Opinion: This is even harder to talk about with your parents than giving up driving

Adult children often have trouble telling their elderly parents when it’s time to give up driving.

It may be even harder telling mom and dad that they need to give up the keys to their investment portfolio and to running their life’s savings.

And yet a recent study by researchers from the University of Missouri and Texas Tech University confirms that many adults need to do just that with their aging parents because older adults have a “toxic combination” of high self-confidence and low financial literacy.

Countless studies have shown that cognitive abilities diminish with age, and it would seem obvious that extends beyond driving and decision-making and into financial literacy. The study confirmed that intellectual decline for the average person, but coupled it with research showing that older individuals retain their self-confidence about their financial knowledge.

That increases both the potential for honest mistakes and for becoming a victim of financial fraud, where the elderly are a prime target of scammers.

Specifically, the study by Mizzou’s John Howe as well as Michael Finke and Sandra Huston from Texas Tech put nearly 4,000 individuals aged 60 and up through a financial literacy assessment test, with questions about investing, insurance, savings, borrowing and more.

The results showed the older someone gets, the more likely they are to experience a decline in their ability to understand and make good decisions about personal finances. They might think a savings account is the best place for long-term growth of their money, for example, or they might not understand how borrowing money impacts their net worth.

Despite the diminishing cognitive abilities, however, the researchers found that participants’ self-confidence actually increased slightly.

In short, the more disconnected the seniors became from reality, the more they believed they could do a grand job making decisions about their money and investments.

“If you can anticipate this and see it coming, you can begin to watch for it, you can ask your family doctor about doing basic tests as part of an annual physical and more,” said Howe. “You
can also start to take steps — like working with an adviser, or simplifying [a portfolio] or working with the kids — that can help to minimize the problem.”

Anticipating these issues is one thing; getting an elderly parent to act on them is another.

Many families have a hard time talking about money, and many older parents believe that when their adult children take an interest, it is in order to take control and/or secure some future payout.

Even if someone recognizes the predicament in themselves and bypasses the family to hire financial help, they’re stepping right into the line of fire, trying to hire an adviser or working to overhaul a portfolio just as it’s becoming tougher for them to know who to trust and how to trust—but-verify a new planner’s pitch.

The financial-services business compounds the issue by advocating portfolios that are overly diversified and complicated. The new advisers that seniors seek out typically will want to construct “optimal” portfolios, adding complexity by throwing more funds into the asset mix in the search for the perfect result.

Savvy seniors — those with a good handle on their financial cognitive abilities — want their portfolios simple and streamlined as they age.

I have seen this firsthand, more than once.

My father’s interest in managing his money and taking a hands-on approach picked up dramatically when he took a step into semi-retirement. A decade later and fully retired, however, he was anxious to simplify his portfolio, to hold fewer investments. He used required minimum distributions to eliminate accounts and he streamlined his portfolio by eliminating a number of smaller holdings. In the last few years before he died in 2012, he still was making the decisions, but he had stopped doing his own research and was mostly relying on an adviser (me) to keep him updated on the quality of the portfolio and the need to make any changes.

Ironically, days after the Missouri/Texas Tech study was released, my mother — who inspired my interest in investing and who, in her late 80s, still reads balance sheets and proxies more carefully than most investors I know — said she was starting to feel like overseeing her investment portfolio had become a bit daunting.

A few years back, my mother made the decision to give up driving, without anyone needing to fight her for the keys. She’s not ready to step away from her investments by any stretch, but knowing that she is starting to seek out more help and wants a simpler portfolio will make it easier to advise her going forward.

“Most people don’t quite recognize that it’s becoming challenging, or that they’re spending less time on it and still thinking everything is OK,” said Howe. “The earlier that families can have talks about these issues and take control, the more someone can be confident about their finances as they age. … They can be confident that they have everything in place so that if and when the
time comes that they need help, they’re getting it from people they trust, and people who know
them and know what they were thinking about their money when they had all of their cognitive
abilities.”

Building a relationship with an adviser starting earlier in life also lets that planner learn your
money personality and may help them recognize when the cognitive issues are starting to occur,
allowing them to alert family and leading to better transitions.

Said Howe: “No one knows when these problems will occur in their own life, but live long
enough and you are likely to experience them. Planning for them in advance is the best way to
make sure this is not a problem you have later in life.”

**ST. LOUIS POST-DISPATCH**

**Mizzou law dean steps down**

**Gary Myers, dean of the University of Missouri-Columbia’s law school, announced his resignation Friday, one day after a former legislator named him in a lawsuit accusing him and others of conspiring to keep certain public records concealed.**

Myers, for his part, denied through a university spokesman that the lawsuit had anything
to do with his decision to step down.

In a message sent to colleagues Friday morning, Myers said he’s been discussing his
future plans with university Provost Garnett Stokes for several months.

“The provost will soon be announcing my decision and naming an interim dean who will
begin duties on August 15, 2016,” Myers wrote. “I look forward to working on two book
projects and various interdisciplinary initiatives in the new academic year.”

Myers has been dean of the law school for four years. After stepping down, he is
scheduled to take a sabbatical during the fall semester before returning to the law
school in a faculty position in the spring.
He’s credited with creating legal clinics designed to match students with clients needing legal assistance, including veterans and entrepreneurs.

The lawsuit he’s named in was filed by Kevin Elmer, a Republican who formerly served in the Missouri House of Representatives.

Elmer filed a public records request with the university on May 28, 2015, asking for copies of emails and other materials related to Republican Josh Hawley.

Hawley, an associate professor of law at Mizzou, is currently on unpaid leave from the university while running as a candidate to be the state’s next attorney general. He faces Sen. Kurt Schaefer, R-Columbia, in the August GOP primary for the job.

The 29-page lawsuit filed Thursday in Boone County circuit court, says the university is conspiring to prevent access to public records to conceal “the inappropriate use of university property for campaigning and other political purposes.”

St. Louis attorney Jane Dueker is representing Elmer.

“If he’s doing political work on his state time, that’s public record,” Dueker has said referring to Hawley.

Hawley’s campaign has issued a statement saying Schaefer is behind the lawsuit.

While not specifically involved in the political back-and-forth, the suit names Myers, the law school dean, as part of the conspiracy to keep the records concealed.

University leaders have maintained that they’re not stalling. Spokesman John Fougere, said the university has been deluged with records requests since the fall when the campus erupted in race-related protests that eventually toppled the university’s uppermost leadership.
Fougere said the university received a record 714 Sunshine requests in 2015, and is on pace to set another record this year.

“For the Elmer request alone, the UM System is reviewing over 10,000 emails and more than 70,000 pages of documents,” he said.

Myers resigning dean post after Sunshine lawsuit filed

COLUMBIA, Mo. – University of Missouri Law School Dean Gary Myers resigned Friday morning, the day after a lawsuit was filed accusing him of conspiring to keep records from being made public. Sources tell the Missouri Times that Myers resigned at an 8 a.m. meeting. Myers said the in a letter to colleagues that he had been thinking about resigning for a couple of months. “In the last few months, I have had a number of conversations with Provost Garnett Stokes regarding my future plans. I am writing to share with you my decision to step away as Dean of the University of Missouri School of Law at the end of the summer,” he wrote, adding he will remain at the university. “I look forward to working on two book projects and various interdisciplinary initiatives in the new academic year” The Law School Foundation Board praised Myers’ work as dean in a statement.

“Dean Myers has done an excellent job at the law school, and his enthusiasm and innovative ideas will be sorely missed,” said Rodney Loomer, the board’s president. “During his tenure the clinical program offerings have expanded, student credentials have improved and the bar pass rate and employment rate of graduates have continued to remain strong. Further, alumni investment has become very strong for the various initiatives Dean Myers has achieved. He has certainly left the law school in a very good position for the next
dean.” Kevin Elmer brought the lawsuit seeking information and public documents about professor Josh Hawley, who is running for attorney general.

In the lawsuit, emails were released showing that Myers didn’t want to release emails and documents because he was worried they might produce too much information about the school’s tenure process. Hawley has been offered tenure upon his return from a leave of absence. “I believe that Josh’s email raises serious questions regarding the scope and applicability of open records law as it relates to the university and our faculty,” he wrote in an email to Hawley; Stephen J. Owens, the school’s general counsel; and Paul Maguffee, a deputy general counsel. “Turning over correspondence and documents belonging to individual faculty will set a precedent deeply harmful to academic freedom. To the extent this record request also seeks information related to Professor Hawley’s tenure application and the tenure decision-making process, the request similarly threatens the integrity of the University’s tenure procedures.” The lawsuit also says Myers was part of an agreement to allow Hawley to improperly review his own documents to determine what could be released. “An arrangement was brokered between the Custodian, Hawley and Myers to allow Hawley to determine what records were to even be considered for review by the Custodian, let alone produced to Mr. Elmer,” the lawsuit says. “Hawley and Myers agreed that Hawley could syphon e-mails concerning what he subjectively believed to be “University business” from his computer and limit the Custodian’s review to such e-mails.”

The school says the lawsuit had nothing to do with Myers resignation as dean. “The recently filed lawsuit that names Dean Myers as one of the parties was not one of the factors in him stepping down,” said Christian Basi, a university spokesman. “He has been thinking about stepping down for some time.” Myers will take a sabbatical while writing his two books.
Missouri Law School Dean Steps Down, Denies Lawsuit is the Cause

COLUMBIA, Mo. (KMOX) — The dean of the University of Missouri Law School announced he’s stepping down — but says it’s not linked to a lawsuit filed this week seeking records through the state’s Sunshine Law.

Dean Gary Myers raised concerns when an open records request was made on documents related to MU Law School professor Josh Hawley. Hawley is running for Missouri Attorney General. A rival candidate, Kevin Elmers, filed suit against the school, Myers, and Hawley, claiming they’re stonewalling his request, making him wait a year and asking $5,000 to assemble the documents.

Myers had warned releasing the documents might compromise the integrity of the school’s tenure process.

Elmers filed the suit to determine whether Hawley had been campaigning while “on the clock” for the school, a charge Hawley denies.
MU School of Law dean resigns to join faculty

By Alan Burdziak

Friday, May 27, 2016 at 2:00 pm

The dean of the University of Missouri School of Law will step down after four years in the post to become a member of the school’s faculty, Garnett Stokes, provost and executive vice chancellor for academic affairs at MU, said Friday in a news release.

Dean Gary Myers’ resignation is effective Aug. 14.

Kenneth Dean, a faculty member at the law school since 1980 and current senior associate provost at MU, will be interim dean beginning Aug. 15. A national search for a permanent replacement will begin in the summer, Stokes said in her announcement.

MU spokesman Christian Basi said a lawsuit filed Wednesday against Myers, the UM System Board of Curators and law school Professor Josh Hawley alleging violations of the state’s open records law pertaining to Hawley’s run for attorney general did not influence Myers’ decision.

“The lawsuit was not any part of Dean Myers’ consideration when making this decision,” Basi said Friday morning.

Myers also has no plans to work on any political campaigns, including Hawley’s, and will be on sabbatical in the fall to work on two books.

In an email sent Friday morning, Myers addressed the law school faculty, saying he looks forward to working on the two book projects and “various interdisciplinary initiatives in the new academic year.” Basi said it was unclear what duties Myers will have as a faculty member. In addition to teaching, faculty members also conduct research and help run law clinics and centers at the school as well as preform administrative duties.

Myers’ email touches on his accomplishments at the school but doesn’t provide a reason for the change. The email says he has been speaking with Stokes about the move for “the last few months.”

In his time as dean, Myers created two clinics and a center “that establishes the MU School of Law as a thought leader in specific areas of law and innovation,” Stokes wrote. They are the Veterans Clinic, Entrepreneurship Clinic and Center for Intellectual Property and Entrepreneurship.

Kevin Elmer, a southwest Missouri attorney and former state representative, sued Myers, Hawley and the curators Wednesday, saying they did not adequately respond to his Sunshine
Law request for emails and documents from Hawley’s MU computer connected to his campaign for attorney general.

The university has denied any wrongdoing, but Elmer alleges Myers, Hawley and MU are trying to cover up Hawley’s use of public resources in his bid for office, a violation of university policy.

Stokes said in her announcement that Myers hired quality faculty members in his four years as dean and ensured students and faculty have access to the most current resources, including technology in classrooms.

In a statement, Rodney Loomer, president of the MU Law School Foundation Board, said Myers has “done an excellent job at the law school.”

“His enthusiasm and innovative ideas will be sorely missed,” Loomer said. “During his tenure the clinical program offerings have expanded, student credentials have improved and the bar pass rate and employment rate of graduates have continued to remain strong.”

MISSOURIAN

Gary Myers to step down as MU Law School dean

TAYLOR BLATCHFORD, May 27, 2016

COLUMBIA — Gary Myers, dean of the MU School of Law, will resign his position Aug. 14 to join the Law School’s faculty.

Myers has been the school’s dean since 2012. Before coming to MU, he was an associate dean and professor at the University of Mississippi.

Myers said in an email to faculty on Friday that he will work on two book projects and interdisciplinary initiatives in the next academic year.

Myers was recently named a defendant in a lawsuit filed by former state lawmaker Rep. Kevin Elmer. Elmer sued Myers, the UM System Board of Curators, UM Custodian of Records Paula Barrett and associate law professor Josh Hawley, who is running for attorney general.
Elmer said MU violated the Sunshine Law by overcharging him for records and taking too long to provide them, according to previous Missourian reporting. He said he requested UM records on Hawley last May to see whether he received university support to run for office.

MU spokesman Christian Basi said the lawsuit was not a factor in Myers’ decision. Myers said he has been discussing his future with the school with Provost Garnett Stokes for the past few months, before the lawsuit was filed.

Senior Associate Provost Kenneth Dean will be the school’s interim dean effective Aug. 15. Dean has been a Law School faculty member since 1980 and has been interim or acting dean of the Law School three times, according to Stokes’ email.

The school will begin searching for a permanent dean later this summer.

“Gary’s support for a quality education is evident through his faculty hires in the last four years,” Stokes said in an email. “These new faculty, who have expertise in rapidly changing fields, ensure Mizzou law students are receiving an education from some of the best legal experts in the nation.”

Rodney Loomer, president of the Law School Foundation Board, wrote in a statement that Myers has left the Law School in a good position for the next dean.

“Dean Myers has done an excellent job at the Law School, and his enthusiasm and innovative ideas will be sorely missed,” Loomer said.
MU Law School dean to resign after summer

COLUMBIA - The University of Missouri announced Friday MU Law School Dean Gary Myers will resign effective Aug. 14. In the announcement, Provost Garnett Stokes commended Myers for his service since 2012 and success in creating a Veterans Law Clinic, an Entrepreneurship Clinic and center for Science, Technology, Engineering and Math.

The resignation comes amid a lawsuit naming Myers and Missouri Attorney General candidate Josh Hawley, who is on leave as an MU associate law professor because he is a political candidate. Hawley and Myers are named in the suit filed by former Rep. Kevin Elmer which claims the university violated the Sunshine Law over open records.

A spokesperson for the MU News Bureau said the resignation was "no factor" in Myers' decision. MU said Myers will be on sabbatical upon his resignation and will not be teaching.

In his announcement to colleagues, Myers said he would be taking time to work on two books.

"The Law School continues to build on its many strengths, and I am confident that it will continue to do so in the future," Myers said.

Provost Stokes said Kenneth Dean will take over this fall in the interim and the school will begin a nationwide search for a replacement this summer.

Dean of MU Law School to step down at the end of summer

COLUMBIA, Mo. - UPDATE 5/27: The dean of the University of Missouri Law School says his decision to step down is not related to the lawsuit filed this week related to the state's Sunshine Law.

This comes after a former state representative filed a lawsuit against Josh Hawley over an apparent unfulfilled open records request. Hawley is an MU law professor who running for Missouri Attorney General. Myers was also named in the suit.

Dean Gary Myers apparently raised concerns to the university nearly three weeks after Kevin Elmer requested the records. Myers thought a request for Hawley's tenure application would
threaten "the integrity of the University's tenure procedures," and hoped the system would keep in mind "these important institutional considerations" when sorting through the documents.

**ORIGINAL STORY:** A former state representative says he's still waiting for the records he requested from the University of Missouri and Josh Hawley, one year and nearly $5,000 later.

Kevin Elmer, a former Republican representative from Nixa in southwest Missouri, filed suit against Hawley, an MU law professor running for Missouri Attorney General. Elmer claims he filed an open records request with the University on May 28, 2015 for Hawley's emails, phone records and documents saved on his work computer. So far, Elmer claims he's only received a quarter of those emails, and only started receiving them in February.

The lawsuit claims the university allowed Hawley to first review his emails before letting the UM System's custodian of records, Paula Barrett, begin processing Elmer's request. While some email correspondences may be exempt from public record, such as personal student information, the lawsuit claims the university broke the law by allowing Hawley that review.

"To have the object of the Sunshine Law request actually determine what the custodian will actually review to produce is suspect, and it's illegal under the Sunshine Law," attorney Jane Dueker said, he filed the lawsuit on Elmer's behalf.

Dueker said the open records request would also illuminate if Hawley received any improper benefits from the school based on when he was granted unpaid leave to run. School employees must request and get unpaid leave of absence to run for public office. While the lawsuit said Hawley received this on September 1, 2015, Hawley's official attorney general election committee was filed to the Missouri Ethics Commission on July 24, 2015.

Dueker said whether or not Hawley used his work computer in that 39 days would show "if Mr. Hawley continued to use state resources in order to help his campaign or political activity. And to the extent that the University was aware or allowed that, specifically within the law school."

Dean Gary Myers raised concerns to the University nearly three weeks after Elmer's records request, according to the petition. Myers thought a request for Hawley's tenure application would threaten "the integrity of the University's tenure procedures," and hoped the system would keep in mind "these important institutional considerations" when sorting through the documents.

Myers did not respond to an email seeking comment Thursday.

Hawley campaign spokesperson Scott Paradise called it an attempt by Senator Kurt Schaefer, Hawley's opponent for the Republican attorney general nominee, to "muddy" the race ahead of the August primary.

"This is a frivolous to distract voters from Senator Schaefer's serious legal and ethical problems," he said in an emailed statement. "Senator Schaefer's dirty tricks are one more reminder why Missouri voters are disgusted with Jefferson City politicians. After abusing the power of his
office to promote his own political career, Senator Schaefer is now trying to abuse the court system. He should be ashamed."

When asked why he thought Schaefer was behind Elmer's suit, Paradise said, "These are two Jefferson City politicians that served together as members of the very Jefferson City establishment that seems so threatened by Josh's outsider candidacy."

UM System spokesman John Fougere said Elmer's large request was one of a record 714 open records requests made in 2015.

"For the Elmer request alone, the UM System is reviewing over 10,000 emails and more than 70,000 pages of documents," Fougere said. "The University is on pace to set another record for requests in 2016, and will continue to follow the law and respond as quickly as possible to all records requests."

The lawsuit marks another legal turn in the race for Missouri's top law enforcer. The Washington, D.C.-based Foundation for Accountability and Civic Trust asked the Missouri Ethics Commission to investigate Schaefer's behavior with the UM System's Board of Curators in relation to Hawley's candidacy.

**UM sued over response to open records request, GOP attorney general contest at issue**

A former Missouri state representative is suing the University of Missouri and Joshua Hawley, a Republican candidate for attorney general, over delays by the university in responding to a wide-ranging request for emails and other documents.

The lawsuit brought by Kevin Elmer, who represented Nixa in the state House of Representatives for two terms, says he has been seeking the documents for nearly a year. He wants more information about a leave of absence granted by the university to Hawley, who was an associate professor in the law school in Columbia, and Hawley’s activities before he went on leave, to determine whether university-owned equipment was improperly used for political purposes.

The suit, filed Wednesday in Boone County Circuit Court, says Elmer has paid the university system nearly $5,000 for the emails and other documents but “has been met with obstructive and
delaying tactics, couched in a litany of intermittent non-responsive responses” from Paula Barrett, the university’s custodian of records. She is a defendant in the suit along with Hawley, the university and Gary Myers, dean of the law school.

“Only after threatening suit six months into the request did the bulk of the responsive documents start to be produced,” the lawsuit adds. “However these documents are being produced at an unreasonably stilted pace and subject to vague and amorphous assertions of privilege.”

The suit alleges that Barrett, Hawley and Myers worked together to decide what records would be considered for review, then possibly released to Elmer. The suit said such a delegation of duties violates the state’s Sunshine Law.

“This delegation is all the more egregious,” the suit adds, “in that the custodian and the university are allowing the subject of an open records request unchecked power to determine which documents should even be considered for production. The opportunity for, and evidence supporting, impropriety in this instance is staggering.”

On the amount of time that has elapsed between Elmer’s original request and the date the lawsuit was filed, it adds:

“There is absolutely no reasonable belief that it would take almost a year to produce two years of e-mails and documents from one computer.”

Myers announced Friday that he was leaving his post as dean to join the law school faculty in mid-August. He said the move had been under discussion for a few months, and a spokesman for Mizzou said the lawsuit involving Hawley played no role in Myers' decision.

In response to the suit, the university said it was working as quickly as it can to research the request at a time that it is receiving a record number of such requests.

“The University is responding with transparency and in a timely and lawful manner. For the Elmer request alone, the UM System is reviewing over 10,000 emails and more than 70,000 pages of documents, for a request that was but one in a year when the University received a record number of 714 Sunshine requests. The University is on pace to set another record for requests in 2016, and will continue to follow the law and respond as quickly as possible to all records requests.”

University spokesman John Fougere said that, so far, all but one of 28 separate requests from Elmer have been fulfilled by the small staff dedicated to such work, and that the one remaining is “massive.”

He added that responding to the requests is not a simple matter.

“We can’t just get the emails and send them off,” Fougere said. “We have to go through every single page to make sure we comply with the law.”
Compared with the 714 open records requests the university received last year, Fougere said it got 476 such requests the year before.

**Allegation of dirty tricks**

Hawley is running to be the Republican nominee for attorney general against state Sen. Kurt Schaefer, R-Columbia. He has been granted a year-long leave of absence from the university — leave that was originally paid, then was changed to unpaid. It began on Sept. 1 of last year, which the lawsuit says is more than a month after he declared his candidacy.

In response to the lawsuit, Hawley campaign spokesman Scott Paradise released a statement on Thursday calling the action “frivolous” and an effort to “distract voters from Sen. Schaefer’s serious legal and ethical problems.”

“Senator Schaefer’s dirty tricks are one more reminder why Missouri voters are disgusted with Jefferson City politicians,” the statement added. “After abusing the power of his office to promote his own political career, Senator Schaefer is now trying to abuse the court system. He should be ashamed.”

Schaefer has been vocal in his criticism of the University of Missouri in recent sessions of the legislature. His campaign did not respond to a request for comment.

But Jane Dueker, the attorney for Elmer, said in an interview Friday that while Elmer supports Schaefer’s candidacy for attorney general, Schaefer is not connected with the lawsuit.

“They can call it dirty tricks,” she said, “but just produce the emails. Just produce them. What are you afraid of? How is this dirty tricks? Just turn over the documents. We’re not asking for student information. We’re not asking for anything that is legitimately exempted from disclosure by the Sunshine Law. But his political activity on his state computer is certainly public record.”

Because Hawley did not teach in the summer and fall of 2015, but was paid until Sept. 1, the lawsuit says that his salary was “a public subsidy of a political campaign [that] would presumably violate University policy, constitute an undisclosed campaign contribution in violation of Missouri ethics provisions, violate the Missouri Constitution, and contravene federal IRS regulations pertaining to non-profit organizations.”

The suit says Elmer filed his Sunshine Law requests “to determine whether University leave policy was violated, to investigate whether University property was improperly used for campaign purposes, and to determine the level of support, financial or otherwise, that Hawley received for his campaign activities by the University of Missouri Law School.”

Dueker said that when a video of Melissa Click’s activities during student protests at Mizzou last fall went viral, the university was able to produce 1,100 pages of her emails in less than 24 hours. “This is not a difficult task,” she said. “It’s electronic documents.”
The best way to settle the dispute over Hawley’s emails and other material, Dueker added, would be “to just turn the stuff over. Just turn it over.

“The university has had that request for 11 months. He paid $5,000 to get the documents in July. Everything else was produced by the end of the summer. So it’s really mind boggling how the university could not have gotten through one person’s email in 11 months.”

Material included in the filing quotes Hawley as arguing that some of the information sought by Elmer is not covered by the Sunshine Law for university employees who are not administrators.

The suit seeks to find the defendants guilty of violating the Sunshine Law and engaging in a civil conspiracy, to recover costs paid by Elmer plus other damages and to impose civil penalties. It asks that the case be heard by a jury.

Animal rights organization files complaint against University of Missouri

By Caitlin Campbell

Saturday, May 28, 2016 at 12:00 am

An animal rights group this week filed a complaint against the University of Missouri with the U.S. Department of Agriculture seeking penalties for the deaths of several lab animals.

The organization Stop Animal Exploitation NOW! filed a complaint with the USDA alleging violations of the Animal Welfare Act this week related to two incidents involving laboratory dogs in 2015 and an incident with a boar that happened in March. The complaint seeks a fine of $10,000 per infraction, per animal.

Founder Michael Budkie said the Fort Collins, Colo.-based organization has found that labs often are not fined or penalized for mistakes, despite regulatory oversight of laboratory testing.

“These are situations where animals were literally killed because enclosures the university was using were faulty,” Budkie said. “If they can’t even house these animals properly, how can we trust they’re producing good science?”

The complaint cites three incidents in which animals were killed in laboratories at MU. One incident from March involved the death of a boar when an enclosure broke; one from May 2015
concerns a puppy that was killed by other dogs when an enclosure opened; another incident from May 2015 relates to researchers who performed surgeries on two dogs without proper approval.

“Since negligence at the University of Missouri … has led to multiple animal deaths and injuries, I must insist that you take the most severe action allowable under the Animal Welfare Act and immediately begin the process of issuing the maximum fine allowable,” the complaint states.

MU spokesman Christian Basi said the university does not dispute that the incidents occurred. Basi said officials took the proper steps to remedy the issues and prevent problems from happening.

“We immediately notified the government and took corrective action,” Basi said. The Office of Laboratory Animal Welfare at the National Institutes of Health “sent us a letter saying we did the right thing and that we took the proper corrective action.”

Reports filed with the Office of Laboratory Animal Welfare detail the three events.

In the most recent incident, from March, two adult boars housed in adjacent pens knocked down a wall separating them and fought, the report states, with one boar dying from apparent exhaustion or cardiac arrest. The enclosure was reassembled and reinforced, the report states, and the surviving boar had to be euthanized after it became more aggressive.

The two incidents from May 2015 related to research dogs at MU. In one case, a review of surgery sheets for two laboratory dogs showed that two procedures were performed on each dog, the report states. While the laboratory did have approval to perform two surgeries on some dogs, the procedures on the two dogs in question were not properly covered.

The second incident involved a puppy that was killed by adult male dachshunds housed in an adjacent pen. A side transfer door connecting the pens opened overnight, and researchers found one of the puppies dead the next morning. Crews examined the transfer doors and installed new latches to prevent repeat incidents.

Basi said the university takes the care of its research animals seriously. He said the USDA performed an unannounced inspection of the university’s facilities on Wednesday and found nothing of concern.

Budkie said he expects the USDA will respond to the complaint within 90 days.

**The Revolution on America’s Campuses**
It’s been a half century since the country’s colleges have been so upset

Pity the commencement speakers charged with capping this academic year. After two semesters of vigorous protest on campuses all over the nation, how can the usual chase-your-dreams exhortations suffice? At the University of Missouri, a graduate student’s hunger strike prompted the football team to announce a walkout, compelling in turn the resignations of the university president and chancellor. At Claremont McKenna College in California, protesters drove out the dean of students. Under pressure, Harvard and Yale did away with the title “master.” And at more than 50 schools in all, student protesters made demands to right what they see as historic wrongs—demands for greater faculty diversity, new courses, public apologies, administrators’ ousting. The spring semester brought no end to the upheaval; after winter break, students occupied administrative offices at Duke and Providence College as well.

It’s been a half century since we’ve seen U.S. colleges so roiled. The latest results from a long-running annual UCLA study, published in February, quantified the phenomenon: The share of students who said there was a “very good chance” they would participate in a protest while enrolled rose to 8.5 percent nationwide from 5.6 percent in 2014. (Among black students, the share climbed from 10.5 percent to a full 16 percent.) These figures were the highest the survey had recorded since it began in 1967—encompassing the eras of the military draft, the Kent State shootings, the anti-apartheid movement and the protests against the war in Iraq.

Yet for all its force, ubiquity and urgency—and for all the significance it could have in the coming years and decades—the year’s groundswell has managed only to baffle the broader public. To the cynic, each demonstration was only the latest spasm of a generation given to immature angst. Adding to the confusion, this year’s campus protest, and the movement that has supported it, has no Bob Dylan as its bard, it has no Ramparts as its house organ. And, perhaps more crucially, no Vietnam War dividing the nation. The civil rights movement thriving now, Black Lives Matter, has galvanized supporters nationwide but has focused primarily on police homicides, which is to say that it does not immediately present itself as an issue in college life.

What, then, do the protesters want?

Student protest in America is as old as college itself. A pamphlet prepared in 1969 for the benefit of overwhelmed administrators collects a few early examples: In 1638, Harvard students took the beatings that came after they griped about the cooking of the house master’s wife, and in 1766, the campus hosted what is considered the first American student protest—the Butter Rebellion. As the story goes, the butter served on campus was so bad that one Harvard man (Henry David Thoreau’s grandfather, to illustrate how long ago this was) cried out “Behold, our butter stinketh!—give us therefore butter that stinketh not.”

When the 20th century came around, the American university evolved and the nature of student activism with it. Colleges once fixated on providing their pupils a classical education turned themselves toward research, expansion and the attendant fundraising obligations, and students began to worry about whether their ascendant institutions vouched for the proper values. In parallel the student population at major universities diversified from the children of privilege to a heterogeneous bunch including returning GIs, more Jews, more blacks, and eventually women.
The civil-rights movement of the late 1950s and early 1960s mobilized college students, both black and white, to a degree never before witnessed. But the ’60s student movement occupies an uneasy position in American history. On its fundamental planks—antiwar, antiracism, antipatriarchy—the movement scored major victories. University black, Chicano, and women’s studies departments are a direct result of the movement’s activism. So is the 26th Amendment, ratified in 1971, which lowered the voting age to 18.

Today, the echoes of the 1960s resound in so many arenas, including the presidential race. The supporters of Donald Trump have cribbed Nixon’s language from 1968, calling themselves a silent majority. And two old student radicals are running for the nomination of the Democratic party. At the University of Chicago, Bernie Sanders led a student chapter of the Congress of Racial Equality and was arrested; at Wellesley, Hillary Clinton led a two-day student strike and was offered a job after graduation with community organizer Saul Alinsky.

Half a century later, students across the country have called for colleges to establish safe spaces, lounges where a student can feel free of the weight of one’s race, ethnicity or gender. Another recurrent student grievance concerns microaggressions, a type of interaction in which a joke, slight, or look passively dehumanizes a member of a marginalized group. The accrual of microaggressions, it goes, constitutes racism. Elsewhere, student protesters called for new titles and building names. Harvard and Yale did away with “master”; Princeton debated whether to strip Woodrow Wilson’s name from one of its graduate schools. At California-Berkeley, students demanded that Barrows Hall, named for a former university president, be renamed for Assata Shakur, a former Black Panther and member of the Black Liberation Army.

Demands like those can make the movement seem simply another skirmish in the tedious culture war Americans have been fighting for decades. That war, to be sure, rages still on campuses in new, unexpected and confounding ways. Many have reported a rise in students requesting trigger warnings, or alerts whenever emotionally difficult material might appear on the syllabus. (An unscientific 2015 survey of professors by the National Coalition Against Censorship suggested that 15% of professors had been asked at least once to provide trigger warnings.) In a Knight Foundation survey published in April, 54 percent of students said that the climate on campus prevents some people from saying what they believe because they are fearful of offending others.

Story Continues... http://time.com/4347099/college-campus-protests/

THE CHRONICLE OF HIGHER EDUCATION

Racism Is Not a Teaching Tool

Black lives in the United States are surrounded by memorials to people who did not think that black lives mattered. That is a fact of black life in America. That is a fact of black life in American academe.

I have walked past these statues, breathed inside these buildings. Growing up in New York, I would, from time to time, pass the stately statue in Central Park of Dr. J.
Marion Sims, who pioneered American gynecology through experimenting — save the anesthesia — on the genitalia of enslaved women writhing in pain. After moving to Manassas, Va., I attended Stonewall Jackson High School and recoiled at being indelibly connected to the famous Confederate general who warred for the slavery he thought God had ordained. While attending graduate school in Philadelphia, I paced by Thomas Jefferson University several times, remembering his other declaration: of "never" finding "that a black had uttered a thought above the level of plain narration."

These days, I park in the shadow of a sports arena named after Stephen C. O’Connell, who as a Florida Supreme Court justice in 1957 concurred in a decision to keep University of Florida’s law school segregated and whose intransigence as the university’s sixth president led to a mass exodus of black students in 1971. At least I do not have to go anywhere near the hall at Middle Tennessee State University named after the first grand wizard of the Ku Klux Klan: Confederate General Nathan Bedford Forrest.

All over the Western world, campaigns are afoot to rid institutions and communities of memorials to racist historical figures. These antiracist campaigns have matured and mobilized supporters at institutions as varied as Middle Tennessee State University, the University of Missouri, the University of Oregon, the University of Oxford, Princeton University, and Yale University, and so have defenses of these racist memorials.

None of those defenses were more persuasive and apparently progressive, and none seemingly attracted more people across the ideological spectrum, than the teaching-tool defense. It is a tactic that will be increasingly used in the coming years, because student activism and these racist memorials do not appear to be going away. The teaching-tool defense crystallized last month when Yale defied the wishes of student activists and kept John C. Calhoun’s name on a residential college. In his political positions before his death, in 1850, including vice president of the United States and senator from South Carolina, Calhoun was the "champion of hell-born slavery," to quote the abolitionist William Lloyd Garrison. Calhoun defended slavery as a "positive good," proclaiming blacks inferior and better suited for picking cotton than studying at Yale, his alma mater.

In writing to the Yale community, President Peter Salovey emphasized that "erasing Calhoun’s name from a much-beloved residential college risks masking this past, downplaying the lasting effects of slavery, and substituting a false and misleading narrative…. Retaining the name forces us to learn anew and confront one of the most disturbing aspects of Yale’s and our nation’s past. I believe this is our obligation as an educational institution."
Recently the University of Oregon’s president, Michael Schill, employed the teaching-tool defense in the university’s reconsideration of the naming of a campus hall for one of its founders, a racist, proslavery federal judge, Matthew Deady. "Do we serve the purpose of an educational institution by hiding it — and taking the person’s name off of the building so no one will ask the question?" asked Schill, a Yale Law alumnus. "You don’t want to hide history."

At first I did not appreciate the significance of the teaching-tool defense. It seemed well-meaning, logical, sound, and antiracist. I have probably articulated it at some point. As a teacher of American history, as a scholar who just published a book on the history of racist ideas, I find it difficult not to be attracted to this argument. Its appeal is seductive. Don’t we adore subjects and objects that pique the interests of learners, compel questions, and incite critical thought? Doesn’t the teaching-tool defense flatter the academic consensus that we must learn from history?

But the more I thought about it, and the more I saw it invoked, questions arose in my mind. I started seeing the teaching-tool defense from the reverse perspective. I can find museums and plaques but I am struggling to find prominent buildings and institutions, on or off college campuses, named after people whom white Americans commonly consider their enemies. I am struggling to find buildings named for those who terrorized white people on the scale that slaveholders, Confederates, and Klansmen terrorized black people. I started imagining these memorials and the teaching-tool defense. And the more I imagined the defense from the standpoint of white Americans, the more inconceivable this defense became.

Can you imagine New York University having a building named after Osama bin Laden? Can you imagine NYU officials arguing that retaining bin Laden Hall allows us to learn anew about 9/11? Isn’t bin Laden Hall unthinkable — and rightfully so?

Can you imagine Boston College having a building named after the anti-Catholic politician Nathaniel P. Banks? Can you imagine BC officials arguing that retaining Banks Hall ensures that we don’t downplay the withering persecution of Irish Catholics in the 1840s and 1850s, especially in Boston? Isn’t Banks Hall unthinkable?

Can you imagine Yeshiva University having a building named after the anti-Semitic radio preacher in the 1930s, Father Charles Coughlin? Can you imagine Yeshiva officials arguing that retaining Coughlin Hall prevents us from hiding the history of attacks against Jews that Coughlin and so many other anti-Semites incited? Isn’t Coughlin Hall unthinkable?
And in Princeton’s "complex legacy" defense of Woodrow Wilson, the teaching-tool defense lurks in the background.

Each of these historical figures did something worth celebrating. So we can learn from them and memorialize them. NYU’s bin Laden Hall could memorialize bin Laden and other Afghans who fought Soviet invaders in the 1980s. BC’s Banks Hall could memorialize Banks’s abolitionism. Yeshiva’s Coughlin Hall could memorialize Coughlin’s defense of labor during the Depression. Would not those campus halls still be unthinkable at these institutions?

There are two ways to confront history through naming as memorialization (assuming that campus officials are not keeping these names to keep certain donations flowing). We can name buildings after history’s heroes or villains — the abolitionists or slaveholders, the egalitarians or eugenicists, the civil-rights activists or segregationists, the first responders or terrorists. White Americans customarily eschew the villains and name their buildings after their heroes. Black people have expressed the same human desire.

When we peel back its progressive pedagogical covering, the teaching-tool defense is embodied in unequal reasoning. It is embodied in racist logic: our national inability to value the same, to reason the same, to think the same for different racial groups.

To name campus buildings after their enemies as a teaching tool is unthinkable for white Americans. At Yale, Oxford, and Oregon, and on campuses across the Western world, antiracist activists are simply asking for equal logic.

Ibram X. Kendi, an assistant professor at the University of Florida, teaches African-American history. His new book, Stamped From the Beginning: The Definitive History of Racist Ideas in America, was published by Nation Books.

Tipsheet: Baylor scandal rocks college sports
Many exasperated University of Missouri supporters have been in "woe is us" mode during the past few years, believing their athletic program is the only one mired in well-publicized controversies raising core questions.

Questions like: What is the role of intercollegiate athletics at a major university?

And: Since when did the inmates run the asylum?

But these are challenging times across college sports, be it at state schools like the University of Illinois and the University of Tennessee or faith-based private schools like Baylor University.

That school, a traditional gridiron doormat which sprouted a modern day powerhouse, bid a not-so-fond farewell to coach Art Briles.

The same school that once fired a basketball coach (Dave Bliss) for covering up a murder (among many other transgressions) had to fire the football coach who built something extraordinary out of nothing.

Once again, criminal player behavior -- and a program's efforts to gloss over it, at the expense of the rest of the student body -- brought things to a head.

Maybe, just maybe, this will become a landmark decision. Maybe, just maybe, institutions of higher learning will hold coaches and athletes to the same standard as everybody else.

The story continues http://www.stltoday.com/sports/columns/jeff-gordon/tipsheet-baylor-scandal-rocks-college-sports/article_040c53bd-7b9b-568f-8e02-efdb2b07f1d1.html
Ouster of Briles and Starr at Baylor is surprising only in that it took this long

“Shocked” was among the words Baylor Board of Regents chair Richard Willis used in a statement Thursday to describe a law firm’s findings of “the extent of these acts of sexual violence on our campus,” and institutional responses that fell somewhere between inept and immoral.

But unless he meant “shocked” the way Claude Rains did in “Casablanca,” which is to say not at all and by looking the other way, it’s hard to believe there was much mystery left by the time the report was made public.

That’s when it became an overdue catalyst for the firing of football coach Art Briles, the sanction and probation of athletic director Ian McCaw and “reassignment” of president Ken Starr — once known for his voracious investigation of President Bill Clinton and now for his negligence with a crisis in plain view.

It’s not just the evident toxic trail, which has included accusations of local police complicity, that makes all this less than shocking, though.

It’s also because it simply affirms an ugly truism: Winning justifies the ways and means.

If Briles weren’t 50-15 the last five years and infusing swagger into a blah program that was able to unfurl a new $266 million stadium two years ago, you can believe that he would have been gone long ago under the crush of allegations that had to reach critical mass for a reaction.

So this also is a moment to reflect on how much this is purely about Baylor and how much this easily could be playing out at a theater near you because of the warped place college athletics, and particularly football, occupy in a university culture.
“Football coaches and staff took affirmative steps to maintain internal control over discipline of players and to actively divert cases from the student conduct or criminal processes,” the Pepper Hamilton law firm wrote in its report on Baylor. “In some cases, football coaches and staff had inappropriate involvement in disciplinary and criminal matters or engaged in improper conduct that reinforced an overall perception that football was above the rules, and that there was no culture of accountability for misconduct.”

Does that sound surprising?

Or to be expected when coaches often are viewed as CEOs of their own companies independent of the university?

For all the shame in the scene at Baylor, it’s easy to see how the excesses flourished in the insulated biosphere many coaches seek to make their programs in the name of control and “we know best.”

Too often, for instance, coaches engage in their own “fact-finding” missions before turning it over to the judge and jury of ... themselves.

Even with the best of intentions, that’s a problem.

Without the best of intentions, and let’s suggest that was the case at Baylor, it’s a disaster waiting to happen.

“Football staff conducted their own untrained personal inquiries, outside of policy, which improperly discredited complainants and denied them the right to a fair, impartial and informed investigation, interim measures or processes promised under University policy,” the law firm wrote.

That assessment was under the sub-category of “Barriers to Implementation of Title IX within Baylor’s Football Program,” but proper compliance has been a challenge for any number of schools including the University of Missouri and Kansas.

Baylor’s problems, though, seem quite on another tier from those of other schools.

And an absence of oversight, and decency, had become evident in the football program, amplified by Briles’ arrogance and lack of accountability as issue after issue after issue within his program had become public in the last year.
Shocking?
The landscape began to become clear last year after former football player Sam Ukwuachu was convicted of sexually assaulting a former Baylor soccer player.

Ukwuachu was indicted in 2014 for the 2013 incident but remained on full scholarship.

That ultimately led to scrutiny of a previous accusation of abusing a girlfriend made against Ukwuachu when he was at Boise State — an accusation then-Boise State coach Chris Petersen said he had made Briles aware of but that Briles denied knowing.

Soon reports surfaced that Baylor had shrugged off repeated allegations of assault against former player Tevin Elliott, who was convicted on two counts of sexual assault in 2014 after five women told police he’d attacked them.

Among other allegations looming, Baylor faces a federal lawsuit from a former student alleging the school was “deliberately indifferent” to rape allegations against Elliott before he was ultimately convicted of assaulting her and receiving a 20-year sentence.

And “deliberately indifferent” is the takeaway here.

Not just for at Baylor but for all of us.

Because nobody should be shocked to see blind faith abused — especially when there’s so much latitude and incentive to do it and with so many fans willing to rationalize in the name of winning.

THE CHRONICLE OF HIGHER EDUCATION

Is It Time for Universities to Get Out of the Hospital Business?

No MU Mention

A couple of years ago, the leaders of Vanderbilt University faced a difficult decision: Their academic medical center was successful, a hub of research and life-saving
treatment. But the health industry was in turmoil, and the changes presented new risks to the university, whose vast medical operation approached four-fifths of Vanderbilt’s entire budget. And that number was projected to grow.

The Affordable Care Act, passed in 2010, was accelerating changes already underway. Research financing was tight. Mergers were rampant among hospitals, insurers, and drug companies. The vast sums of clinical income that prestigious university hospitals had used to buttress themselves — and often the university’s other missions — seemed likely to dry up. Everything was up for reinvention. Did Vanderbilt open itself up to such risks?

No, the leaders decided. And so last month Vanderbilt University Medical Center completed its separation from its parent. The hospital is still located on the campus and is tightly affiliated with the medical school, but now the university’s trustees will have to spend less time studying the intricacies of, say, disproportionate-share hospital payments, or lobbying the state legislature to expand Medicaid access.

The split lets the university mitigate its risks, while allowing the medical center the agility to adjust to health care’s volatility. "It’s a little like you’ve got to let your children go in order for them to succeed," said Jeffrey R. Balser, president of the medical center and dean of Vanderbilt’s School of Medicine.

It’s a divorce many research universities are watching as they’ve found themselves, in recent years, as much in the business of health care as education. It’s now common for medical centers to make up half a university’s budget. And while higher education may seem financially stressed, it pales in comparison to health care, said David M. Cutler, an applied-economics professor at Harvard University. "Change is basically happening everywhere. There’s no part of health care that’s being left untouched."
If you’ve wondered what’s consuming your president’s attention, you may need to look no further than the hospital across the quad.

"Everyone wants the benefit of an academic medical center in their university," said Atul Grover, executive vice president of the Association of American Medical Colleges. "But they’re scared to death of what can happen in the free-market medical system."

Many university hospitals remain lucrative, especially among elite institutions. But even their long-term stability is questionable. Regulators have begun scrutinizing the moves they’ve made to survive, and their Washington lobby is less effective than it once was, as lawmakers have become more concerned about controlling health costs.

"They’re all nervous," Mr. Cutler said. "And they should be nervous."

Story Continues… http://chronicle.com/article/Is-It-Time-for-Universities-to/236643