases involving sexual assault.

MU is working "to engage a respected firm specializing in risk management in this area," the release said.
"Already, we have identified areas for improvement in our sexual assault reporting policies and procedures, and we hope to implement them in the coming months," Loftin said in the release.

**In addition to examining policies regarding sexual assaults, MU must examine its policies regarding alcohol and the enforcement of these policies, Loftin said.**

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**Burwell: Mizzou report isn't the final word**

By BRYAN BURWELL bburwell@post-dispatch.com 314-340-8185

**R. Bowen Loftin, Tim Wolfe**

*University of Missouri President Tim Wolfe (left) and Chancellor R. Bowen Loftin take questions at a news conference Friday. They discussed an outside legal review of the university's response to a case involving school swimmer Sasha Menu Courey, who killed herself 16 months after an alleged off-campus rape. (AP Photo/Jeff Roberson)*

After months of weaving in and out of an endless stream of good-news-bad-news turbulence, it's often difficult to determine whether Mizzou athletics is simply darting from under one troubling cloud to another or occasionally racing into the bright sunshine.

On Monday it must have felt like a warm slash of light — or better yet, one important pressure valve that was seemingly being released — when the University of Missouri got news from the family of Sasha Menu Courey that they were “pleased with the results” of the school’s so-called independent investigation into the circumstances surrounding the alleged sexual assault of the former Missouri swimmer, who committed suicide in 2011.
Translation: Her family doesn’t seem to be in the mood to sue the University of Missouri or drag out the bitter details of the last tragic years of their daughter’s life in a contentious civil suit. Her family seems to be saying they don’t care who is at fault; they seem to be taking unselfish comfort in knowing that they have forced the university to make changes to ensure that the circumstances that led to the death of their child are never repeated.

“Our daughter Sasha went through a perfect storm of unfortunate events that led to her suicide,” the family said in a prepared statement released on the website sashabear.org. “Although we cannot change the past, we hope that the lessons learned from the investigation will lead to positive changes for future athletes and students. We hope to see a transformation of the processes that colleges and universities have in place to deal with students struggling with mental health issues and sexual assaults, whether they are athletes or not. This will never bring Sasha back, but we are hoping the changes will prevent another situation like this from occurring again.”

That sigh you just heard was from the legions of lawyers, trustees, administrators and mental health and athletic department officials who know they’ve dodged at least one huge legal entanglement. But that doesn’t mean that the story is over or should be over. The university better take in another deep breath until it hears—or doesn’t hear—from the U.S. Department of Education’s investigative arm or the Columbia Police Department.

The university shouldn’t rest easy until after the results of the Columbia PD’s criminal investigation into the alleged rape. The university shouldn’t feel this story is over— and someone’s job shouldn’t be lost— until everyone is certain that the Department of Education decides it isn’t interested in launching an investigation into the way Missouri conducted its business or whether it violated Title IX laws. Already, the DOE has sent investigators to Penn State and Florida State recently, and unlike the so-called independent investigators that president Timothy Wolfe hired, federal probes come with the weight of subpoena power.

A federal probe into what happened at Mizzou will not be nearly as antiseptic as the probe done by the law firm employed by president Wolfe.

This probe may have satisfied the Menu Courey family, but there’s no way of knowing if it was too superficial for the DOE’s more scrutinizing tastes. There are still too many questions that were left unanswered in the university’s probe, and that was highlighted by the university’s investigators, who admitted in the footnotes of their 23-page report some of the flaws in their own process.

“Several individuals, including one who had given an interview to ESPN, declined to be interviewed by (investigators) or never returned telephone calls,” the report said. “Other individuals spoke to (investigators) in initial telephone interviews but declined in-person interviews. Some individuals of whom interviews were sought could not be located. All current University employees made themselves available for any interviews requested.”

There are, no doubt, plenty of Mizzou loyalists who care deeply about the football program who probably think the idea of putting the Menu Courey tragedy to bed would be the best thing in the world for the school. Those are probably some of the same folks who wished coach Gary Pinkel never dismissed Dorial Green-Beckham from the team.
But anyone with a beating heart, soul or conscience knows that the “independent” investigation should only be the beginning of the healing process. Anyone with enough common sense to read between the lines of the Mizzou investigation has to understand the probe’s entire purpose. While the early pages of the report’s intent was to determine if there was something done wrong — and they clearly said plenty of mistakes were made — it doesn’t take long to see through the report’s more surreptitious design.

Go to the final page of the 23-page report and read under the heading of “Additional Legal Analysis,” and it seems fairly apparent what the attorneys were also paid to conclude:

Conduct a legal enterprise that supports the claim that the university should be legally insulated from any potential civil action or the potential discontinuation of thousands (or millions) in federal funding under Title IX.

As a parent, a brother, sister or friend, we should be able to relate in some small way the heartbreak that the Menu Courey family must feel. That’s why a superficial probe with dubious independence should never be the final word on the subject. There are more questions that must be asked and we should be insisting on more real answers that need to be heard.

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**Editorial: MU acts to protect students and stop coddling athletes**

By the Editorial Board

**Long-simmering problems tied to the University of Missouri’s athletic program came to a boil on Friday with a critical independent report about a sexual assault case and the dismissal from the Tigers football team of a star wide receiver.**

Head coach Gary Pinkel was correct to cut ties with Dorial Green-Beckham from Springfield, Mo. He was the country’s No. 1 recruit when Mizzou signed him, and during his two seasons with the Tigers flashed the kind of speed and ability that make coaches’ hearts flutter.

He also demonstrated the kind of poor judgment that makes coaches’ hearts sink. He was twice arrested for drug-related offenses and became the suspect in a recent burglary investigation. It’s a different sport, but three strikes generally mean you’re out.

Mr. Pinkel’s decision will allow Mr. Green-Beckham an opportunity to change the way he conducts himself off the field and preserve a shot at a pro football career. The decision to cut ties with a player of rare ability sends a strong message that Mr. Pinkel will not tolerate criminal behavior.
Mr. Green-Beckham’s situation got most of the headlines because it involves a high-revenue producing marquee sport. But the case of Sasha Menu Courey may be more haunting for Mizzou.

Ms. Menu Courey was a Canadian recruit for the Mizzou swim team who alleged during her freshman year that she was raped by two football players. The university failed to act on her allegation. Ms. Menu Courey committed suicide 15 months later, in June 2011.

University President Tim Wolfe took a step in the right direction a week ago when he issued a long-awaited executive order strengthening and clarifying the system’s reporting policies under Title IX, part of the federal Education Amendments of 1972 that covers discrimination against women in educational activities. Title IX has had a major impact on women’s athletics but covers a wide range of other activities.

Mr. Wolfe’s order was issued three days before a report on how the university handled Ms. Menu Courey’s allegations was delivered to the UM System Board of Curators. The curators had commissioned an independent investigation by the Dowd Bennett Law Firm of Clayton.

The report criticized the university and said its “lack of the necessary policies to ensure compliance with Title IX is significant and appears to have contributed in large part to the University’s failure ... to conduct an appropriate inquiry.”

Part of Title IX governs how universities report sexual assaults. In 2011 the U.S. Department of Education Office for Civil Rights recommended that universities adopt a reporting requirement for Title IX violations.

Mr. Wolfe’s order should help students and their families feel safer about what goes on at the university system’s four campuses and with students off-campus.

It should also reassure students that both their safety and their privacy will be protected. The order says that all university employees are “mandated reporters,” meaning they are obliged to report sexual harassment and sexual violence against students to an appropriate Title IX coordinator. The only exceptions are those who have a legal obligation to maintain confidentiality, such as health care providers, counselors, lawyers and associated staff.

Mr. Wolfe deserves praise for his effort to design a policy that fulfills the university’s obligations under Title IX but is mindful that a victim may want confidentiality. One of the important considerations for the university was to not deter individuals from seeking help from people they trust.

If someone has been assaulted and wants to keep it completely private, the order allows for that. At the same time it ensures that the Title IX coordinator will be given information if the victim has gone to an employee outside of the select group.

The order also states that an employee who becomes aware of an act of sexual harassment or sexual violence outside of a confidential communication must report that to the Title IX coordinator. No hiding in plain sight.
Details of how the order will be implemented will become clearer once it is in operation. It is designed to protect students and to reassure them and their families that their safety is the highest priority on the University of Missouri system campuses. If that happens, a great debt will be owed to Ms. Menu Courey.

In a different way, Mr. Green-Beckham's dismissal offers similar assurance. The official police report about the burglary investigation says he forced his way into an apartment and was violent with a girlfriend and another woman.

Considered together, Mr. Pinkel's and Mr. Wolfe's actions tell students and their families that Missouri's higher education authorities will not let campuses be hunting grounds for women. It says women, who make up nearly 52 percent of the Mizzou student population, are valued by the university and reassures them that their safety is being protected.

We commend MU for these actions. But in a way, Mizzou is like a student-athlete who is given a second chance after violating the rules. What's important is the follow-through.

**University has head-in-the-sand attitude**

As a former University of Missouri-St. Louis staff member, I am familiar with the head-in-the-sand attitude demonstrated by officials at Mizzou regarding Sasha Menu Courey ("Failure at Mizzou," April 12).

Last fall, when I contacted UMSL's director of human resources and my dean about bullying behavior and what I believed to be a violation of federal law, they both said, with apparent sincerity, "that's too bad," but there was nothing they could do. The HR director acknowledged similar complaints were common, and even provided an example, but said the administration chose not to deal with it.

In January, after 11 years and many accolades, I left an institution I loved when the issue began to affect my health. I also contacted UMSL's vice chancellor in charge of HR and the UM system vice president and was met with total silence.

I am in no way trying to equate the severity of my experience with Ms. Menu Courey's, which cost her her life. However, it is confirmation that looking the other way and not addressing known problems is a pervasive culture throughout the UM system, including UMSL.
**Stacy Ross • St. Louis**

**Good riddance to Green-Beckham**

Kudos to Gary Pinkel and the athletic staff at Mizzou for taking what I am sure is an unpopular stand by releasing Dorial Green-Beckham from the football team.

As a proud mother and mother-in-law of outstanding Mizzou alums, I followed the antics of this young man with disgust. He did not represent the school. The world was handed to him on a silver platter because of his status as big man on campus, but instead of grabbing it and becoming a good role model, he chose the path to become a wannabe thug.

To Dorial, I say good riddance. Wake, up before you become another Aaron Hernandez. To his girlfriend, I say, run and run very, very fast before we read about you in a very tragic situation.

**Shiela Bachtell • St. Louis County**

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**Two MU graduates among Pulitzer Prize winners**

Monday, April 14, 2014 | 7:47 p.m. CDT
BY MARY RYAN

COLUMBIA — The votes are in, and the awards are out: Two MU graduates are among the winners of the [2014 Pulitzer Prize](#) announced Monday.

**Chris Hamby, who earned his investigative journalism master's degree in 2010, won the investigative reporting award for his articles about fraud against coal miners with black lung.** His series, titled "[Breathless and Burdened: Dying from the Black Lung, Buried by Law and Medicine](#)", was published by the Center for Public Integrity.

**Steven Rich, who earned his investigative and data journalism master's degree in 2013, works as the database editor for investigations at the Washington Post, which won the public service award with The Guardian for revealing and contextualizing the National Security Agency's secret surveillance techniques.**
Jonathan Sperber, a history professor at MU, was nominated for a Pulitzer Prize in the biography category for his book, "Karl Marx: a Nineteenth-Century Life." Sperber has taught at MU since 1987.

Rich was visiting his parents in the Philadelphia area for Passover when he got the news of his Pulitzer win.

"I'm still kind of in awe," he said. "You don't do journalism for the awards, but when you do, it hits you hard."

Rich and Hamby have reported for the Columbia Missourian.

A full list of the Pulitzer Prize winners can be found at pulitzer.org/awards/2014.

Tiny Fossils Could Be Rare 500-Million-Year-Old Embryos

Tiny, spherical fossils found in southern China appear to be the embryos of a previously unknown animal.

The fossils come from the Cambrian, a period dating from 540 million to 485 million years ago and known for an explosion of diversity.

Researchers Jesse Broce of Virginia Tech, James Schiffbauer of the University of Missouri and their colleagues were searching for rare soft-tissue fossils in limestone from the Hubei province of southern China when they found something even more rare: tiny spheres, including some with polygonal patterns on their surfaces. These itsy-bitsy fossils are most
likely fossilized embryos, the researchers report in the March issue of the Journal of Paleontology.

"We found over 140 spherically shaped fossils, some of which include features that are reminiscent of division-stage embryos, essentially frozen in time," Schiffbauer said in a statement.

The researchers began their investigation by attempting to dissolve fossils out of the limestone from China's Shuijingtuo formation with acid, but that method seriously damaged or destroyed the spherical fossils. Researchers then hand-chiseled the rock into millimeter- or centimeter-sized chunks, exposing the fossil surfaces manually.

From there, the researchers investigated the spheres with a variety of techniques, including slicing them into thin sections, which can be viewed under a microscope.

The results showed specimens with a phosphate-rich envelope surrounding a ball of calcite. Some of the spheres had polygonal patterns that look very similar to those seen on fossilized embryos from Markuelia, a Cambrian worm-like creature.

It remains a mystery what these embryos would have grown up to become. Fossilized embryos from a variety of species pop up occasionally in the fossil record, from a 380-million-year-old fish with an embryo still in her belly to dinosaur embryos still curled up inside their eggs.

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**Teachers may be close to settling suit against state, MU**

MoVIP program changed in 2009.

By Catherine Martin

**Monday, April 14, 2014 at 2:00 pm Comments (1)**

**Almost four years after a group of teachers filed a lawsuit against the University of Missouri, among other entities, the parties are asking for the case to be settled without a trial.**

In August 2010, 14 Missouri teachers filed a lawsuit against four entities, including the University of Missouri Board of Curators, for a breach of contract. The teachers were among
about 45 teachers who started jobs with the Missouri Virtual Instruction Program, or MoVIP, in August 2009 but were out of work by November 2009 because the state eliminated funding for the program.

MoVIP still exists but is now tuition-based.

The lawsuit also is filed against the Missouri State Board of Education, the state and eMints, a national program based on the MU campus that extended the MoVIP contracts, but the suit has mostly focused on the portion dealing with the university.

Several more teachers have joined the suit since 2010, bumping the number of plaintiffs up to 20, which is one reason the attorneys are looking to settle the lawsuit without a trial.

"It's the time that would be involved," said Kelly Mescher, an attorney representing the university. "The teachers are all over the state. It's the time, expense and travel."

David Brown, the attorney representing the teachers, said he thinks the case will boil down to one issue — if the teachers were "at-will" employees of the university or if the contract implied they would be employed for a full school year.

At a hearing in front of Judge Jodie Asel today, Brown and Mescher briefly explained their sides on that issue.

Brown said that a position offered with an annual salary does imply at-will employees, but the addition of a "duration of term," which he said the MoVIP contract had, implied that the teachers would have employment until the end of the school year.

Mescher said the university maintains that the teachers were at-will employees because the contract doesn't state when the school year began or ended.

The contract with DESE also was new, she said, and included a clause that allowed DESE to give the university 30 days notice if it could no longer fund the program.

The university could not maintain the teachers without the state funding because K-12 teachers are outside of the university's scope, Mescher explained.

Since 2010, Brown said, some teachers have been able to find other teaching jobs, some have not and some have changed professions. "It's a mixed bag," he said. The teachers seek monetary damages for lost pay.

Going through all the evidence and talking with each teacher for a trial would be time-consuming.

'I think both sides are ready now to have the case decided," Brown said.
Colleges See Big Savings in Centralized Buying

By Scott Carlson

Whenever there is a question about what drives the costs of college, there is an obvious answer: Colleges employ a lot of people. But colleges also buy a lot of stuff. At a typical college, payroll and benefits might make up 60 to 70 percent of the operations budget, but purchasing constitutes the next-largest chunk: about a quarter of an institution’s annual budget, spent on copy paper, toilet paper, food for the dining halls, grass seed for the quad, wrenches, fuel, beakers, and much more.

Because purchasing makes up such a big portion of an institution’s spending, it offers great potential for savings. And during the recent lean years, more colleges have put their procurement departments under new management, started "strategic sourcing" programs to negotiate the best prices with suppliers, and set multimillion-dollar goals for savings. Just over a year ago, for example, the University of California system hired William Cooper, a chief procurement officer from Stanford University, and set a goal to save $200-million in purchasing by 2016. Mr. Cooper says that the system is already on track to save $120-million this year.

"I look at purchasing as a revenue-generating organization," Mr. Cooper says. Institutions have all sorts of analytical tools they can use to track their spending and seek deals on the biggest purchases—technology that wasn’t available in the past. "For years, we had been trying to do intelligent procurement without intelligence."

But the technical hurdles are the least daunting challenge. Centralizing a college’s purchasing decisions, especially in the typically decentralized environment of higher education, can be a touchy subject—a battle that university leaders are often reluctant to wage.

An Undervalued Role
"There is a mentality of many that says, I did the fund raising, this is my budget, so I should be able to do what I want to do with that money," says Ralph Maier, who advises colleges for E&I Cooperative Services, a nonprofit purchasing cooperative for education and other institutions. "That is a culture largely unique to higher ed."

The typical college purchasing department’s position, compared with the private sector, doesn’t help matters, Mr. Maier says. Before he worked in higher education, mainly as a purchasing officer at the University of Pennsylvania, he worked in purchasing at Johnson & Johnson. "When I was at J&J, purchasing had a seat at the highest level," he says. "If you look at higher-ed org charts today, purchasing departments are buried within the organization."

Given the financial pressures on colleges, that culture is changing. Ithaca College, for example, brought in consultants to find all the places on campus where the college could save or make more money: increase retention, draw more students for high-demand programs, eliminate redundancies in staff, charge for parking, and transfer more of the share of benefits costs to employees. Strategic sourcing in purchasing was one of the recommendations, worth at least a few million dollars.

Ithaca College's president, Thomas R. Rochon, says administrators laid out those recommendations for the campus community. A couple of proposals—like charging more for parking and benefits—generated an "uproar," he says.

"We were able to say, OK, we won’t do those things, but we will need your very active buy-in on these other big-ticket items, like strategic sourcing," he says. "We have gotten so much more consent because we did not follow the usual pattern of looking at the recommendations as a leadership group, gulping, staring each other in the eye, and announcing the plan. People got to see the range of options, and they know the roads not taken, and those roads not taken are more painful to them directly."

The college has set a goal to save $3-million on purchasing within the next three years. Mr. Rochon says he has heard one main trepidation: that centralized purchasing will mean people won’t be able to get the supplies they want when they need them.
Strategic sourcing is supposed to make getting those supplies easier, but it does take some of the choice out of the hands of people making purchases in the various departments on campus. Purchasing officers set up deals with various suppliers, looking for the best price on items with comparable quality to what people on campus have requested. That means if you’re fond of, say, a particular brand of copy paper, you might not get that brand but something like it. Purchasing officers say those deals can get more contentious with travel policies: You might like flying Southwest Airlines, where you’re racking up frequent-flier points, but the purchasing department might have found the best deals on Delta.

'Control the Spend'

Robert Cree, associate vice president for business and finance at Ithaca College, who is helping organize the new purchasing system there, once believed what most people believe about finding bargains, based on their experience as consumers: that letting people shop around will get the institution the best prices. "I always thought competition was good," he says. "Strategic sourcing flips that upside down."

The problem is, thousands of shoppers in a university organization work against getting the best possible price for the institution over all. Again, think of copy paper: One department might order from OfficeMax, while others order from Staples or another online supplier. And each department buys only as much as that department uses. The university never gets the benefit of making its total purchase from one seller.

Controlling the purchasing process is key to getting deals. In strategic sourcing, an institution drives down costs by setting up a deal with a supplier on the front end, then shows that the institution can "control the spend" of its departments through procurement software like SciQuest. An employee goes to the program, orders the needed supplies or services, and that order is automatically routed to the preferred company.

In those situations, suppliers are willing to cut prices because they know they can make a high number of sales with less work. But "you have to show them that you can take market share from them or give them market share," says Stephen G. Mack, the new associate vice president for procurement and disbursement services at Drexel University, where he is starting a program to save the university $250- to $300-million in purchasing. If employees continue to buy copier paper on
their own through purchasing cards (credit cards issued by the institution or department), that undercuts the leverage the institution can apply in negotiations. "You have to act as a single entity, to tell a vendor you either get our business or you don’t get our business. A relationship is worth something. It’s not just a hunting license."

Faculty and staff members often insist that they can find better deals by shopping around on individual items, Mr. Mack says. But when he was a procurement officer at the University of Missouri, Mr. Mack tried to present the case that that kind of shopping around actually wastes time and money in various ways. Studies of procurement show that the cost in time spent on looking for, buying, tracking, and paying an invoice for a product was about $20 if an employee used a purchasing card; if the employee ordered the product through a procurement software, the transaction cost $7. What’s more, the prices on the products acquired through the procurement software were 12 to 30 percent lower than what an employee could get elsewhere.

Data like these helped persuade people at Missouri to make transactions through the purchasing department, but there was still a segment of the campus population who wouldn’t go along, and some reluctance among leadership to enforce the purchasing policies.

At Drexel, where he arrived three months ago, Mr. Mack has a lot of work ahead of him: About 2,200 purchases went through his department last year, while tens of thousands of purchases happened on an individual basis in the various departments on campus. The good news: He has the full support of John Fry, the university’s business-minded president.

"The whole culture of a university," Mr. Mack says, "is one of the biggest challenges in finding ways to save money."
'Mizzou Happy' video kicks off Black Love Week at MU

Monday, April 14, 2014 | 5:53 p.m. CDT; updated 7:13 a.m. CDT, Tuesday, April 15, 2014
BY WENDY PENNINGTON

COLUMBIA — MU's Legion of Black Collegiates will host several events this week as part of Black Love Week.

The series happens each spring and is meant to foster "black positivity," legion member India Simpson said. "It's important because a lot of programs at MU don't cater to the wants and needs of black students. It gives us a presence on campus."

To promote the events, Legion of Black Collegiates member Curtis Taylor Jr. posted a video to YouTube on Sunday night titled "Mizzou Happy." The video features students dancing around MU and downtown Columbia to the Pharrell Williams song "Happy." A brief message at the end encourages viewers to participate in Black Love Week. Taylor chose the song because he felt like it promoted an "all-inclusive love," he said. "Black love isn't just for African-American students."

Minutes after the video went online, #MizzouHappy started trending on Twitter, Taylor said. MU Chancellor R. Bowen Loftin also tweeted a link to the video, which had a little more than 2,000 views at 4:30 p.m.

"The response really took me by storm," Taylor said. "It just made my day."

The events began Sunday with a brunch at the Gaines/Oldham Black Cultural Center, and a panel discussion followed on Monday. Legion of Black Collegiates will host an event each day of the week:

- "Smoke and Mirrors" will be held from 9 to 11 p.m. Tuesday at the Black Culture Center. Participants will walk through dark, smoky rooms while negative images of black culture appear. At the end, the smoke will clear and positive images will replace the negative ones.
An entrepreneurial competition, like the ABC show "Shark Tank," will be held at 7 p.m. Wednesday in the MU Student Center.

"Camp Out Against Violence" will take place from 9 p.m. Thursday to 6 a.m. Friday on the front lawn of the Black Culture Center. Organizers encourage attendees to bring sleeping bags and tents.

Spike Lee's movie "School Daze" will be screened at 6 p.m. Friday in the Black Culture Center.

A barbecue will be begin at noon Saturday in Cosmo-Bethel Park. There will be free food, entertainment and games.

All the events are free, and anyone is welcome to attend.

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Colleges seek to improve remedial programs

KIMBERLY HEFLING

Baltimore (AP) — Only about a quarter of students nationally who take developmental or remedial college classes ever graduate.

The problem is so profound that the advocacy group Complete College America dubs remedial classes the "bridge to nowhere." Even as billions are spent annually on remedial classes, many of these students run out of financial aid before they can complete their credit requirements, get discouraged by non-credit classes or flunk out.

The Baltimore City Community College is one of several places around the country looking to improve the odds. It has combined some non-credit developmental classes, so students spend less time in them. It also has increased tutorial and other student supports and is re-thinking how classes are taught.

The next challenge for higher education is finding what works.
Critics of Common Core State Standards are off base, teachers say

By Catherine Martin

Sunday, April 13, 2014 at 2:00 am Comments (4)

Critics of the Common Core State Standards have many problems with the academic standards, but teachers and education experts say in most cases their criticisms are misleading or simply false.

Common Core State Standards have been adopted by 45 states, including Missouri, the District of Columbia, four territories, and the Department of Defense Education Activity, with most states adopting the standards in 2010. In the past year or so, the standards have come under fire from people who perceive them as a national curriculum or a federal takeover of education because they are endorsed by the Obama administration.

Sarah Potter, a spokeswoman at the Missouri Department of Elementary and Secondary Education, said the concern about federal influence is a myth.

"Forty-eight states came together to write the standards," she said. Missouri's commissioner of education, a University of Missouri professor and others represented Missouri in that process, she said.

But the political backlash has resulted in the formation of anti-Common Core groups across the country, and while education experts say their claims have no credence, the groups have made some headway in taking down the standards. Last month, Indiana became the first state to withdraw from Common Core, dropping the number of states with the standards down to 44. Bills in many other states, including Missouri, call for similar actions.

Both chambers of the Missouri General Assembly are considering bills to prohibit the state department of education and school districts from implementing Common Core, although districts have already started implementing it.

The Missouri Coalition Against Common Core has been a driver of discussions and lists specific criticisms of the standards on its website, but in many cases they don't stand up to scrutiny.

For instance, one criticism says Common Core's heavier emphasis on nonfiction texts reduces the study of classic literature.
Nick Kremer, Columbia Public Schools' coordinator for secondary language arts, and Becky Stanley, his counterpart at the elementary level, said there is a warranted shift to more nonfiction, but classic fiction is still taught.

At the elementary level, reading used to be about 90 percent fiction and 10 percent nonfiction.

Now, it will be 50-50, which will help prepare students for the secondary level, when teachers will use 30 percent fiction and 70 percent nonfiction.

"At the elementary level it is a shift because there needs to be more nonfiction," Kremer said. He pointed out that once students get into college and professions, most required reading is nonfiction texts, not fiction books.

But, those ratios cover a student's entire day, including social studies and science classes, not just language arts classes. And English teachers are still teaching literary classics many adults will remember reading in high school.

For example, Lynn Hagen, who teaches ninth grade at Battle High School, said her students have read the "Lord of the Flies," "To Kill a Mockingbird" and "Huck Finn" among other fiction this year.

"Common Core doesn't dictate what books teachers use," Stanley said.

The objectives in Common Core build on each other each year, which Kremer and Stanley see as an improvement from previous standards.

Dana Ferguson, Columbia Public Schools math coordinator, said the standards are a clear improvement. She said Missouri is ranked 40th among states for math achievement, and the United States ranks low in math performance compared to its global peers.

"It is obvious in every study available that the U.S., Missouri included, is producing students who are not competitive in the mathematics world," she said. "This would indicate to me that any previous 'old' standards are not making the grade."

Common Core critics claim the math standards "completely forgets to teach conversion," which Ferguson said is untrue. Teaching of fractions and decimal equivalency begins in fourth grade, she said.

Kremer said anyone with questions about the standards should take the time to learn about them.

"We are doing this, and we have been doing this for two years," he said. "We see gains in kids who are doing it."
KOMU affiliates go dark on DirecTV

By Ashley Jost

Monday, April 14, 2014 at 2:00 pm Comments (3)

Another local television network affiliate has gone dark for DirecTV customers as the two organizations dispute agreement terms.

KOMU-TV and all of its NBC and CW-affiliate programming are unavailable to area DirecTV customers as of Friday after the two companies were unable to come to a consensus to renew agreement terms that expired at the end of March.

Matt Garrett, director of audience advancement at KOMU, said DirecTV is "demanding things that, quite frankly, we can't agree to," including what he described as the "biggest hurdle," which is the request to stream the entire network's content. This would include all of the local programming and the syndicated programming from NBC and CW, which KOMU does not currently have the rights to do.

"We don't have that right to grant," Garrett said about DirecTV's request. "We have said that from Day One in all of our discussions. We have yet to secure those rights, and it is unclear whether we will ever secure those rights."

Garrett said he is unsure whether or when KOMU will ever pursue the right to stream content from its affiliates.

A similar debate occurred last October when the local ABC and Fox affiliates experienced a brief blackout, citing the same dispute with DirecTV. The negotiations between the networks and the cable company lasted several weeks before the stations announced an agreement at the end of the month.

Garrett said the agreement with DirecTV expired March 31 and has been extended twice in hopes of coming to a consensus.

"We continue to negotiate in hopes of coming to some sort of resolution," Garrett said. "This is a high priority for us. We are working hard on behalf of our viewers."

The dollar figures involved in the agreement are confidential, Garrett said, adding that KOMU is "seeking a fair agreement just like we have with every other provider."
DirecTV media representatives did not return calls or emails this morning about how many customers are affected by the blackout. Garrett deferred the same question to DirecTV.

"The University of Missouri has intentionally shut down KOMU serving Columbia, Jefferson City and the surrounding Missouri communities to try to force DIRECTV customers to pay nearly five times more for the same NBC and CW programming others continue to get for free," a statement on DirecTV's website says. "Even though the university is deliberately preventing DIRECTV customers from enjoying direct access to NBC and CW programs, DIRECTV customers can continue to receive all of the shows over-the-air and also most of them online for free for as long as the university continues this unnecessary interruption. As a public university that already relies upon state tuitions and other public monies and subsidies, the University of Missouri ought to know that broadcast licenses are conditioned on serving the public rather than antagonizing it."

Garrett pointed out that KOMU is a wholly owned subsidiary of MU, meaning it is a self-sustaining entity with the help of advertising and transmission revenues.

"We're just a single, small station up against this big, multimillion-dollar corporation," Garrett said.