Too Many Teaching Waivers?

December 8, 2015

By
Colleen Flaherty

From Wisconsin to Iowa, it’s become somewhat typical for state legislators to question the productivity and general usefulness of faculty members at public institutions. Their current campus climate troubles notwithstanding, the University of Missouri System and the University of Missouri at Columbia in particular are the newest targets of a legislative inquiry, and the finding that one-half of faculty members don’t meet the system’s minimum teaching load requirement has a prominent lawmaker threatening to withhold state funding. But the data point asks the questions of just who is seeking teaching waivers, and how else faculty members with waivers are spending their time. Faculty advocates and additional data suggest that when professors seek waivers, they’re not shirking their responsibilities. Rather, they’re doing other kinds of work that contribute to a research university’s mission -- sometimes financially.

Earlier this year, Missouri State Senator Kurt Schaefer, chairman of the Senate Appropriations Committee, asked the state’s university system for a report on faculty workload and productivity over the past several years. “Universities have to look internally and see what they are doing and what they are delivering,” Schaefer, a Republican from the Columbia area, told the Columbia Daily Tribune about his interest in the matter. “There are truths at the university that must be addressed, and this productivity issue is a big part of it.”

A memo prepared by the university for Schaefer revealed the following: for the past two years, more than one-third of tenured and tenure-track faculty members on the flagship Columbia campus did not meet the minimum teaching requirement of two classes with at least 15 students each in the fall and spring semesters, or 180 student credit hours per academic year (meaning, for example, 60 students in three-credit courses).

Excluding highly specialized disciplines, such as music and medicine, which do not require teaching waivers, half of tenure-line faculty members received special exemptions each year.

Schaefer wasn’t impressed. “If these were statistics of a football coach, they would have been fired,” he told the Daily Tribune. “How do you justify the continued growth of public dollars when these are the statistics?” He said that examining teaching loads should be part of
determining whether a university is moving toward its goals for improvement, and that Missouri lawmakers might be reluctant to approve Governor Jay Nixon’s planned 6 percent funding increase for higher education in the next budget in response.

So how exactly do the numbers break down? According to a copy of the Schaefer memo, obtained by Inside Higher Ed via a public records request, there were 884 tenure-line, waiver-eligible faculty members at Columbia in 2013-14. Of those, 445 taught at or above the minimum load. Some 439 others -- about 50 percent -- received waivers. The numbers were nearly the same in 2014-15, with about 51 percent of 874 waiver-eligible faculty members receiving teaching requirement exemptions.

Waiver rates at the university system’s three other non-research-intensive campuses included in the report -- Science and Technology, St. Louis, and Kansas City -- predictably were lower, from about 25 to 40 percent. That's because waivers were most commonly awarded across the system for research.

At flagship Mizzou, 37 percent of waivers last year were awarded for research or scholarship -- by far the biggest share (totaling 198 of 535). Some 15 percent were granted for service emphasis and miscellaneous reasons, respectively. Thirteen percent were granted for doctoral supervision. Other reasons equaling much smaller shares included new faculty teaching reductions and off-campus or extension campus exemptions.

Not included in Schaefer’s memo was just who received these exemptions. According to additional, preliminary 2015-16 data provided by Mizzou, some 199 of the 445 faculty members who received waivers so far this year are conducting research. Of those, 50 percent (99 of 199 total) are natural science and engineering faculty -- important, as these faculty members tend to bring in the biggest external grants from federal agencies, including the National Institutes of Health and the National Science Foundation. Health sciences faculty made up 14 percent. Business, education and journalism faculty made up 16 percent of the research-waiver recipients, while humanists made up 13 percent. Social scientists made up 8 percent.

According to average teaching load data for this year, the mean teaching load of those faculty members who did not obtain waivers was 25 section credits and 485 student credit hours for the year -- well above the 180-credit-hour minimum. Among those faculty members who did receive waivers, the mean teaching load was 129 student credit hours, meaning that most were still teaching some courses and students.

Mary Jo Banken, a university spokesperson, said via email that “although teaching is, of course, one of the top priorities of faculty members, they also are involved in a wide range of research, teaching and service endeavors.” Professors sometimes relinquish teaching responsibilities to take on “other important faculty roles, such as serving in administrative positions, pursuing research projects or serving in other service roles,” she said.

Banken noted that Mizzou faculty members lead national groups, publish 1,600 books and journals per year on average, and typically attract 70 percent of the external research funding flowing into Missouri public universities.
“Most of our faculty members who conduct research also involve students in their research projects, which adds to the experience of our students,” she added.

Ben Trachtenberg, an associate professor of law at Mizzou and president of its Faculty Senate, said, “You’re not going to find a lot of professors laying about. If you look at who’s getting waivers, these are people who do other things for the university” -- primarily research and administrative tasks.

At the same time, he said, “there are faculty members who teach more than the standard number of student credit hours because they have fewer other responsibilities.”

Trachtenberg said he was the recipient of a partial waiver this year for his work with the Faculty Senate. But even though he’s not teaching four courses, he said, he’s still teaching more than 180 student credit hours due the large size of some of his classes. More students in a course doesn’t always mean more work than for a smaller class, he said, but sometimes it does. A good department chair will help an academic unit find a workload balance among its members, with some teaching more than others at any given time, he said.

How does Mizzou fare among its peers? Not all research institutions have stringent teaching load requirements, but a two-course-per-semester, or 2-2, load tends to be the default expectation, said John Barnshaw, senior higher education researcher for the American Association of University Professors. Over all, Barnshaw said such requirements -- and judgments such as Schaefer’s -- tend to be “completely arbitrary.” They ignore the fact that class sizes at research institutions vary wildly, from hundreds of students in a lower-level course to fewer than 10 in graduate-level courses, and give the impression that being a professor is one-size-fits-all kind of job, he said.

“The only concern should be whether you’re balancing your books at the end of the day,” Barnshaw said, making the best use of teaching, research and administrative talents and resources across a department.

Adrianna Kezar, a professor of higher education and director of the Delphi Project on the Changing Faculty and Student Success at the University of Southern California, said Schaefer’s argument neglects the way that universities often welcome the opportunity to buy professors out of their teaching loads. Often, she said, a professor has an external grant to pursue research and wants to buy out of teaching a course that would have otherwise cost the university a significant portion of the faculty member’s salary. In many cases the university will be happy to make the trade, since it can then hire a non-tenure-track faculty member to teach the course for a fraction of the original salary.

Kezar, who studies the impact of the non-tenure-track faculty employment on student learning, didn’t endorse the practice, since data suggest that students learn best from instructors with strong institutional supports and stable jobs. But she said outside criticisms that teaching waivers for tenure-line faculty members cost the university -- at least financially -- are misguided.
And for the faculty members getting waivers? “There is no workload reduction -- [it] usually increases,” Kezar said. “So when I have grants I generally work summers and other times, so my load goes up, but the institution doesn’t pay [for it].”

Kiernan Mathews, director and principal investigator at the Collaborative on Academic Careers in Higher Education at Harvard University’s Graduate School of Education, agreed that institutions are eager for buyouts, since the grants include overhead payments that regularly amount to more than 50 percent of the total funding. Increasingly, that’s an “important source of funding for state institutions whose Legislatures have been divesting from public higher education for the last two decades,” he added.

Aside from buyouts, Mathews said, professors do occasionally take a sabbatical, and newly hired faculty members may also have lower teaching loads -- as is the case at Mizzou -- to help them jump-start their scholarship and prepare for future courses. There’s committee work, task forces and administrative services that can be an important check on quality control, such as being a department’s director of undergraduate education.

“When faculty take on such heavy responsibilities, they might receive a reduction in their average teaching load,” he said. “But they are still expected -- sometimes beyond reason -- to keep their research productivity high.”

Mathews said personal circumstances should play a bigger role in faculty workload negotiations, such as stop-the-clock policies for new parents on the tenure track. Without them, he said, the “historical barriers keeping women from having the same career opportunities as men will remain.”

Like Barnshaw, Mathews said that outside observers don’t always understand that a professor's workload may vary from person to person, semester to semester, department to department and institution to institution. Some colleges and universities are more teaching centered, while others -- such as Mizzou and other land-grant universities -- are more committed to research and public dissemination of research. (At the same time, he said, research-centered universities would be happy to see more state funds earmarked for teaching.)

Time and space to think is “what makes the great discoveries happen,” Mathews said. “The cure for cancer, the solution to world hunger, faster computers and the next great American novel -- none of these will be discovered by a professor on a 4-4 load.” But instead of what might happen or not happen if faculty members were teaching more, Mathews said he wondered “how much stronger, how much richer would our nation be if we had more faculty over all, each teaching fewer classes?”

MISSOURIAN
Task force: 3 recommendations developed for MU graduate student health insurance

COLUMBIA — MU has received three options for providing health insurance to graduate student employees, the most expensive of which would cost the university almost $6 million in additional funding, according to a new task force report.

After meeting for three months, the Task Force on Graduate Student Health Insurance released its report to the public Friday with proposals for sustainable solutions to providing health insurance to graduate students. The university could:

- Provide a financial fellowship to graduate student employees.
- Increase graduate student employee stipends.
- Provide a “silver” level insurance plan options to graduate student employees.

Until this year, graduate student employees enrolled in MU’s health care plan received subsidies from the university that fully or partially covered the price of the insurance, depending on their appointment and residency statuses. This semester, about 1,700 graduate students, or about 64 percent of eligible graduate students, accepted MU’s insurance subsidies.

Due to a recent ruling by the IRS, the university withdrew subsidies for all graduate student employees on Aug. 15.

“Although as students, graduate student employees are eligible to be covered by ‘student health plans,’ the dual status of graduate student employee means that the University can no longer pay (subsidize) ‘student health plan’ premiums and remain compliant with the (Affordable Care Act) and IRS rules,” the task force's report stated.

Graduate students were informed about the withdrawal 24 hours before it took effect, which prompted an uproar and the establishment of the Forum on Graduate Rights. After a week of turmoil, the decision was reversed, and health insurance subsidies were returned. Then-Chancellor R. Bowen Loftin also created a task force to determine long-term, sustainable solutions to the challenge of providing health insurance that comply with the new ruling. On Nov. 16, the task force reported its findings to the chancellor — now Interim Chancellor Hank Foley — before its Nov. 30 deadline.

Foley is considering the following options to continue providing graduate student employees with health insurance:

**Option one: provide financial fellowships**

One plan the university could implement is the establishment of financial fellowships for all eligible graduate students, which would cover some or all of the costs of student insurance. This plan would require an extra $3.72 million in funding. The MU Budget Office last year spent
about $4 million on health insurance subsidies for graduate students, according to the Office of Research and Graduate Studies.

The fellowship for graduate students could depend on the type of assistantships graduate students employees hold (quarter- or half-time assistantships) and students’ residency status (international or domestic). Under the current plan, those variables affect the subsidy amount graduate students receive.

The fellowships would align with the academic semester and could be distributed before the start of each semester, when insurance premiums are due. It would not be linked to the purchase of health insurance, and all eligible students would receive the fellowship regardless of their intent to purchase insurance, which ensures that this plan would not violate the IRS ruling of the Affordable Care Act.

The fellowships would have to be reported to the IRS as such and would be taxed as income. Because of this, the task force recommended that the fellowship funds be increased.

**Option two: increase stipends**

Another plan proposed by the task force was for an increase in graduate student employee stipends. The increase would cost the university about $5.67 million in additional funding, according to the report.

The stipend increase could be provided to graduate students with qualifying titles that equal the cost of the previously provided health insurance subsidy, with a small amount added to make up for withdrawn taxes. The report said the stipend increase “may need to be equivalent for domestic and international students even though the cost of insurance is different.”

Like the fellowship plan, an increase in stipends would not be linked to the purchase of health insurance and would be allocated to graduate students regardless of their intent to purchase insurance. This ensures that the plan does not violate the IRS’ ruling.

**Option three: provide a 'silver' level insurance plan**

The university could also provide a silver level insurance plan to students, which is a step below the gold plan that the university currently provides.

“The committee that evaluates the student insurance options has discussed this previously,” the report said. “It should be considered again in light of recent events.”

The Affordable Care Act ranks insurance plans by levels. From highest to lowest, the plans are platinum, gold, silver and bronze.

As it stands, the university’s student insurance policy is the equivalent of a gold plan. The gold plan has the second lowest out-of-pocket costs and about 80 percent of costs covered, according
to the report. Generally, lower out-of-pocket costs mean higher premiums, while higher-out-of-pocket costs mean lower premiums.

The task force is recommending a silver plan, which is the second lowest plan ranked by the ACA. The silver plan includes 70 percent of costs covered and has the second highest out-of-pocket costs, which means lower premiums than gold or platinum.

“The benefits are still quite good and meet minimal essential coverage,” the report said.

The estimated amount of how much this option would cost the university was not included in the report.

What happens now?

Foley is already "gathering input from various groups, including students, deans and faculty," MU spokeswoman Mary Jo Banken said in an email.

One of those student groups is the Graduate Professional Council, the official democratic government for graduate, professional, postdoctoral and post-baccalaureate students at MU. Foley requested a meeting and input from GPC President Hallie Thompson last week.

"I had talked to Foley about the fact that people were very anxious about what (the report) said and whether or not they would be able to see what it said before he had made any decisions," Thompson said. "Now that it's public, we're getting a lot of interesting input, and it actually helps all of us, I think, to better interpret the document."

The grass-roots Forum on Graduate Rights is not one of the groups Foley is consulting. Last week, forum members sent him a letter asking for the public to be included.

"One of problems with the decision-making process at the university we see is that all of this stuff happens behind close doors," said Connor Lewis, co-chair of the Coalition on Graduate Workers, which is the unionizing arm of the Forum on Graduate Rights. "… At no point is there any real transparency in the reporting or decision-making process for task forces, which is part of the problem with previous task forces."

Response from Forum on Graduate Rights

The Forum on Graduate Rights has been pushing for more participation and transparency in administrative decisions, including release of the report. Now that they have it, at least one forum leader sees it as a step in the wrong direction.

"I'm a bit underwhelmed, to be quite honest,” Lewis said. "And that's kind of the sentiment that I'm hearing from the majority of other graduates as well. We were expecting more out of it, and pretty much all of the proposed solutions essentially leave us worse off than we were in August."
One of the benefits of the subsidy program was that the subsidies were not taxed, Lewis said. The fellowship and stipend increases will be taxed, which could have ramifications for graduate students' eligibility for programs such as Medicaid and SNAP, a Missouri food stamp program.

Thompson also raised the need to pay taxes as a point of concern that students have expressed.

"I've heard from single parents in my department that that plan would actually mean that they could no longer provide their children with health insurance,” Lewis said. "... And it doesn't seem, judging by the health insurance task force's report, that that was an issue that even came up in their discussions."

The forum will meet Tuesday to discuss the report.

"The way that we see it, as a coalition, is that this is exhibit A for why we need a contract because the entire process would look so much different and would give so much more say to graduate students in that kind of situation,” Lewis said.

MU weighs options for graduate workers’ health insurance costs

By Megan Favignano

Monday, December 7, 2015 at 2:00 pm

A University of Missouri task force is recommending two options for the university to cover graduate student employees’ health insurance premiums: creating a fellowship or increasing stipends.

The Task Force on Graduate Student Health Insurance compiled its recommendations into a report last month given to interim Chancellor Hank Foley. The report, which was published online Friday, also suggests adding another option to the student insurance plan.

Task force member Jacqueline Gamboa, a fourth-year doctoral student, said student members felt their voices as graduate students were heard as equally as university administrators on the task force.

“We all feel really comfortable with the report,” Gamboa said. “The recommendations were based on what’s available and what we can do following the regulations.”
MU traditionally has provided graduate assistants with 20-hour appointments an annual subsidy of about $3,000 for health care costs. Graduate assistants teach and conduct research for the university in exchange for a stipend, tuition waiver and benefits.

The day before student health insurance plans expired in August, MU told graduate assistants it could no longer subsidize their health insurance premiums because of an IRS interpretation of the Affordable Care Act.

The university rescinded that decision for this academic year after student and faculty backlash and created a task force to work on the issue.

According to the report, the new fellowship would be more than the previous health insurance subsidy to account for the fellowship being taxable income while the subsidy was not.

The fellowship option would cost MU about $3.72 million, according to the report. MU spent about $3.94 million on health insurance subsidies last year for more than 3,000 students.

The other option the task force suggested would see MU increase graduate assistants’ stipends to an amount equal to the previous subsidy plus an allowance for the additional tax burden. The stipend increase would require about $5.67 million in additional funding, according to the report.

The report also recommends MU consider adding a “silver” level to the student insurance plan for those who want a cheaper option. The silver level would provide fewer benefits while still meeting the minimal essential coverage, and would offer lower premiums.

The report outlines several options the task force considered but decided against recommending, including an employer-sponsored group plan for graduate student assistants and enrolling graduate assistants in the existing employee plan.

Task force member Sara Prewett, a doctoral student in educational psychology, said the task force did not recommend those options because they would raise health care costs to an unrealistic amount that graduate students could not afford.

“It wasn’t feasible for us to do so,” Prewett said.

Conner Lewis, a member of the Forum on Graduate Rights, said the university will not have enough information about graduate students and their spouses’ incomes to adjust the fellowship or stipend amount to account for the tax burden on students.

Placing students in a higher tax bracket could affect graduate students who qualify for food assistance, he said.

“We are worse off than we were before,” Lewis said. “How are they going to really account for varying levels of compensation?”
The Forum on Graduate Rights formed in August to advocate for better graduate employee benefits. The group is not affiliated with the university.

Lewis said most students appreciate the efforts of graduate students who worked on the task force but are unhappy with the process. Lewis said more students should have been part of the group, which had four graduate students.

Prewett said she thought the task force members worked well together.

The Forum on Graduate Rights will not make an official statement until more members have read the report, Lewis said.

MU spokeswoman Mary Jo Banken said Foley was not prepared to publicly discuss the report.

“He wanted to publish it online so that more students and faculty would be able to read it and give him feedback to inform his decision,” Banken said.

University officials planned to make a decision in January on health insurance for graduate student employees. That decision would be effective starting next school year — giving students eight months to plan for potential changes.

UM System appoints two interim vice presidents

COLUMBIA — University of Missouri System interim president Michael Middleton announced Friday he will fill leadership vacancies in the Human Resources and Academic Affairs departments.

Robert Schwartz has been appointed as interim vice president for academic affairs, research and economic development, and Kelley Stuck was appointed as interim vice president for human resources for the UM System. Both are starting their new positions effective immediately and come from previous roles within the UM System.

Schwartz will receive a salary of $250,000, a 16.3 percent increase from his previous position, and Stuck will receive a salary of $238,000, a 15.1 percent increase from her last position. UM System spokesman John Fougere said.
Fougere said the timeline of their roles as interim vice presidents is dependent on when a permanent UM System president can be appointed, as their status will be at the discretion of the permanent president.

Before the new appointment, Schwartz served as the interim dean of the College of Engineering at MU. He had also served as the chief of staff of the UM System leadership team from April 2012 until September 2014. Schwartz also spent 10 years in various leadership positions at Missouri University of Science and Technology, according to a UM System news release.

As the interim vice president for academic affairs, Schwartz will spend a lot of his time promoting academic programs, research and economic development. He is also in charge of student access and success as well as academic program review within the system.

“The Academic Affairs department is vital to the university’s mission of teaching, research and economic development, and Bob will bring experience and vision to the position of interim vice president,” Middleton said in the release.

Schwartz is taking over the role from Hank Foley, who was recently named interim chancellor of MU. The former chancellor, R. Bowen Loftin, stepped down after a series of protests at MU.

Stuck was appointed as interim vice president for human resources after working as associate vice president in the same department for five years. She is filling the role of Betsy Rodriguez, who is moving into the position of vice president of human resources for Barnes Jewish Hospital in St. Louis, according to the release.

“We are fortunate to have a succession plan in place for the critical role of leading our HR department,” Middleton said in the release. “Being the exceptional leader that she is, Vice President Rodriguez has worked closely with Kelley for the past five years, and I expect a smooth transition of HR support for the UM System.”

Stuck’s job will entail directing human resource policies, benefits and compensations, and the Human Resources Council, as well as serving on the president’s executive team, according to the release.
Disease-resistant pigs latest win for gene editing technology

LONDON | A British animal genetics firm, working with U.S. scientists, has bred the world's first pigs resistant to a common viral disease, using the hot new technology of gene editing.

Genus, which supplies pig and bull semen to farmers worldwide, said on Tuesday it had worked with the University of Missouri to develop pigs resistant to Porcine Reproductive and Respiratory Syndrome Virus (PRRSv).

The condition, also known as blue-ear disease, can be fatal as it affects the animals' immune system and costs farmers hundreds of millions of dollars a year. There is no cure.

By using precise gene editing, the team from the University of Missouri was able to breed pigs that do not produce a specific protein necessary for the virus to spread in the animals. Their research was published in journal Nature Biotechnology.

Early-stage studies showed the new PRRSv resistant pigs, when exposed to the virus, did not get sick and continued to gain weight normally.

The development of these resistant pigs is further proof of the power of gene editing, which is taking the biotech industry by storm. Genus Chief Scientific Officer Jonathan Lightner said it was "a potential game-changer for the pork industry".

Editing the genes of living organisms holds out great promise for treating diseases and improving agricultural crops and animal species. But when applied to humans it could also be used to create "designer babies", prompting critics to call for a global ban on genetic modification of human embryos.

The technology allows scientists to edit genes by using biological "scissors" that operate a bit like a word-processing program that can find and replace selected stretches of DNA.

It has been put to work in laboratories around the world, even as the ethical and safety issues it raises are fiercely debated.

An international summit on human gene editing in Washington last week urged caution on human gene editing but said editing genes in human embryos was permissible for research purposes.

The work on Genus's gene-edited pigs is still at an early stage and Lightner said there were several critical challenges ahead to fully develop and commercialize the technology.
Liberum analyst Sophie Jourdier said commercialization would likely take five years or more but the new resistant pig line would add to Genus's long-term growth prospects, given the economic importance of PRRSv.

PRRSv affects millions of pigs and costs the swine industry around $700 million a year in the United States and 1.5 billion euros ($1.6 billion) in Europe, according to a 2011 Iowa State University study cited by Genus.

Genus makes breakthrough in tackling pig disease

Mackenzie Weinger

Genus, the livestock geneticist, has announced what it says is a big step forward in tackling a major pig disease using gene editing technology.

The pig and bull semen supplier company said it has bred the first pigs resistant to porcine reproductive and respiratory syndrome virus, a devastating disease that can cause reproductive failure, reduced growth and early death for the farm animals.

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Genus, which is based in Basingstoke in southern England, says it will continue to develop the technology and expects it will be at least five years before resistant pigs are available for farmers.

Jonathan Lightner, Genus chief scientific officer and head of R&D, said the demonstration of a genetic resistance to the PRRS virus by gene editing was a “potential game-changer for the pork industry”.

“There are several critical challenges ahead as we develop and commercialise this technology; however, the promise is clear and Genus is committed to developing its potential.”

The company plans to commercialise the technology through its pig division PIC.

Genus, which collaborated with the University of Missouri, points out that there is no cure currently for the PRRS virus, but that the technology developed has the potential to eliminate the impact of the disease on the swine.
The gene editing technology allowed researchers to make precise changes to the genome of the animal, without transplanting genetic material from another organism. To make the disease resistant pigs, the company says that small changes were made to inactivate a single gene that produces a protein that the virus requires for infection to occur.

Randall Prather, professor of animal sciences at the University of Missouri, said: “We are delighted to have been working with Genus and to have discovered a major breakthrough in tackling this devastating disease that causes suffering to so many animals around the world.”

The PRRS virus affects millions of pigs and piglets every year and costs the US pork industry $664m annually, according to a 2011 Iowa State University study, while in Europe figures are estimated at €1.5bn per year, Genus said.

MO lawmators push for lifting gun bans on college campuses

Watch story: http://www.komu.com/player/?video_id=31820&zone=5&categories=5

JEFFERSON CITY - Firearms are currently not allowed on college campuses, but two Missouri lawmakers are proposing to change that.

State senators Bob Dixon (R - Springfield) and Brian Munzlinger (R - Williamstown) pre-filed legislation last week that would lift the current ban of carrying firearms on college campuses.

The bill does have a provision allowing campuses to choose between allowing concealed carry permit holders to carry on campus or offer security guards and metal detectors at building entrances.

“What this bill would do, it would say, unless the university offers security guards and metal detectors at entrances on campus, they cannot tell concealed carry holders to leave the campus,” Dixon said.
Dixon said the current state law does not authorize people with concealed carry permits to carry firearms on college campuses, but also states doing so is not a criminal act.

Dixon said he filed a similar bill in 2008 after the Virginia Tech shooting. The bill passed in the house, but did not make it past that.

Owner of Modern Arms in Columbia, Larry Wayland, said he supports the bill because he believes gun-free zones are targeted.

“The gun-free zones are a magnet to those who are out to do no good,” Wayland said.

"Criminals are going to go where they think they can get away with it. A sign that says a gun-free zone, to you and me, is a sign. For criminals, that is a neon invitation to them that they could have an easier time getting away with it," Dixon said.

**However, an MU student said firearms on campus would not make it any safer.**

“I think it would only create more problems than they’d solve,” MU student Tyler Small said.

This pre-filed bill comes a few months after an MU law professor sued the university over gun policy in September.

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**MU student files lawsuit against professor, professor denies claims**

COLUMBIA — **An MU student filed a lawsuit Nov. 30 alleging that MU biology professor Michael Garcia directed a slew of sexual, bigoted and otherwise offensive comments at her in March.**

Garcia did not return multiple messages requesting comment. He has enlisted the legal counsel of Columbia lawyer Josh Oxenhandler.

"My client vehemently denies these claims," Oxenhandler said Monday.

The student, Fatma El-Walid, is an observant Muslim. The lawsuit alleges that during Garcia's office hours, Garcia asked El-Walid if her parents had waterboarded her "as a child in preparation for the future," wanted to know if her faith made her hate gay people and Jews, suggested she should pose as a suicide bomber and made sexually suggestive remarks, among other comments.
The lawsuit included the qualification that all "quoted statements may not be exact quotes but are intended to reflect the essence of what Garcia said to Fatma."

As a result of trauma from the exchange, the lawsuit says, El-Walid's grades dropped, causing her to lose a scholarship. El-Walid is seeking more than $25,000 in damages and wants MU to "punish" Garcia for conduct that "was willful, wanton, malicious, and undertaken with evil motive or reckless disregard."

MU spokesperson Christian Basi said the university was aware of the lawsuit but declined to comment specifically about Garcia. He said when a student files a complaint, it is immediately referred to the relevant office, which in turn follows policies in MU's Collected Rules and Regulations.

The lawsuit says a complaint was reported to MU's Equity Office by a student not named in the lawsuit.

El-Walid declined to comment and directed questions to Azra Ahmad, a St. Louis lawyer who is representing her.

Ahmad said El-Walid was referred to her through the Council on American–Islamic Relations, a Muslim advocacy group. She declined to say if she had spoken to other students who might have witnessed the exchange, citing attorney-client privilege.

Garcia started working at MU in 2005, where he is still employed. He was the chair of MU's Minority Affairs Committee until last August and was serving on the committee on March 12 when El-Walid alleges the interaction between the two happened.

Denice Adkins, an MU faculty member who served on the committee with Garcia, wrote in an email that she didn't know him well but said Garcia "was committed to making sure that students of color in the sciences were involved in a student mentoring program."

MU researchers aim to improve HIV drugs

Bond Life Sciences Center researchers are working to identify weak spots in the HIV virus.

In order to figure out the role of a key protein in the HIV virus’s life cycle, researchers at the Bond Life Sciences Center are exploring the protein’s structure.

HIV, or human immunodeficiency virus, is a virus that attacks the immune system, leading to AIDS. There are currently about 35 million people living with HIV, and although combination drug therapies help improve quality of life for patients, they eventually end up developing
resistance to these drugs, and the drugs become ineffective. Therefore, it’s important to researchers to understand how drug resistance develops and also to discover and develop new drugs to help improve antiviral therapies for those infected by HIV.

**Karen Kirby, a research scientist on the protein study, and Stefan Sarafianos, the lead author of the study, came across some inhibitors while screening for new drugs to treat HIV.** The protein that the researchers found became a building block that formed the virus’ capsid, a protein shell that encloses the genetic material of a virus.

In order to understand how the molecule was binding to the HIV capsid, they studied the structure using X-ray crystallography to derive the atomic structure of the proteins and see how the crystals interacted with the drugs. X-ray crystallography is a tool used for identifying the atomic and molecular structure of a crystal, in which the crystalline atoms cause a beam of incident X-rays to diffract into many specific directions.

“(Researchers) took many copies of the protein and coaxed them into forming a patterned, crystalline lattice,” Caleb O’Brien wrote in a post on the Bond Life Sciences Center’s website. “Next, they shot high-powered X-ray beams at the crystal. By interpreting how the X-rays scattered when they ricocheted off the proteins, the researchers made a 3-D map of the protein.”

The researchers had to test their 3-D structure of the protein until it matched the map produced by the X-ray diffraction pattern. Creating the protein crystals in the first place was a challenge, Kirby said, because of the many variables such as salts and additives in the liquid to the amount of protein in the mixture. Because of that, it is difficult to foresee which solution will grow crystals – it is essentially a guessing game.

“The real challenge begins afterwards, as one needs to manually optimize the initial crystallization conditions to find the one that will produce protein crystals of desired quality,” said Anna Gres, a graduate student who led the study, in the post. “This process can take years. In our case, I think we were lucky: It took approximately 500 manual screenings and about six months.”

Lucky for them, the crystals formed in groups of six proteins, which matched their capsid. Gres said she still has no idea what fine details made the difference in order for the crystals to match the 3-D model.

After researching the effect of the interaction between hexamers and the capsid, researchers found that dehydrated crystals resulted in a change in the crystal’s shape. Because of this change in shape due to the water molecules, the capsid’s “malleability and plasticity could be critical to the life cycle of the virus and allow it to act as a multi-functional molecular Swiss army knife,” Sarafianos said in the post.

With a clearer image of the capsid protein, future research looks promising for scientists. The results provide insight into the larger picture and give researchers an idea of how the virus potentially forms this capsid shell and protects the viral contents inside the virus particle. They hope to continue to study interactions with potential new drugs.
This capsid is a new target that can produce potential new drug development and enhance current therapies for patients, Kirby said. Overall, the researchers’ goal is to be able to produce new and effective antiviral drugs with the testing and refining of these molecules.

Jewish Student Organization holds a Solidarity Shabbat for marginalized students on campus

“I think it will be really great welcoming so many different people into our space here,” Jewish Student Organization President Thalia Sass.

The Jewish Student Organization held a Solidarity Shabbat at 6 p.m. Dec. 4 at Mizzou Hillel to stand with students of color and fight against racism and oppression on campus.

JSO President Thalia Sass was one of the students who came up with the idea for the service and helped put it into action. Over 40 members of the community attended.

“Jews have always had a really big role within social justice and the social justice community,” Sass said. “A lot has happened on our campus, especially this semester, and we thought it was important to acknowledge that and welcome people into our space and share the Solidarity Shabbat with us.”

JSO not only wanted to show support for the black students on campus, but also all other minority and marginalized students. Sass said JSO has faced some racism and believes that all minority groups need to support each other.

“I think it will be really great welcoming so many different people into our space here,” Sass said. “It will hopefully be a catalyst for future partnerships going forward.”

Interim Vice Chancellor for Inclusion, Diversity, and Equity Chuck Henson came to the service to show his support. He said that fellowship, community and face-to-face discussions are important for growth. All three were present during the Solidarity Shabbat, he said.

“As we continue to move forward in transforming ourselves more people need to talk to each other by having actual conversations to share and exchange their thoughts,” Henson said. “This is totally different than debating. What I’m talking about is people sharing their thoughts,
exchanging their ideas and truly listening and respecting the fact that different people have different opinions.”

Judaism’s immense involvement with social justice comes from one of their central values of tikkun olam. Tikkun olam is a concept represented by acts of kindness to repair the world. This value fuels their push to end racism, Sass said.

“We have always been very involved in the social justice community at Mizzou and elsewhere,” Sass said. “We do tikkun olam whenever we can, because it is a central part of our traditions and culture.”

The Solidarity Shabbat was set up with a traditional Shabbat service outline, except with an emphasis on their commitment to justice. Different passages were read throughout the service along with prayers, songs and a free Kosher dinner afterwards. All affairs were explained as the service went along in light of the attendance of many people from outside the Jewish community.

“Shabbat is the day of rest, but it's also a time to show love to yourself and your community,” read the event description. “May this be a relaxing evening to those who need it and an invigorating evening to those who are looking for the strength to join this movement.”

This will not be the end of JSO’s action for social justice, Sass said. The group is planning the Social Justice Seder, which will take place this spring. They plan to team up with many other organizations to discuss current societal issues.

“JSO has always been very active, and I don’t see that changing anytime in the future,” Sass said.

Counseling psychology department to offer Difficult Dialogues class

Professor Brandon Orr: “There is a need to move past empathy and towards competency.”

The counseling psychology department at MU already has a long history of diversity training, but doctoral student Oscar Rojas Perez and professor Sonia Dhaliwal intend to expand on this reputation.

Starting in the spring 2016, Perez and Dhaliwal will lead a class for graduate students titled Difficult Dialogues, offered by the counseling psychology department. The intention of the class is to create a “safe space for people to feel vulnerable” in talking about sensitive issues pertaining to minority groups, Dhaliwal said.
Counseling psychology professor Francisco Sánchez said the department is serving as a leader for other departments across campus on how to model these kinds of conversations.

“The biggest hopes and goals for the class are to develop empathy, understanding and awareness of the experiences of marginalized groups, not just on campus but in the U.S.,” Perez said. “The goal is deriving from the mission in the department of multicultural awareness and training.”

The class was a brainchild of both Perez and Dhaliwal, who both said they saw a need to create change on campus. The creation of the class was in the works before racial tensions escalated on campus earlier this semester. Students have already enrolled in the class for next semester, Dhaliwal said.

“The purpose of this class is to teach people how to dialogue in a way that can bring about productive conversations,” Dhaliwal said.

The class size will have a maximum of 10 students, and only one section will be offered. They expect the class to be full, said Lisa Flores, professor in counseling psychology and the program training director.

“We want to create an atmosphere where people feel like they can open up and talk and have dialogue,” Dhaliwal said. “We also want to focus on real world application.”

The counseling psychology department has a long-standing history with the multicultural and cross-cultural initiatives, including their Coalition for Cultural Competency. This coalition creates an exchange program for students from Beijing and Taiwan.

“(This program) provides us with some context for how psychology can look from that international perspective, and how do we effectively manage some of the complexities that come up with these international relations and cross cultural relationships,” Dhaliwal said.

In 2006, MU created a Difficult Dialogues program funded through a $200,000 grant from the Ford Foundation that provided professional development, interactive theatre, forums for the MU community and a 14-week course. The purpose of the program was to discuss issues on campus in “the spirit of open-mindedness,” according to the Mizzou Diversity website. The program ended in 2011.

Perez said he took the original Difficult Dialogues program and put his own spin to it within the counseling psychology department. The original program was more of a national initiative, but this new course will be specific to the counseling psychology department.

“It’s not a replica,” Perez said. “But the idea was taken from that initiative.”

The counseling psychology department already offers an undergraduate discussion class called Experiencing Cultural Diversity in the United States that allows students to engage in conversations about diversity. This undergraduate course is being considered as part of the
potential diversity requirement from the MU Faculty Council Diversity Enhancement Committee.

Perez said the graduate level class is the next step or “how-to piece” building off of the undergraduate class.

“This course will provide another opportunity for those students who want to continue to engage in those sorts of discussions,” Flores said.

The class will incorporate many different topics throughout the semester, including systems of oppression, white privilege and even conversations about how to become a white ally, Dhaliwal said. Another large part of the class is action and application.

“I think that there are a lot of white students out there who want to be a part of the cause and maybe just don’t know how to do that,” Dhaliwal said.

She said this class will give those students an idea of how to be involved.

“There is a need to move past empathy and toward competency,” said Brandon Orr, a professor in the counseling psychology department. “We understand the problem but don’t understand what actions to take.”

There is a big difference between understanding and talking about these issues in the academic realm versus the real world, Perez said.

“How do you (talk about these issues) in the Fergusons? How do you do that in the Comptons? How do you do that in communities who are marginalized?” Perez said.

Part of the grade for the class will be a proposal of how one would use the training from the class in a real life community setting, Perez said.

The department has tried to create a multicultural classroom environment with diverse students who provide new perspectives and ways to engage in the material learned in class, Flores said.

“For us, this (Difficult Dialogues) class is just the next step to what we already have ingrained in our background, in our goal, in our program in general,” Perez said. “It’s just kind of ingrained in who we are as training professionals and the field that we’re in as counseling psychologists.”
More Colleges Rescind Cosby Degrees
December 8, 2015

Swarthmore College today became the latest in a long line of universities to rescind an honorary degree awarded to Bill Cosby.

“Mr. Cosby has testified in a deposition under oath, which was made public in July, that he routinely and premeditatively drugged women before having sex with them,” said Swarthmore President Valerie Smith. “We find that his admitted personal behaviors are wholly inconsistent with our institutional values -- and ones we would never want our own students or graduates to emulate.”

Swarthmore follows more than half a dozen other universities that made the same decision in the last month or so, including California State University System, John Jay College, Drexel University, Bryant University, Drew University, the University of Pittsburgh and Muhlenberg College, bringing the total close to 20. **Faculty members at the University of Missouri are also pushing their board to do the same.**

At the same time, a small but also growing group of universities has decided not to rescind. Joining them most recently are George Washington University and the University of Pennsylvania.

Though some students are unhappy, George Washington officials told NBC News 4, "While we are shocked and disturbed by the allegations against Mr. Cosby, it has never been the university’s practice to rescind an honorary degree."
State lawmakers in 10 states push debt-free college options

BY JULIE CARR SMYTH AP Statehouse Correspondent

NO MENTION

COLUMBUS, OHIO
Lawmakers in 10 states launched a legislative push Monday intended to make debt-free public college a priority of the 2016 election.

In a teleconference, the group of Democrats announced plans to introduce resolutions in the early primary states of New Hampshire, Iowa and South Carolina, the political battleground state of Ohio and in Illinois, Massachusetts, Wisconsin, Missouri, South Dakota and Hawaii.

The lawmakers said that with rising college debt near crisis levels in the U.S., they hope the measures jumpstart a national conversation on the topic and provide momentum to existing or future bills. At least three of the lawmakers involved are 30 or younger.

The resolutions assert that a well-educated workforce is essential to the country and that, while student debt is high, "public investment in higher education pays off." It says the G.I. Bill resulted in "a 7-to-1 return on investment for our national economy and that workers with college degrees earn more money, pay more taxes, and rely less on government services."

The Democrats' effort, organized by the Progressive Change Campaign Committee, advocates a three-pronged approach that includes funneling more federal aid to states, giving more financial help to students and finding ways to creatively contain costs. The PCCC modeled the state resolutions on a pair of resolutions that have been introduced in Congress.
Kayla Wingbermuehle, who's directing the group's campaign on debt-free college, said all three major Democratic presidential candidates are on board and "the progressive strategy now is to go deep, unifying the Democratic Party around debt-free college and ensuring that there's an undeniable mandate in November of 2016."

Republicans also are working on ways to reduce college debt.

In Ohio, Gov. John Kasich, a Republican presidential contender, convened a task force on college affordability earlier this year. The group came back with recommendations to cut costs that included handing dorms and cafeterias over to private operators, collaborating on health care costs and providing more digital textbooks and study materials. Colleges and universities in the state also are working together at Kasich's instruction to create joint budget goals that eliminate duplication that can add to the state's higher education costs.

Race on Campus: The Latest

U of Maryland will rename stadium that honored longtime (and strongly racist) president; black professor at MassArt describes being detained by police officers; object on Illinois quad creates concerns for black students; new demands for change at Harvard Law.

December 8, 2015

by Scott Jaschik

NO MU MENTION

On many campuses, debates over race, racism and higher education -- which took off in October and November -- are continuing.

Among the latest developments: a plan to change the name of the football stadium at the University of Maryland at College Park, an art object at the University of Illinois at Urbana-Champaign that was originally viewed as an
antiblack symbol of some kind and new demands for reform at Harvard University's law school.

No More Byrd Stadium

For many years, black students and others have urged Maryland's flagship campus at College Park to change the name of Byrd Stadium, which honors Harry Clifton (Curley) Byrd, who as president of the university from 1935 to 1954 oversaw a significant expansion of the campus and its programs. He was also an ardent segregationist, who opposed admitting black students and did so only under court order. He supported "separate but equal" policies to provide higher education for black students only at historically black colleges. And when there were programs available only at Maryland and not at the state's black colleges, he favored giving black students fellowships so they would enroll elsewhere.

A background document on Byrd prepared by a university panel that studied his history also noted that, when he ran unsuccessfully for governor, he campaigned as a segregationist. And he used "states' rights" arguments to oppose civil rights laws, arguing against federal antilynching statutes, for example, as they covered a topic he said states should decide.

In recent years, Maryland has tried to add monuments and building names to campus that highlight black history. For example, just last month, the university added a statue of Frederick Douglass (at right), but students have made clear that those additions -- while welcome -- did not remove their concerns about Byrd Stadium.

Wallace D. Loh, Maryland's president, announced Monday that he would ask the system's Board of Regents this week to authorize a new name for the stadium. Loh's announcement noted that Byrd contributed in significant ways to the university, and stressed that those acts still deserved recognition.

The university, Loh said, would honor Byrd in a library, and would also impose a five-year moratorium on renaming buildings. Loh noted that "to many African-American alumni and students, 'Byrd Stadium' -- the 'front porch' of the institution, not the most important part of the educational house, but the most visible one -- conveys a racial message hidden in plain sight. The name stands as a vivid and painful reminder that a generation ago they were unwelcome on this campus."

But Loh cautioned against judging Byrd or others by today's standards.

Said Loh: "History is not about the past. It concerns today's debates about the past. We must be wary of 'presentism' -- judging historical figures based on contemporary moral standards. It is unfair to fault them for not transcending the values of their time, even when we no longer subscribe to those values."

'I Fit the Description'
A blog post by Steve Locke, assistant professor at the Massachusetts College of Art and Design, describes his experience being detained by Boston police officers, and what it’s like to be a black man whose very general physical description and status as a black man can be used by police to question him, in this case about a break-in. Locke describes the fear and humiliation of waiting for a group of police officers to realize that he’s not a criminal, but a professor who had his college ID on a lanyard around his neck.

The piece, "I Fit the Description," has gone viral. (The piece features the photo of Locke at right, which he published, dressed as he was when he was stopped.) To many black men, it describes a reality they face. And it shows how their college professor identities don't necessarily help them in encounters with law enforcement.

"Something weird happens when you are on the street being detained by the police," he wrote. "People look at you like you are a criminal. The police are detaining you so clearly you must have done something, otherwise they wouldn’t have you. No one made eye contact with me.

"Nothing I am, nothing I do, nothing I have means anything because I fit the description," wrote Locke.

Lieutenant Detective Michael McCarthy told The Boston Globethat Police Commissioner William B. Evans was reaching out to Locke to discuss what happened. McCarthy said Locke was not mistreated and he praised Locke and the police officers for their conduct. “We understand that people may feel uncomfortable, and we would encourage them to be patient and to be respectful - as this individual was,” McCarthy said. “The outcome can be as good as it was here.”

**Sculpture Causes Alarm at Illinois**

At the Illinois flagship at Urbana-Champaign, students have been debating a sculpture (at right) that appeared on a campus quad and was seen by some as a sort of pro-Klan message designed to upset black students. Many took to social media to speculate that the sheet in the object was a response to a recent Black Lives Matter rally at the same location.

It turned out that the object was a sculpture for an art class, and -- according to the university -- the object in question had nothing to do with race or the recent protests. (A spokesperson could not say if the sculpture was abstract or was intended to portray something.)

The university's grounds-and-facilities workers removed the sculpture because the students didn't have permission to leave it there. (They could have done so if they stayed, but they left.) So the removal was based on that rule, and not any judgment on the art, a spokesperson said.
While students have expressed relief, some have also said that the incident points to the need for art students and others to pay more attention to the way their actions may be perceived by minority students on campus.

**Demands at Harvard Law**

Black students at Harvard's law school have been holding a series of meetings with administrators. One of the students' original demands was to change the law school's seal, which is the family crest of an a major donor with ties to the slave trade. The law school is studying that issue.

The students have now presented the law school with a more extensive list of demands, including:

The creation of "a critical race program at Harvard Law School ... for students who are interested in challenging elite institutions and exploring the connections between the law and racial power." The program should have three tenure-track faculty members by 2020, and $5 million to launch the program.

"Reform the existing mandatory legal curriculum at Harvard Law School, through meaningful student input and transparency, to ensure the integration of marginalized narratives and a serious study into the implications of racism, white supremacy and imperialism in creating and perpetuating legal analysis and thought."

Change tuition and aid policies "to allow students to pursue a civic-minded career up front in exchange for free tuition, and to opt out and pursue a corporate-minded career in exchange for taking back their tuition debt."

Martha Minow, dean of the law school, on Monday wrote to all students and faculty members, praising the kinds of discussions that are taking place and vowing more reflection on the issues raised by recent protests. But Minow did not endorse (or reject) any of the proposals.

"Some students and staff have presented a list of demands," she wrote. "We are, however, a community of many voices and hopes, and we have an obligation to provide and protect the opportunity for all to participate, speak and be heard. We will work, as we always do, to seek broad input as we determine what kinds of reforms and actions will best promote our academic mission and build the community we aspire to be. Real institutional change requires the engagement of many members of our large and diverse community, and it depends on bringing about cultural change, in which we all have a stake."
Who Must Protect Students?

December 8, 2015

by Christine Helwick

NO MENTION

Recently, as violent attacks and tragic deaths occurred at colleges in Alabama, Arizona, Oregon, Tennessee and Texas, a California Court of Appeal ruled that public colleges and universities have no general legal obligation to protect adult students from the criminal acts of other students.

The case was brought by Katherine Rosen, a 20-year-old pre-med student, who was brutally stabbed in a University of California at Los Angeles chemistry lab by another student. She argued the university breached its duty of care by failing to take reasonable steps to protect her from foreseeable violence.

Rosen’s lawyers have vowed to bring the case to the California Supreme Court. Whether or not the case is accepted, it is noteworthy beyond California because it comes at a time of renewed national discussion of gun control and violence on campus.

Perhaps most surprising about the 2 to 1 decision is that Rosen’s claim was dismissed by the court as a matter of law. The court determined that the issues were so clear that a jury did not need to determine the facts -- even though doctors at the campus hospital had earlier diagnosed the student who inflicted Rosen’s injuries as suffering from paranoid delusions and possible schizophrenia, and he was in ongoing treatment in a university outpatient facility. (He was later found not guilty of the crime by reason of insanity.)

In reaching the conclusion that the legal issue was free from doubt, the court opined that the foreseeability of the crime made no difference: “Colleges and universities ... are not liable for the criminal wrongdoing of mentally ill third parties, regardless of whether such conduct might be in some sense foreseeable.”
The court provided the rationale for this statement in a footnote where it conjectured that imposing a duty of protection might cause some colleges to reduce or eliminate mental-health services, or to disregard the privacy rights of the mentally ill, to avoid liability.

The logic of the Rosen case comes from a line of earlier California cases (none involving mental illness) where courts made a clear demarcation between K-12 schools -- with young students, mandatory attendance and a rigidly controlled environment -- and the college or university setting, with adult students who since the 1960s have demanded the right to regulate and control their own lives.

In loco parentis has all but disappeared, and the court in Rosen concluded that reimposing the level of authority and control necessary to protect against third-party criminal conduct is “incompatible with the ‘realities of modern college life’ and the ‘goal[s] of postsecondary education.’ ... We find no basis to depart from the settled ‘rule that institutions of higher education have no duty to their adult students to protect them against the criminal acts of third persons.’” Rather, the court found that colleges and universities are microcosms of the outside world, where violence can occur anywhere and everywhere, and students are responsible for protecting themselves.

Yet a powerful dissenting opinion in Rosen criticizes this all-or-nothing approach to student protection, highlighting a separate line of California cases that have carved out an exception to the no-duty rule. These cases all involved college sports (described as a “core” function), where the courts have found that higher education institutions have sufficient supervision and control over students to create a legal obligation to protect them.

The dissent argues that if colleges and universities have a duty to safeguard students on the ball field, then surely they must also have that responsibility in the most “core” of college activities: where students are in a classroom or laboratory under the active supervision of a faculty member. The dissent also draws attention to brochures and other promotional materials that reassure students and parents that UCLA is a safe environment.

A Difficult Balance
Weighing the social benefits of imposing or rejecting a special duty to protect students against the social costs is vexing. On the one side, those who concur with the ruling have argued that violence is part of the human condition and impossible to predict, no matter how professional or sophisticated threat assessments have become. Colleges and universities already have their own incentives not to become the site of the next tragedy and have taken a variety of voluntary proactive measures to reduce criminal violence and protect students.
from harm. They should not be punished when, despite good faith efforts, they get it wrong.

Were colleges required to more strictly control the behavior of students with mental illness, or other markers that suggest potential misbehavior, they would surely be liable under antidiscrimination laws. In addition, out of an abundance of caution, they would most likely overregulate -- or punish -- those who are “different” or unfairly deprive them of their right to pursue an education at the institution of their choice.

Students with mental illness might avoid seeking help for fear that disclosing troubling thoughts or fantasies to anyone at the college or university would provoke unwanted campus attention and response. Ironically, that would only worsen the situation and increase the risk of violence on campuses.

On the other side, others contend that colleges and universities should not automatically be excused from liability for third-party misconduct. Such institutions have the power to establish rules of conduct for the campus community; to hire, train and empower personnel; and to impose sanctions and restrictions. While college students are adults, they are still psychologically vulnerable and must depend on institutional safety measures, such as campus police and judicial affairs. Colleges gather students in large open spaces -- classrooms, libraries, lounges and plazas -- where they are exposed to acts of violence. Colleges may not have ubiquitous power to protect students from every violent act, but they should be responsible when -- through action or inaction -- they make matters worse.

Irrespective of the ultimate outcome in Rosen, no one should read the current ruling as permission for any college or university to relax or move away from measures to keep its campus safe. The opinion states: “Colleges and universities may properly adopt policies and provide student services that reduce the likelihood such incidents will occur on their campuses ...” [Emphasis added.]

Already, an explosion of federal rules and regulations impose safety responsibilities on colleges and universities:

- The Campus Safety (Clery) Act requires publication of detailed reports on campus crime and security measures, and preventative education.
- Title IX prohibits sex discrimination (including toleration of sexual violence) and requires swift response to claims and campuswide preventative education.
- The Drug-Free Schools Act requires regular distribution and review of drug and alcohol prevention policies.
- The Higher Education Opportunity Act requires notice of emergencies and missing students and publication and testing of emergency response procedures.
• The Campus Sex Crimes Prevention Act requires notification of information on enrolled sex offenders.

And these are just a few -- the list goes on.

Colleges and universities today must take steps to enhance student security -- whether as a matter of legal or moral responsibility. They must have thoughtful written policies for students who present a threat of danger to the campus community. They must develop detailed plans for the management of threats and actual violence, and they must follow those plans to the letter. They should train and retrain people with responsibility under the policies.

Higher education institutions should also nurture an institutional culture of community responsibility, encouraging anyone with concerns about potentially dangerous students to come forward. They should make sure every student, faculty member and staff person knows where to go to report his or her concerns.

They should organize an interdisciplinary team -- with mental health professionals, residence hall supervisors, faculty, police, campus lawyers and other campus administrators -- to meet regularly, share information, coordinate, evaluate and manage troublesome cases, and empower the team to take swift action.

Colleges and universities should not be held responsible for what they cannot prevent. They are institutions of higher learning, not insurers of student safety. But the bar for what institutions must do to prevent violence, protect students and manage complicated situations is set quite high. The Rosen ruling does not change that.

**BIO**

Christine Helwick is former general counsel for the California State University system and now advises college and university clients at Hirschfeld Kraemer.