Missouri Supreme Court won't hear syllabi case

By Ashley Jost

Thursday, December 11, 2014 at 2:00 pm

The Missouri Supreme Court has declined to accept a case involving a national education group’s efforts to acquire course syllabi from the University of Missouri, a decision that some open records advocates fear sets a dangerous precedent.

The National Council on Teacher Quality brought the case to the state Supreme Court in mid-October, hoping to overturn an earlier ruling that University of Missouri course syllabi are closed records protected by federal copyright law. Missouri’s high court opted out in late November, upholding the Court of Appeals Western District’s decision. The Supreme Court doesn’t usually provide reasons for rejecting a case and didn’t provide one in this case.

National Council on Teacher Quality leaders filed a motion in October 2012 requesting that the university provide the organization with course syllabi under Missouri’s open meetings and records law, known as the Sunshine Law.

The appellate court’s August ruling upheld a Boone County Circuit Court decision that “faculty members hold copyright ownership in their syllabi” and that distribution of the syllabi is protected under the Federal Copyright Act.

Jean Maneke, an attorney for the Missouri Press Association, called the decision “devastating” because of the restriction it places on Missouri’s record laws.

“I’m very distressed about this ruling and can’t fathom how the Supreme Court could have decided not to hear this case,” Maneke said. “The ruling from the court of appeals opens the door to any public body that has in its custody a copyrighted document of any kind to decide it will not make that public because it’s copyrighted.”

Before the case was denied, the Missouri Press Association, the Student Press Law Center, the Reporters Committee for Freedom of the Press and the Society of Professional Journalists filed briefs in support of the national education group, which doesn’t typically happen until after a case has been accepted. Maneke said the groups banded together to file those briefs because they felt the issue was important enough extraordinary action.
The council, in partnership with U.S. News & World Report, is working on a college evaluation project that includes an analysis of course syllabi, which are documents professors prepare for their students to indicate what the expectations are for their class, as well as topics covered.

National Council on Teacher Quality President Kate Walsh said her staff will still have access to the syllabi they need but they have to travel from Washington to MU’s campus to see them and analyze them for this project, which requires a team of about 25 people. The appeals court ruled that copyright law protects the records from distribution but doesn’t allow the university to close them, meaning researchers can still view the records in person.

“Yes, obviously we’re disappointed, but this is bad not just for us but certainly bad for the press in Missouri and what’s in their best interest,” Walsh said. “We’re trying to figure out how to do it cost-effectively. Nothing about this stops us from ultimately being able to produce a quality rating of their programs but just makes it harder.”

Walsh said she is unsure about the timeline for getting her employees on campus. She and Maneke said they hope members of the Missouri Legislature will address the interpretation of the state Sunshine Law.

Doug Crews, executive director of the Missouri Press Association, said it’s possible some legislators could be interested enough to address it during the coming session, but it’s too soon to tell.

“Throughout the entire process of NCTQ requesting the course syllabi of our faculty, we have consistently maintained that respecting the rights of the faculty members who created the syllabi was extremely important,” UM System spokesman John Fougere said in a statement. “We are pleased that every court to review the matter has concluded that we acted lawfully.”

University of Missouri seeks comment on accreditation documents

Thursday, December 11, 2014 at 2:00 pm

The University of Missouri is seeking public comment on evaluation documents ahead of the university’s accreditation with the Higher Learning Commission.
The Higher Learning Commission will be at MU on Feb. 23 and 24 to review the university’s ability to meet its accreditation criteria. Information on MU’s accreditation bid is available for review through the deputy provost’s office and at www_provost.missouri.edu.

The provost’s office is encouraging anyone interested in reading the documents and providing input to do so via www.ncahlc.org/HLC-Institutions/third-party-comment.html no later than Jan. 26. Comments can also go to the commission by mail at: Third Party Comment on The University of Missouri, The Higher Learning Commission, 230 S. LaSalle St., Suite 7-500, Chicago, Ill., 60604-1411.

MU has been accredited by the commission since 1913.

MU Tuition could rise in 2016

ST. LOUIS - The University of Missouri Board of Curators, discussed Thursday a possible hike in tuition among the four campuses. The discussion centered on a possible raise of resident undergraduate tuition by 1.8 percent, which is the consumer price index.

This is not the first time the Board of Curators has had this discussion. In 2013 it discussed raising tuition by 8-16 percent. In 2012, it considered a proposal for a 3-percent hike of in-state tuition and 7.5 percent for out-of-state.

John Fougere, the chief communications officer of the University of Missouri System, sent KOMU 8 News a statement, which said:

"While the curators will certainly give consideration to any plan that provides the necessary resources for the university to remain a quality, academic institution, the UM System will continue to be a national leader in terms of affordable higher education. As an illustration, the UM System has raised tuition and fees the past five years by average 2.2 percent per year, compared to an average of 6 percent per year by comparable institutions in the 8 states that border Missouri."

The Board of Curators will vote on the possible tuition increase in February.
The change would take place during the 2016 school year. The average in-state undergraduate tuition in 2014 among the 4 campuses is $9,464 per year. The curators decided to keep the same rate for the 2015 budget year.

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80% of campus sex assaults go unreported

U.S. Justice Department releases new findings


Columbia, Mo. - A new report by the U.S. Justice Department is outlining statistics on campus sexual assault. This comes at a time of renewed attention to the issue after Rolling Stone magazine backs away from its report on an alleged gang rape at the University of Virginia. **It's also a topic ABC 17 News has been following in depth at the University of Missouri.**

The report says 80% of female college students that are rape and sexual assault victims are not reporting incidents to police. It also says college students are less likely to report incidents that those of the same age not in school.

Many MU students cited shame, fear and others not believing rape victims as reasons people may not be reporting.

The report cites many of these reasons:

- Students believe it was a personal matter

- 1 in 5 said they feared reprisal

- They didn't believe police could do anything to help

- 12% say the incident was not important enough to report.

Another finding is that 17% of the victims are men. ABC 17 News spoke with Captain Brian Weimer with the MU Police Department today. Weimer says he can not remember even one
report of sexual assault from a male in 22 years. He thinks men may be even more hesitant to come forward because of embarrassment.

Mizzou is now requiring all students, faculty and staff to complete a sexual assault training course online. It outlines how to identify sexual assault, how to report it and what to do in response. It is mandatory and must be completed by the end of January.

Here is a link to the full report from the Justice Department:

http://www.bjs.gov/content/pub/pdf/rsavcaf9513.pdf

Patient missing from Ellis Fischel Cancer Center

COLUMBIA -- UPDATE, 8:11pm, December 11th: Thulin was found at 7:30pm Thursday night on the MU Campus, by the University of Missouri Police Department. Officials say he is safe and now back with his family.

ORIGINAL STORY:

MU Health Care is asking for the public's help after a patient disappeared from an appointment Thursday afternoon.

Officials say Douglas Thulin, 51, walked away from an outpatient appointment at Ellis Fischel Cancer Center at 2:30 p.m. He is 6 foot, 1 inch tall and weighs 171 lbs. He is wearing Tommy Hilfiger blue jeans, a black logoed thermal shirt and a brown leather jacket. He was last seen walking away from Ellis Fischel Cancer Center toward Parking Garage No. 7.

Local law enforcement has been called in to help find Thulin. Anyone with information about Thulin is urged to contact the MU Police Department at (573) 882-7201 or the Columbia Police Department at (573) 874-7652.
Schaefer bill aims to keep ex-governors from UM top job

By Rudi Keller

Thursday, December 11, 2014 at 2:00 pm Comments (9)

JEFFERSON CITY — Gov. Jay Nixon has two years in the state’s top job, but Sen. Kurt Schaefer is already thinking about Nixon’s future and how to block at least one career path.

Schaefer, R-Columbia, filed a bill for the upcoming legislative session to make it illegal for the University of Missouri Board of Curators to vote to appoint “or in any way employ in any position in the university any person who appointed him or her to the board of curators.”

Only a governor can appoint curators, who serve six-year terms. A retiring two-term governor such as Nixon would, before leaving office, appoint all nine voting members of the board. Curators who voted to give a job to a governor who appointed them in defiance of Schaefer’s proposal would forfeit their seat on the board.

“That is not aimed at Nixon specifically,” Schaefer said. “I just think it is good public policy to make sure curators do not feel pressured to do certain things.”

Speculation about the future of outgoing governors is nothing new, and the presidency of the university has often been part of the chatter. Since 1966, the university has had nine presidents who served, on average, a little more than five years each. Current President Tim Wolfe will be near that average about the time Nixon, a Democrat, leaves office in January 2017.

Curator Wayne Goode of St. Louis County, a Democratic state lawmaker from 1963 to 2005, recalls discussion that Warren Hearnes, a Democrat who was governor from 1965 to 1973, and John Ashcroft, a Republican who was governor from 1985 to 1993, were trying to get the university’s top job. No future or former governor has ever been president of the university.

“Speaking only for Wayne Goode, I don’t think Tim Wolfe has anything to worry about whatsoever,” he said. “I am very impressed with his abilities, and I think others are, too.”
Wolfe took over in February 2012 after a career in the computer industry. He is the second-consecutive president hired from the business world instead of from an academic background. Goode said he was skeptical at first about the wisdom of selecting a president from outside academia.

“I have kind of moved from where I thought that No. 1, we need a good academic to get the respect in the system and outside the system,” he said. “I have gone to the other side and see that excellent management skills are what is needed at the university.”

The proposed legislation is only intended to prevent a governor from exerting pressure on his appointees to obtain a job, Schaefer said. A former governor could be a valuable teacher, he said, noting that former Gov. Bob Holden is director of the Holden Policy Forum at Webster University.

And a former governor could be a good president, Schaefer said. He just wants the selection to be made on merit, by board members who do not owe payback for political favors, he said.

Unlike at other state universities, the curators draw their power from the Missouri Constitution. That gives them a status above other schools entirely subject to statutory control. As a result, Goode said, Schaefer’s legislation might not have any effect.

“Even if you pass the bill like that, you may not be able to do anything,” Goode said.

COLUMBIA MISSOURIAN

MU students demonstrate for peace, justice, equality
Thursday, December 11, 2014 | 9:31 p.m. CST; updated 10:06 p.m. CST, Thursday, December 11, 2014

BY JASMINE YE HAN

COLUMBIA — Dressed in all black and wearing a veil that covered her face, Qiana Moore placed a rose on each of the 10 makeshift coffins Thursday afternoon on Francis Quadrangle.

Moore was representing mothers and wives who had to bury their husbands and sons due to police brutality over the past several months. She said the five different colors of the coffins — black, white, red, brown and yellow — represented different skin colors of people whose lives are endangered by injustice.
Moore was part of an initiative called "Wage Peace" that advocates peace and justice. At 12:30 p.m. Thursday, MU students crossed the campus from the Gaines/Oldham Black Culture Center to the quadrangle to demonstrate a peaceful show against racial discrimination and what Moore called the injustice represented by the police brutality over the past few months.

Many in the crowd had red handprints painted on the left sides of their faces and held posters reading "Wage Peace." Moore said the red print symbolized the blood shed for equal rights. She said that America was slapping them in the face and that the handprint represented this.

"Wage Peace is about taking a margin and making it the majority, is about taking the invisible and making them visible," Curtis Taylor Jr., an organizer of the event, said to the crowd. He estimated that approximately 200 demonstrators attended.

"This movement is not about an individual; it's about the whole," he said. "We should be seen as a collective. ... All marginalized people matter."

The crowd took out their smartphones and, under the instruction of Taylor, tweeted pictures of the caskets with the columns as background with the same caption: "We declare this will not be the next graveyard #WAGEPEACE."

#wagepeace Tweets
They the marched from the quadrangle through the MU Student Center and back to Black Culture Center, chanting, "We Shall Overcome," an anthem of the civil rights movement.

While demonstrators walked through the Student Center and The Mizzou Store, onlookers stopped and watched. Some used phones to take videos and pictures; some even joined the demonstration.

Mikale Elliott, who was working at The Mizzou Store when the parade happened, said it was "overwhelming."

"Being a member of the black community here in Mizzou, I understand what it (the parade) means to us, especially after what happened to Michael Brown and Eric Garner," Elliott said.
After arriving at the Black Culture Center, Taylor announced the next event for the group will occur during MU’s commencement Dec. 19 and 20. Members will wave a Wage Peace banner every time a minority member walks across the stage during graduation, Taylor said.

He also encouraged everyone present to retweet and use the hashtag #WAGEPEACE because he wants the message to reach as many people as possible.

"It's not about Mizzou," Taylor said. "It's global."

MU’S Hispanic American Leadership Organization Honors 43 Missing Students

By RONA NAVALES • 13 HOURS AGO

COLUMBIA- New DNA evidence led to renewed worldwide protests including a candlelight vigil coordinated by MU’s Hispanic American Leadership Organization.

HALO began planning the candlelight vigil two weeks ago. According to HALO’s president, Andrew Abarca, the goals were to honor the identity of the 43 missing students, raise awareness of the injustice, and to make a change. People who came together for the vigil held candles or posters.

The 43 students who disappeared in Mexico were detained by police and then suspected to have been turned over to the Guerreros Unidos cartel. The cartel is suspected of then killing the students.

Jessica Cruz Banuelos, a member of HALO, says she has lost faith in the Mexican government but emphasized the importance of peaceful protest.

“I know a lot of people are protesting Mike Brown and all the violence that’s going on here but I think people have to open their eyes and realize it’s all over the world and it’s getting worse and worse because we’re letting it,” Banuelos said.
HALO members and advocates who joined the vigil read the names of the missing students along with statements from the victims’ families.

During the vigil there was four minutes of silence. A HALO member explained the number four represented the number of hours it took for Mexican citizens to realize the students were missing.

“I’m here because it’s really emotional for me,” Banuelos said. “I’ve lost family members from the drug wars. So to see 43 students actually get taken handed over to the cartels by the government is just really sad for me.”

President of HALO, Andrew Abarca says his grandfather grew up in Guerrero before coming to the United States. He says that Mexican citizens do not know who to trust because the government is corrupt.

“This is meant to be a movement this is meant to change the Mexican government because people are tired and sick of it,” Abarca said. “Living in constant fear in Mexico, I can’t imagine being a citizen there.”

It is frustrating for Banuelos to not be able to protest in Mexico due to school.

“It’s scary because my family does go to Mexico and its scary to go over there and to think that even the government can betray you.”

Banuelos says it is not about just Hispanics fighting for Mexico or Black people fighting for Mike Brown because, “we’re fighting essentially for the same cause.”

“Don’t be afraid to be uncomfortable. Be in the rain, be cold. That’s what’s gonna make a difference not being safe in your house.”

HALO is the first Latino organization at MU that started in 1991 to create a family experience for students and for students to understand diversity and inclusivity. Part of its mission is to advocate for Latino issues around the world.

Drilling, Fracking Linked to Birth Defects and Infertility
A new review examined 150 peer-reviewed studies on directional drilling and fracking's effect on health and found a link between the practice and fertility issues and birth defects.

“We found that many of the chemicals have been tested in the laboratory and have been shown, at least in laboratory animals, to be associated with reduced fertility and birth defects, specifically reduced semen quality,” lead researcher Susan Nagel, Ph.D., a University of Missouri professor who studies endocrine disruption, told weather.com. “One of the major things we desperately need are these studies in people,” she said, noting that most articles included in the review involved animal models only.

Unconventional oil and gas drilling, directional drilling and fracking all seek to release oil and natural gas from the Earth, using a mixture of chemicals and water. Drilling also inadvertently liberates naturally occurring chemicals from underground areas.

There are more than 1.1 million oil and gas wells across 36 states, according to data the University of Pittsburgh’s Center for Healthy Environments and Communities released last year. The practice’s environmental and health impacts have been hotly debated, as most scientists agree more research is needed.

Still, the new review found “strong evidence” of a link in humans between drilling and decreased semen quality in men, higher miscarriages in women and increased risk of birth defects in children, Dr. Nagel said. The review is published in the peer-reviewed journal Reviews on Environmental Health.

One of the largest original studies on the subject, published in August’s edition of the journal Environmental Health Perspectives, found that babies living with more than 125 wells within 10 miles of their home were 30 percent more likely to have a congenital heart defect than babies born with no wells within 10 miles. These data came from 59 reported cases in Colorado.

In September, results of a survey of 492 people living near Pennsylvania drilling sites found those who live 1 kilometer or closer to natural gas fracking wells are more than twice as likely to report skin conditions and upper respiratory symptoms, such as nose bleeds and coughs, as those living more than 2 kilometers away.

At the time of that study’s publication, lead author Peter Rabinowitz, M.D., told weather.com much more research on the health effects of drilling is needed. “We really don’t know objectively how the health of these communities is being affected by the natural gas drilling,” he said. “We don’t know about long-term health effects. … We really just don’t know how much to worry, and how much not to worry.”
A study of sexual assault released by the federal government on Thursday challenges conventional wisdom about the heightened danger on college campuses, finding that women there are less likely than nonstudents to be victims. College women are also less likely, the study found, to report the incidents to the police.

The rate of rape and other sexual assault over the past two decades was 1.2 times higher for nonstudents of college age than for students, according to the study, by the Bureau of Justice Statistics. It showed an average of 7.6 cases per 1,000 nonstudents, compared with 6.1 per 1,000 college women. For the most recent year, 2013, those rates were almost identical, according to the study, which focuses on women ages 18 to 24.

The incidence of rape and other sexual assault has declined for college students, to 4.4 per 1,000 in 2013 from 9.2 per 1,000 in 1997. The researchers who conducted the study, however, said that the decline was not statistically significant.

Data on sexual assault are crucial as colleges face sharp scrutiny over how they handle the problem, which activists have called an epidemic. Federal officials and lawmakers trying to hold colleges accountable have cited research showing that one in five female students will be sexually assaulted, suggesting that campuses are very dangerous places for young women. Victims’ advocates make similar arguments. But some researchers say the numbers released this week show that the peril has been exaggerated.

"When a student has been a victim of rape or sexual assault, there are historically problems with the way they’ve been treated, but that doesn’t mean that colleges are these pits of violence," said Callie Marie Rennison, an associate professor of
criminology and criminal justice at the University of Colorado at Denver who has studied sexual assault. "I am sad that parents feel afraid to send their children off to college, thinking they’re going to be victimized."

The federal study uses data from the National Crime Victimization Survey, which—according to the report—offers the only comparison of rates of rape and sexual assault among students and nonstudents of college age.

A report on the study, "Rape and Sexual Assault Among College-Age Females, 1995-2013," says that while college students experience lower rates of rape and other sexual assault than do nonstudents, women ages 18 to 24 still suffer a greater incidence than do females in any other age bracket.

The new report sheds light on a variety of aspects of sexual assault involving college-age women. The offender is known to the victim in about 80 percent of rape and sexual-assault cases, it says. Among nonstudent victims, 67 percent of rapes and other sexual assaults are not reported to the police, while among college victims, 80 percent do not go to the police. While some college students report assaults to campus authorities, many do not report such incidents to the police because the criminal-justice system has frequently failed to pursue the complaints.

**Government Scrutiny**

The new report comes at a time when the Obama administration has stepped up enforcement of the gender-equity law known as Title IX, requiring colleges to take steps to prevent assault and to fairly adjudicate reported cases. The Education Department’s Office for Civil Rights is currently investigating 90 colleges and universities for possible violations of the law involving alleged sexual violence.

Sen. Kirsten E. Gillibrand, a Democrat from New York, introduced a bill last summer aimed at protecting college women, the Campus Accountability and Safety Act. "We should never accept the fact that women are at a greater risk of sexual assault as soon as they step onto a college campus," she said. "But today they are."

"It is simply unacceptable," Ms. Gillibrand added, that colleges "have become havens for rape and sexual assault."

The senator’s office did not return telephone calls on Thursday requesting a comment on the new study. Her website cites a 2005 report from the National Institute of Justice, "Sexual Assault on Campuses: What Colleges and Universities Are Doing About It," which says "college women are at higher risk for sexual assault than their non-college-bound peers."
The authors of that report acknowledge that their data differ from those of the Bureau of Justice Statistics, explaining that "the discrepancy derives from very different survey methodologies." Their report does not elaborate on the differences.

Data can help educators and advocates understand the problem, develop effective prevention strategies, and measure progress. But commonly cited statistics on sexual assault provoke debate. For example, the study that found one in five college women are sexually assaulted was based on surveys at just two universities and counted such things as nonconsensual kissing, fondling, and rubbing up against a subject.

Victims' advocates as well as lawyers who represent accused perpetrators say there's a dearth of good research on campus sexual assault. Ms. Gillibrand’s bill would require campuses to conduct surveys measuring the incidence of sexual misconduct among students. The Education Department, in settling Title IX investigations of colleges, has required several of them to collect data on students’ experiences.

The American Association of Universities recently announced that it would conduct a sexual-assault survey on as many as 60 campuses. But scholars have raised doubts about that plan, questioning the expertise of those designing the survey and criticizing a proposal to provide the results for a specific university only to that university.

As for the new information that college campuses aren’t necessarily more dangerous places for young women, some activists say the relative incidence doesn’t matter. "I’m not surprised there are alternate outcomes to studies like this," said Ayushi Roy, who graduated from Columbia University this year and is working to develop a text-messaging rape hotline for college students. "I don’t think that really affects the cause at large. Whether it’s six people per thousand or seven or 20, at the end of the day, the fact that a violent crime like this is not being treated with the gravitas that plagiarism is at most colleges."

Robin Wilson writes about campus culture, including sexual assault and sexual harassment. Contact her at robin.wilson@chronicle.com.