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Nixon makes 2 more appointments to UM Board of Curators

By **JANESE SILVEY**

Gov. Jay Nixon on Wednesday appointed a pair of lawyers to serve on the University of Missouri's nine-member Board of Curators.

Columbia attorney Craig Van Matre, who specializes in development, was selected to replace Bo Fraser, who resigned in December. Cassville lawyer Donald Cupps, who represents southwest Missouri farmers, would replace John Carnahan III of Springfield, whose term expired Jan. 1.

Both nominations are subject to Senate confirmation and, if given the green light, the appointees would serve until Jan. 1, 2017.

Van Matre said he's eager to learn more about Missouri's four-campus system, an "enormous and complicated institution," he said.

He said he's been impressed with university administrators and considers Gary Forsee's resignation as president a "terrific loss here."

As a business lawyer, Van Matre said he's used to looking at complicated financial information and hopes he can lend that expertise to the board.

Last year, Nixon appointed Van Matre to the Coordinating Board for Higher Education. Van Matre has stepped down from that board to serve on the Board of Curators. He also previously served a member of the board of trustees for Stephens College, as chairman of the community advisory committee to the Missouri Foundation for Health, and as vice chairman of the Boone County Mental Health Board of Trustees.

Van Matre has operated his law firm in Columbia since 1975. He has an English degree from MU and law degrees from MU and from New York University School of Law.

Cupps also graduated from MU's School of Law after receiving a bachelor's degree in agricultural economics.

"I'm sort of a country lawyer," he said. "And I don't mean for that to be demeaning in any way. Barry County is the No. 1 agricultural county in the state."

MU Extension has had a presence in the southwest Missouri county, although less so now than when he was growing up in a small neighboring town. Cupps said he's hopeful he can give insight to the board about the role of MU Extension and "how important extension is."

Cupps spent seven years in Columbia before returning to southwest Missouri.

"I love the university," he said. "The University of Missouri is probably, except for my parents, it probably had the biggest impact on my life than anything."

Like most nominated to the Board of Curators, Van Matre and Cupps — both Democrats — have made contributions to the governor.

Van Matre contributed \$2,500 to Nixon on March 31, 2010. He contributed \$1,000 to Chris Kelly's re-election, \$950 to other Democrats and \$288 to the Boone County Democratic central Committee in 2010.

Cupps contributed \$75 to Nixon in 2007 and gave \$500 to Jeff Harris's bid for attorney general. Cupps' wife, Mary, gave Nixon \$1,275 in 2007.

On Tuesday, Nixon nominated St. Louis businessman David Steward to replace David Wasinger, whose term expired Jan. 1.

Tribune reporter Rudi Keller contributed to this story

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COLUMBIA MISSOURIAN

Missouri Gov. Jay Nixon nominates two UM curators

By Victoria Guida

January 26, 2011 | 6:01 p.m. CST

COLUMBIA—Gov. Jay Nixon nominated two attorneys Wednesday to fill empty seats on the University of Missouri System Board of Curators.

Van Matre is a Columbia resident, a graduate of the MU School of Law and president of the law firm Van Matre, Harrison, Hollis, Pitzer & Taylor.

Cupps serves as the attorney for the city of Cassville and the Barry County Development Authority.

Their appointments are subject to approval by the Missouri Senate.

Craig Van Matre

A veteran of the Air Force, Van Matre is a licensed pilot. He has served on the Coordinating Board for Higher Education since he was nominated by Nixon in 2010, a position he will now leave to serve as a curator.

"Craig Van Matre has long provided valuable counsel to leading citizens of mid-Missouri and is very well-respected in the legal, business and education communities," Nixon said in a news release.

Van Matre reflected on the retirement of Missouri University of Science and Technology Chancellor John Carney III, the imminent tuition increases and the future search for a new UM System president and said there will be "lots to do."

"The actual truth is (the nomination) comes with a degree of anxiety," he said.

Van Matre said his experience on the Coordinating Board for Higher Education and the Stephens College Board of Trustees have provided him with useful knowledge, but he still has a lot to learn.

"I need a little bit of time to learn things before I shoot my mouth off," Van Matre said. "It's an enormous institution — one with a long history. ... It's going to take me a while to get up to speed."

Van Matre was recently honored by the MU School of Law with its Citation of Merit award. Van Matre also has a post-graduate law degree in taxation from NYU's School of Law.

He has represented a number of developers in Columbia, including Stan Kroenke, Otto Maly and owners of The Tiger Hotel. He has also served as chairman of the community advisory committee to the Missouri Foundation for Health, as well as vice chairman of the Boone County Mental Health Board of Trustees.

Van Matre would replace Bo Fraser as curator.

"Bo has been a wonderful curator," Van Matre said. "I'm going to try to model my behavior on how he behaved. I think he did a wonderful job."

Van Matre's term will end Jan. 1, 2013.

Donald Cupps

Also a graduate of MU School of Law, Cupps is president of the law firm Ellis, Cupps and Cole in Cassville. Much of his work involves representing southwest Missouri farmers.

"His dedication to public education and community service and his experience in business and agricultural communities will serve the people of Missouri well on the Board of Curators," Nixon said in a news release.

Cupps, who would replace John Carnahan as curator, has a bachelor's degree from MU in agricultural economics. His parents, wife and brother are also MU graduates.

He serves on the board of trustees for the Public School Retirement System of Missouri. He has also served on the boards of directors for the South Barry County Hospital District, the County Employee Retirement Fund and the Cassville Industrial Development Corporation.

Cupps's term will end Jan. 1, 2017.



UM stymies request for president's e-mail

By **JANESE SILVEY**

A month's worth of internal memos and e-mails from interim University of Missouri System President Steve Owens: \$2,000. E-mails to and from Owens to other university administrators: \$800.

Keeping public records out of public hands? Well, you know.

The university is asking the Tribune to pay \$100 an hour for an in-house attorney to sort through university e-mails and determine which are open under the law and which are exempt. That's a violation of Missouri's Sunshine Law, said Jean Maneke, an expert in open records laws and an attorney for the Missouri Press Association.

The Tribune requested all e-mails and internal memos to and from Owens since he has been acting in the role of university president. In December, Owens also continued to serve as general counsel, a role he shed when he became interim president after Gary Forsee resigned Jan. 7.

The initial request for his e-mails and memos came with a "conservative" price tag of \$2,000, according to a response from Kathy Miller, UM chief of staff.

The Tribune then narrowed the scope of the request to include only e-mails between Owens and Forsee, Owens and Higher Education Commissioner David Russell and Owens and the system's top administrators. The university dropped the charges to \$800.

When asked to break down that price, Miller said it would take Owens two hours to decide which e-mails were in his capacity as general counsel and which as acting president. Then, attorney Paul Maguffee would need another six hours to read the messages and redact closed information, Miller said. Maguffee is paid a salary of \$110,000 a year as the system lawyer who handles, among other things, Sunshine Law assistance.

Miller said the fees were based on research time needed to fill the request, which she considers broad in scope. Maguffee pointed to a subsection of the open records law that states public entities can charge for research time.

But Maneke said she doesn't think research includes determining whether records are open or closed. She cited another subsection that says public bodies "shall separate the exempt and nonexempt material" but says nothing about charging to do so.

"That's the duty of the public body," Maneke said. "It doesn't say the requester shall pay; it says the public body will do it."

Charles Davis, a Missouri School of Journalism associate professor and facilitator of the Mizzou Advantage Media of the Future Initiative, called the fees "absurd."

“They can charge for search and retrieval, but there’s nothing in the statute that says they can charge to determine if a record is open or closed,” he said. “That’s a legal determination on them.”

The “research” section of the law has caused confusion in other cases, said Doug Crews, president of the Missouri Press Association. He suggested lawmakers need to do a better job of defining “research” in the law.

In the meantime, Crews said: “It’s a great way to discourage anybody who wants a record disclosed, whether it be a member of the public or whoever may be requesting the record, to put a big price tag on it. It’s a big roadblock.”

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Owens accepts challenge

Interim leader embraces role.

By **JANESE SILVEY**

For three years, he has been the guy on the side of the board table who offers advice only when asked. Now, Steve Owens is the frontman — and it's "not entirely" comfortable, he said.

Owens is interim president of the University of Missouri System, a title given Jan. 7 when Gary Forsee resigned. Owens, who has served as system general counsel since 2008, had been acting in the role of president since Forsee went on leave Dec. 2.

Interim president isn't a title Owens is used to yet, but the work isn't waiting for him to settle in. Owens has had to prepare for three Board of Curators meetings — including tomorrow and Friday's sessions — since he took the helm of the system, and he has had countless meetings with fellow administrators, lawmakers and student and faculty groups.

"I feel much more comfortable in those roles than the public appearance aspect of being president," he said. "Some things are difficult" about the job, "and that mainly has to do with being the public face of the university. I'm expected to be out front in terms of making announcements, leading discussions and hosting events."

Owens has hosted or emceed nine public events since becoming the acting president. He might not be used to the limelight, but he's "doing just fine," said Wally Pfeffer, chairman of the Mizzou Alumni Association's legislative network committee.

Owens was on hand Monday when the association handed out its annual Geyer Public Service Awards.

"I thought he was very comfortable working the crowd," Pfeffer said. "He did a really nice job mixing with legislators, alumni and volunteers. He's very approachable."

Owens comes from a long line of Tigers. His grandparents attended MU, he attended MU, and he and his wife, Cindy, now have a son enrolled at MU. He said his family always felt it could be educated at home, and he wants other Missouri families to also feel they can stay in state for college.

His passion for the institution is the reason he took a university position in the first place, leaving a 26-year career at a Kansas City law firm.

"The very first time I interviewed and took the general counsel job, I said I think education is the great equalizer in the world," Owens said. "After faith, there is nothing like education that can change the world. I still feel that way — and especially about the University of Missouri."

Since filling the president's seat, Owens has made a couple of executive decisions. He expanded the system's Fiscal Misconduct reporting line to an Ethics and Compliance Hotline that lets faculty and employees anonymously report a variety of concerns and, this week, appointed Kathy Miller to be the permanent chief of staff.

Tomorrow and Friday, Owens will lead a Board of Curators discussion on tuition increases and will report the first results of an accountability system that Forsee set up last year. Later this year, he'll lead the board through any recommendations to change employee benefits. He also plans to continue Forsee's discussion of accelerated three-year degrees and will continue the push to help research get from university labs to the marketplace.

"I don't intend to be a caretaker," he said.

Owens isn't interested in the presidency on a permanent basis — he said he enjoys being the system's general counsel. That said, he's more than willing to lend a hand to his alma mater.

"When my university asked for my help to serve as interim president, I was willing to step up and do it," Owens said. "That's kind of what gets me going and keeps me motivated."

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UM officials make tuition recommendation

By **JANESE SILVEY**

University of Missouri System administrators are recommending that tuition and required fees at MU increase by an average of 5.8 percent this coming school year.

That includes a 6.5 percent increase in undergraduate in-state tuition, bringing the rate from \$245.60 per credit hour to \$261.60 per credit hour. Additionally, the student activity, recreation, facility and health service fees would increase 1.1 percent, or by \$4.13.

The UM System Board of Curators is meeting in Columbia tomorrow and Friday to discuss and set tuition rates. If members approve the recommendation, UM officials will have to get permission from Higher Education Commissioner David Russell to increase the rates beyond inflation without a penalty in state aid. Inflation is 1.5 percent.

Additionally, enrollment fees are increasing across MU's various schools and colleges. Those increases are based on the needs of each school and college, said Nikki Krawitz, vice president of finance.

For instance, the Missouri School of Journalism is looking at an \$18.60 increase, or 44.9 percent increase, to support the technology "needed in order to bring journalism into the 21st century," Krawitz said. "We get no funding for those special equipment costs" from the state.

For the first time, curators plan to decouple tuition across the four campuses to better reflect their individual markets. Administrators are recommending tuition increase at Missouri University of Science and Technology by 6.6 percent, UM-St. Louis by 4.7 percent and UM-Kansas City by 4.8 percent. The systemwide average increase of 5.5 percent would take effect this summer.

Gov. Jay Nixon has recommended a 7 percent cut to higher education, which equates to about a \$29 million cut for UM. Increasing tuition across the system would cushion that cut by generating about \$30 million, Krawitz said.

But the university still is bracing for funding shortfalls this coming year under a budget that allocates money for merit-based raises, more funding for maintenance and repairs and increases in fixed costs, such as benefits and utilities. In a prepared statement, interim President Steve Owens said even if tuition goes up, the system expects a \$42 million shortfall.

"Managing the remaining funding gap will be a major challenge for our campuses," he said.

Housing costs on campus are expected to increase as well. Administrators are recommending that the predominant room-and-board plan at MU increase 4 percent, from \$7,925 a year to \$8,240 a year.

That's for a renovated traditional double room and 14 meals a week. Students have the option to tweak their meal plans.

Those wanting fancier rooms, such as suite-style single dorm rooms, might see a 5 percent increase if curators approve the recommendations.

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Tuition hike of almost 5 percent recommended for UMKC

By MARÁ ROSE WILLIAMS
The Kansas City Star
Posted on Wed, Jan. 26, 2011

For the first time, tuition at each of the four University of Missouri system campuses will vary, and all likely will be more expensive this summer.

System officials are recommending that University of Missouri curators approve an average 5.5 percent increase in tuition and required fees for in-state undergraduate students.

If the curators approve, the University of Missouri-Kansas City will see a 4.8 percent tuition-and-fees increase.

Curators will discuss and vote on the issue today and Friday in Columbia.

“We wish we could continue to hold the line on tuition and fees as we have for the past two years,” said Steve Owens, interim system president.

“But even with the increases we will recommend to the curators, the proposed 7 percent cut in state appropriations will leave about a \$42 million shortfall for the university — and that’s after we cut an additional \$11.3 million in efficiencies that we identified in the process of planning for next year’s budget.”

The recommended increases among the campuses in Kansas City, Rolla, St. Louis and Columbia range from 4.7 percent at the St. Louis school to 6.6 percent at the science and technology campus in Rolla.

At Columbia, the request is for a 5.8 percent increase. Curators approved setting separate tuitions so each school could adjust to particular needs, individual markets and economic circumstances.

Owens said while state funding declined over the past decade, university enrollment soared by 17,000 students. “State support per student has dropped 28 percent, from \$10,462 to \$7,510,” Owens said.

At this week's meeting, curators also will consider increasing nonresident undergraduate tuition and fees, resident and nonresident graduate tuition and fees, various professional school tuition rates and other enrollment fees.

ST. LOUIS POST-DISPATCH

Letters to the editor, January 27

State should support students, not smokers

The editorial "Enhancing the brand" (Jan. 21) raised some very important issues regarding higher education in Missouri. Certainly, we need to improve need-based financial aid for our residents who want to attend one of our state universities. But where will that money come from? Based on history, not from the state.

The state of Missouri currently ranks 45th in per-capita state funding for higher education. We are, however, first in one category: At 17 cents per pack, Missouri has the lowest cigarette tax in the nation. (It is 98 cents per pack in Illinois). Every Missourian should be embarrassed that our state supports smokers, but not students.

The University of Missouri System currently receives less state funding than it did in 2001, even though enrollment at the University of Missouri's four campuses has grown by more than 10 percent since that time. In addition, faculty salaries have not increased in years, and many of the university's buildings are in desperate need of repair, maintenance and renovation.

Mizzou currently ranks 75th in the "Kiplinger" rankings of the top 100 Best Values in Public Universities. It has "done more with less" every year since 2001. Like all public universities in the state, Mizzou is facing a 7 percent cut in state funding for the next fiscal year. Regrettably, increasing tuition appears to be the only way to offset this shortage.

Higher education in Missouri has taken a back seat for decades, and our state universities (and our students) are suffering from the consequences. When will our elected officials understand this and do something about it?

W. Dudley McCarter • Clayton

ST. LOUIS POST-DISPATCH

Letters to the editor, January 27

Posted: Thursday, January 27, 2011 12:00 am

University of Missouri doesn't have to raise tuition to compete

The University of Missouri's mission is to provide quality public education for all, regardless of economic status. A tuition increase will not advance that goal.

Chancellor Brady Deaton insists that MU needs to increase faculty salaries and benefits continually to remain competitive.

Mizzou's administration seems to accept the prevailing myth that spending more on salaries equals academic success. The facts suggest otherwise. Mizzou's tuition and room and board is \$16,650 for in-state students. Yet the 2011 academic rankings by U.S. News and World Report show Mizzou at 84th nationally, sixth in the Big 12. It is lower than other public universities that costs less.

Mizzou could learn from the University of Alabama. Tuition and costs for in-state students at Alabama total slightly more than \$14,000 per year. U.S. News ranks Alabama's undergraduate school as 79th. Twelve percent of its students are African-American; just 7 percent of Mizzou's students are African-American.

We all like to see our educators well-compensated, but Mizzou's administration and faculty have not exactly taken vows of poverty. Mr. Deaton's salary, \$325,000, is more than \$200,000 more than what the governor earns. Public education is a service, not a business enterprise.

I love Mizzou. I am a graduate and proud supporter, and I think it is a great school. I also think it is time the Board of Curators says no to another tuition hike. Perhaps it is time to impose accountability and discipline on an administration that appears to be satisfied with academic mediocrity and a noticeable lack of racial and economic diversity.

Al W. Johnson • Clayton



Search for Missouri university president begins

COLUMBIA, Mo. — The search for a new University of Missouri president is beginning in earnest.

The Board of Curators planned to discuss the search for Gary Forsee's permanent replacement during their regularly scheduled meeting Thursday in Columbia.

Forsee stepped down earlier this month to care for his ill wife. Acting president Steve Owens has said he is not interested in a permanent job leading the four-campus system.

The curators are expected to hire an executive search firm to guide the process. They also expect to appoint an advisory committee of faculty members and others who would offer suggestions to the board, which has final hiring approval.

COLUMBIA MISSOURIAN

University Hospital receives second unannounced visit

By Caitlin Steffen

January 26, 2011 | 8:48 p.m. CST

COLUMBIA – University Hospital recently received an unannounced follow-up inspection by the Centers for Medicare & Medicaid Services.

Jo Ann Wait, spokeswoman for the hospital, confirmed that a survey team arrived Jan. 18 at the hospital to complete a follow-up inspection and left Tuesday. The inspectors worked during portions of the day throughout the six-day process, she said.

The centers conducted an unannounced on-site survey from Nov. 1 to Nov. 5 after receiving complaints from a former hospital employee, according to a previous Missouriian report.

In a 47-page report, inspectors cited problems with infection control and physical environment standards. Among some of the problems, inspectors found expired supplies, dust on surfaces in the surgical unit, dirt and debris in kitchen preparation areas and stains on floors and equipment. Inconsistent hand-washing procedures were also a problem, according to the report.

"These are issues we take seriously," said Les Hall, chief medical officer for MU Health Care, in another Missouriian article. "We are going to do our due diligence to make sure that it's corrected."

About 120 University Hospital and Clinics employees put in overtime and unpaid hours in December cleaning up facilities.

Wait said that it could take 10 days to two weeks to receive a report from the survey team.

COLUMBIA MISSOURIAN

Tiger Spot artist sues UM curators

By Drew Warden

January 26, 2011 | 8:03 p.m. CST

COLUMBIA — Columbia artist Paul Jackson has filed a lawsuit against the UM System Board of Curators concerning the Tiger Spot mosaic he created on MU next to Ellis Library.

Attorney Marvin Tofle filed the suit in the U.S. District Court for the Western District of Missouri, saying that Jackson's rights as an artist had been violated under the Visual Artists Rights Act.

The complaint alleges that the university didn't follow specified instructions in the design and maintenance of the area around the mosaic. The result has been excessive damage to the work and Jackson's reputation, the lawsuit states.

The mosaic of small glass tiles arranged to depict a tiger was unveiled on Oct. 21, 2001, and has been in and out of the news ever since. In the work's short history, it has gone from what MU's former Chancellor Richard Wallace called a "wonderful vision," according to previous Missouriian report, to being covered by a tarp in 2007. It has rarely been uncovered since then.

Christian Basi, associate director of the MU News Bureau, declined to comment about the lawsuit.

"At this point we can't talk about it," Basi said.

He said that the university had not officially been served with a lawsuit.

The complaint seeks unspecified damages, citing:

- vandalism to the mosaic itself.
- the harm that was done by construction of bollards around it.
- improper drainage systems near the work.

- the university's failure to keep the area covered as the concrete around the tiles was set.

In 2002, MU constructed a drain at the top of the mosaic for an estimated \$11,000 to keep rainwater away from it. Unfortunately water remained an issue.

The document states: "Maintenance and repair were required on numerous occasions to fix problem areas due to the (university's) failure to provide adequate drainage to the Tiger Spot mosaic."

Jackson could not be reached for comment.



MU Extension Office Takes Another Budget Hit

Wednesday, January 26 2011

Springfield, MO) -- Greene County commissioners have finalized their budget for 2011. As you might imagine, not every department and agency got its requested funding.

One of those taking a budget hit the past two years is the county's University of Missouri Extension office. That office offers things like master gardening classes..

Extension specialists also coordinate 4-H projects and give out free advice on things like preparing your taxes.

In 2010, the county cut the funding for the extension by 72-percent. County money pays for things like copying costs and clerical staff.

MU picks up the funding for things like specialists' salaries.

Right now, the office is dipping into its reserve fund to operate.

"We're having to do some fundraisers and be innovative and that's all good. We want to do that," says Tim Siebert, MU Extension County Program Director. "We want to do our part to try to bring in and generate additional revenue, but really we feel like we really need to have that good core support from our Greene County commissioners."

County commissioners have set aside about \$27,000 for the MU Extension office.

Presiding Commissioner Jim Viebrock says when it can, the commission plans to restore as much funding as possible.

According to the Commission, the \$121.3 million budget includes \$33.9 million in General Revenue, \$24.3 million in Road and Bridge funds and \$19.7 for construction of the Public Safety Center.



The★Star: **ST. LOUIS POST-DISPATCH**
THE KANSAS CITY STAR

Missouri S&T chancellor plans to retire

The Associated Press

ROLLA, Mo. -- The chancellor of Missouri University of Science and Technology in Rolla is planning to retire.

John Carney III has served as chancellor since 2005. The university said in a news release Wednesday that the 69-year-old chancellor plans to retire Aug. 31, after the summer session.

The school is one of four campuses in the University of Missouri system.

Under Carney, the university changed its name from the University of Missouri-Rolla to Missouri University of Science and Technology. It also raised nearly \$212 million in private funds for scholarships, academic programs, facilities and equipment.