

THE BOND BUYER

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Moody's Affirms Eight Illinois Colleges, Takes Them Off Watch

Wednesday, April 11, 2012

By Yvette Shields

CHICAGO — Moody's Investors Service has affirmed the ratings on \$2.4 billion of debt issued by eight Illinois public universities, taking the schools off watch list for a possible downgrade after a three-month review triggered by the state's downgrade and concerns over the schools' exposure to chronic delays in state aid.

"The watchlist action reflected the universities' material dependence on the state for operating funds under a challenging budget environment and extensive appropriation payment delays," Moody's wrote in its weekly credit outlook this week.

Moody's downgraded Illinois one notch to A2 with a stable outlook in January.

The ratings assigned to all eight survived the review, though four were assigned a negative outlook due to ongoing challenges — Eastern Illinois University, Governors State University, Northeastern Illinois University, and Northern Illinois University.

The flagship **University of Illinois**, Illinois State University, Southern Illinois University, and Western Illinois University were assigned a stable outlook.

The flagship university has ratings that range from A1 to Aa2, while the other seven carry A2 ratings.

The flagship University of Illinois, the main campus of which is in Urbana-Champaign, has \$1.62 billion of debt. Its auxiliary revenue bonds are rated Aa2, its south campus bonds issued for its Chicago campus are rated Aa3, and its health system bonds are rated A1.

Moody's said the school's ratings benefit from flagship status with strong student demand, national position as a leading research university, strong liquidity, growing balance sheet resources, and substantial revenues from student charges, research and other sources that mitigate its reliance on state funding.

The school has an enrollment of more than 74,000 full-time students and boasts \$880 million in annual research funding. It closed out the last fiscal year with \$560 million in unrestricted cash and financial resources of \$1.9 billion and has raised \$2.4 billion to date as part of its "Brilliant Futures" campaign.

Its challenges include variable-rate market exposure, health care market risks, and a reliance on state aid to cover 30% of operating revenues, with only 40% of fiscal 2012 appropriations now in hand.

Illinois State carries \$186.2 million of rated debt. The school benefits from its position as a comprehensive public university located in Normal with growing enrollment of 18,607 students, strong unrestricted monthly liquidity of \$131 million, and resources that provide 2.6 times debt service coverage. It relies on the state for 38% of its operating revenues.

Southern carries \$324 million of debt and relies on the state for 39.5% of operating revenues. Its rating is supported by its market position as the second-largest state school, healthy operating margins, and strong balance sheet coverage of debt.

The school, which has campuses in Edwardsville and Carbondale, has 28,593 full-time undergraduate and graduate students. Its growing financial resources of \$257 million last year provided healthy coverage of debt and operations.

The school plans to issue \$83 million in new debt by fiscal 2015. Management has managed through state delays through extensive cuts, reorganization, and planning.

Western, located in Macomb, carries \$41.3 million of debt and relies on the state for 41% of its operating revenue. It benefits from its stable position as a regional public school with nearly 11,000 students, growing expendable financial resources of \$68 million last year, and adequate operations. Its challenges include a highly competitive market and a modest unrestricted liquidity level.

Governors State carries \$25.7 million of debt, and 45% of its operating revenues come from the state. Its rating is supported by a strong budget and cash-flow management that provides a cushion for modest cuts and payment delays. The school is located in the southern suburbs of Chicago and has 4,211 students at the junior and senior undergraduate level.

"The negative outlook reflects the university's significant reliance on state appropriations, moderate operating base and enrollment draw, and highly competitive market environment for a more narrow pool of applications in a demographically challenged region," Moody's wrote.

Eastern has \$125 million of debt. Moody's attributed the rating confirmation to EIU's proven ability to manage significant delays and reductions in state funding demonstrated by consistently strong operating performance and debt service coverage, increased reserves, and a successful fundraising campaign that exceeded the school's original \$50 million goal.

"The negative outlook reflects persistent enrollment declines that have pressured net tuition revenue growth in the fiscal year with expectations of stagnant growth in fiscal year 2012, as well as reduced occupancy in its residence halls," analysts wrote. State aid accounts for 39.8% of operating revenues. The school has an enrollment of nearly 10,000.

Northeastern has \$36.5 million of debt. The school benefits from its unique market niche and position, healthy operating performance, strong debt service coverage, and healthy liquidity, Moody's said. The school operates a main campus and three satellite ones in the Chicago area serving 7,645 students.

The negative outlook reflects its reliance on state aid for 45% of its operating revenue and a dramatic increase in debt of \$28.5 million expected soon to finance a new building site, Moody's wrote.

Northern carries \$223.5 million of rated debt. The rating is supported by the school's market position as the state's third-largest public university, solid debt service coverage, and monthly liquidity of \$120 million.

About 38% of the school's operating revenues come from the state. Its challenges include a spike in debt last year to finance new student housing to improve its appeal. The school has seen multi-year enrollment declines, including 4% last year, despite its location close to Chicago. The school has an undergraduate and graduate enrollment of 18,817.



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Madigan offers higher bar for public pension hikes

Bid to change state constitution draws protest from union

BY RAY LONG AND ALISSA GROENINGER
Tribune reporters

SPRINGFIELD — Illinois House Speaker Michael Madigan on Wednesday proposed making it tougher to approve increases in pension benefits for public workers throughout Illinois, an idea immediately opposed by the state's largest employee union.

The Democratic leader from Chicago introduced a state constitutional amendment that would ask voters in the fall to require the Legislature to approve pension benefit increases by a three-fifths vote instead of a simple majority.

The stricter voting requirement also would apply to city halls, school districts and their retirement boards.

The measure would need to pass the House and Senate by early May for it to go before voters in November.

The move comes as the state of Illinois faces a yawning gap in public pension funding, and follows Tribune stories that have exposed how public officials and union members have padded pensions with lucrative sweeteners.

Madigan's proposal emerged only days before Democratic Gov. Pat Quinn is expected to reveal the fruits of a working group that has been debating how to rein in pension costs. The speaker's measure also could serve to soothe voter anger over burgeoning costs

of public pensions.

Madigan's measure also would require a two-thirds vote for lawmakers to override a governor's veto or accept a governor's proposed changes in a rewrite of pension increase legislation.

Currently, it takes a three-fifths vote to override an outright veto and only a simple majority to accept a governor's changes.

Madigan spokesman Steve Brown said the speaker's measure is aimed at making sure officials think about "what they're doing a little more seriously."

"It looks very favorable" but needs further review, said Roger Huebner, deputy executive director at the Illinois Municipal League.

But the breadth of the proposal drew the ire of the American Federation of

State, County and Municipal Employees.

Anders Lindall, spokesman for the group representing state and local workers, said defects in pension laws that affect new state employees need to be fixed first. He also said

the proposal would limit what issues could be bargained.

House Minority Leader Tom Cross, R-Oswego, also wants to require a third-party actuarial assessment before changes are made in pension laws, said Sara Woj-

cicki Jimenez, Cross' spokeswoman. She said House Republicans hope Madigan's proposal "is not his total answer for pension reform."

rlong@tribune.com
agroeninger@tribune.com

Chicago Daily Law Bulletin.



Project plans to go statewide

April 11, 2012

By Josh Weinhold — jweinhold@lbpc.com
Law Bulletin staff writer
Twitter: [@JoshWeinhold](https://twitter.com/JoshWeinhold)

SPRINGFIELD — Before distributing a set of awards at his organization's annual reception, Larry Golden made a big announcement.

The Downstate Illinois Innocence Project plans to drop the regional identifying word in its title, signifying a plan to adopt a statewide focus.

"It's going to be an evolution," Golden, the project's executive director, said in an interview later. "I think the important thing is that it symbolizes our intention to move forward in a way that we've not been able to do before."

Based at the [University of Illinois Springfield](#), the newly-renamed Illinois Innocence Project examines cases and works to free wrongfully-convicted inmates from prison. It hosted its fifth annual "Defenders of the Innocent Awards" reception Monday.

Last year, the project received 208 requests for assistance from inmates, Golden said, 74 of which came from northern Illinois. Over time, they gradually took on more upstate cases, including one that led to an exoneration in Kane County last month.

While the name change may cause some confusion initially, Golden said demand for their services continues to grow everywhere, not just in southern portions of the state.

"This was an announcement of the future of this effort," he said. "It really indicates our intention for the future to work statewide."

Already teamed up with professors and students at two law schools, Golden said the project will soon begin a partnership with the Northern Illinois University College of Law, which will assist with upstate cases.

After Golden's news, the project gave three awards, honoring attorney and author Scott Turow and project partners from the University of Illinois College of Law and Southern Illinois University School of Law.

The longest standing ovation of the night, however, went to John Grayson, who spent 10 years in prison on a 2002 murder conviction a Kane County judge vacated in March. Project staff aided prosecutors and police in the exoneration of Grayson, 30, who changed his name from Jonathon Moore after his release.

John J. Hanlon, the project's legal director, thanked the project's advocates and the officials involved in Grayson's case for working to erase his 76-year prison sentence for a crime he didn't commit.

"You all did the most important thing a person can do," Hanlon said. "You helped save a life."

The project honored Illinois law school professors J. Steven Beckett and Andrew D. Leipold, along with 26 students, for their work on several cases since 2010.

Southern Illinois law school professors William Schroeder and Christopher W. Behan and 14 students received recognition for their work on project cases, including a posthumous clemency petition for Grover Thompson, a man convicted of attempted murder who died in prison in 1996.

"It's been an inspiration to me, as a professor, to look at the absolute dedication and devotion that all these students have shown," Schroeder said. "And to know that this work can pay off, that doors can be thrown open so the innocent can walk out."

Turow, a partner at SNR Denton and author of nine novels and two nonfiction books, received an award for his work on the release of the wrongfully convicted. The group also praised his membership on the Illinois Commission on Capital Punishment that pushed for reform to the system.

Though Illinois abolished the death penalty last year, Turow said, the need for innocence project investigations didn't go away.

"The erasure of the death penalty does not solve and, in some ways, obscures the problem of innocence," he said. "Because the reality is that the systemic problems that bring innocent people to death row continue to exist."

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April 12, 2012 (WLS) -- Can drinking make a man smarter?

A study from the University of Illinois shows that when given alcohol, men can solve almost 40 percent more problems than their sober counterparts.

Those who drank two pints of beer also answered questions more quickly.

Researchers say it's true when men have only had a few drinks -- not much more. The research is in the Journal of Consciousness and Cognition.

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Possible Chick-fil-A at UIS angers some students, faculty

By CHRIS DETTRO

The State Journal-Register

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Last update Apr 12, 2012 @ 05:48 AM

The possibility of a **Chick-fil-A** fast-food chicken restaurant coming to the University Springfield campus has some students and faculty members crying “fowl.”

The controversy stems from what opponents say is Chick-fil-A’s financial support of a organizations and its founder’s pro-family stance.

“I consider it a huge slap in the face that my campus would even consider this knowing homophobic this company is,” said Alex Williams, a UIS junior. “I would hope they we other options.”

Chick-fil-A, which had a store at White Oaks Mall a number of years ago, is an Atlanta specializing in chicken sandwiches. Its founder, **S. Truett Cathy**, is known for his rel including keeping the stores closed on Sundays.

The family has contributed money, mostly through the WinShape Foundation, which various Christian and pro-family causes.

Michael Murphy, an assistant professor of women and gender studies at UIS, said the “notorious for its financial support of rabidly anti-gay organizations and activities” Ch more than \$3 million to what he considers anti-gay groups between 2003 and 2009, M

Williams said that Chick-fil-A favors married people to work for the company and ask marital status and degree of church involvement. The company denies those practices

‘Not anti-anybody’

In a media statement earlier this year, Dan Cathy, president and chief operating office said the company **“is not anti-anybody.”**

“We are not ‘anti-anybody’ and have no agenda, policy or position against anyone, as s confuse with misleading reports,” he said, adding that Chick-fil-A “has a genuine com hospitality for all our guests.”

Cathy encouraged people to look at the websites for both the restaurant and the WinS: “to determine the purpose of our foundation and funding versus relying on reports or we have no political agenda, policy of position against anyone, especially the LGBT (le bisexual and transgender) community.”

Don Perry, vice president of corporate public relations for Chick-fil-A, said Wednesda religious requirement in the company’s hiring practices, “nor do we have any establish to discuss religion or family history in our interviews.”

When independent franchisees are selected to operate the restaurants, the company d any discussion of marital status or church involvement, Perry said.

"We seek entrepreneurs who are actively engaged in their communities," he said in a s

Considering options

UIS spokesman Derek Schnapp said the university's Student Affairs Office is "looking for opinions on options" to of in on-campus food service.

"They want to know what kind of interest there is for a Chick-fil-A to come on campus," he said.

One of the possible locations for the restaurant would be next to the cafeteria in Founders Residence Hall.

Schnapp said other college campuses — including the University of Illinois at Urbana-Champaign, Eastern Illinois U Southern Illinois University-Edwardsville, SIU-Carbondale and Loyola University — have similar arrangements with

Students at some other universities have attempted to get the chain removed from campus, with mixed results.

Northeastern University's Student Senate voted in February to cancel plans for an on-campus restaurant, but the st government at New York University late last year voted to keep that campus' Chick-fil-A. The stores also have cause Indiana University at South Bend and the University of Tampa.

Murphy said he sent Chancellor Susan Koch an email last week asking her to direct Student Affairs to eliminate Chi potential food vendor at UIS.

He said Koch "basically said this is an educational opportunity for our students to look at the issue."

"The chancellor respects the process we have," Schnapp said.

The UIS Student Government Association is scheduled to take up the Chick-fil-A question at a meeting Sunday even

Advisory only

Williams, who had about 200 fliers protesting Chick-fil-A distributed around campus last week, said she and others meeting and speak against adding Chick-fil-A.

"As an LGBTQ student at UIS I am highly offended and hurt that my school prefers chicken over the well-being of n other students, faculty and staff," she said.

If the SGA votes to seek a Chick-fil-A restaurant, the matter would go for a vote by the entire student body, the resul be purely advisory, Schnapp said.

"I think if the SGA votes for this, Student Affairs will say that's an indication that students want this," Murphy said. hasn't provided full and accurate information to student government."

He said he supports the goal of creating more varied food choices on campus, "but non-discrimination issues are no vote."

The 1,100 UIS students who live on campus would be "a captive market" for any fast-food restaurant, he said.

"It would either be dorm food or Chick-fil-A," he said. "Profits would be going to an organization that violates our ca non-discrimination policies and possibly state law."

Chris Dettro can be reached at 788-1510.

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Rising up the Paralympic ranks

Olympic bronze medallist Anjali Forber-Pratt hopes events like the Sun Run will lift her to gold

BY GARY KINGSTON, VANCOUVER SUN APRIL 12, 2012

As an accomplished wheel-chair racer with an eye on winning gold at the London Paralympics this summer, University of Illinois grad Anjali Forber-Pratt needs to maintain her training.

So when the American Educational Research Association's 2012 annual conference was scheduled for Vancouver April 13-17, the timing couldn't have worked out any better.

As if being a Paralympic medallist isn't achievement enough, Forber-Pratt also holds a PhD in human resource education.

Knowing she'd be in town for the conference, the athlete contacted a B.C. team coach about finding a location to train.

He said, "Hey, the Sun Run is on then, why not do it."

"I said, 'That sounds like a great idea.' I'd heard all about the Sun Run before ... so I'm very excited," Forber-Pratt said in a recent interview.

Forber-Pratt, who races in the T53 division, won a pair of bronze medals in Beijing in the 400 metres and 4x100 relay and had a tremendous 2011 season, capturing 200-metre gold in world-record time at the world championships, plus silver medals in the 100 and 400.

"Over the last four years, I've made a rise up in the ranks and now I'm chasing that Paralympic gold. My eyes are on that prize and on the world record in the 100."

Forber-Pratt's story, however, is about far more than racing. It's one of a remarkable young woman - she is 27 - with a deep passion to motivate those with a disability, particularly youngsters, and to educate others to create a world more physically and socially accepting of those who face challenges as a result of disability.

Born and orphaned in Calcutta, India, Anjali was adopted when she was three months old by a couple in Natick, Mass. Almost immediately, she was stricken with transverse myelitis, a neurological disorder that damages the spinal cord. She nearly died and was left paralyzed from the waist down.

At age five, while positioned on the side of the Boston Marathon course near her home, she saw a wheelchair racer zip by. It was, she says, a life-changing moment. Her parents found her a program for kids with disabilities. She tried everything, from alpine skiing to wheelchair tennis to swimming, before settling on wheelchair racing.

The wheelchair track program at the University of Illinois allowed her to combine sports with education as she earned bachelor and master's degrees in speech and hearing science, finishing in the top three per cent in her class. In March, she became Dr. Forber-Pratt after earning her PhD. At the AERA conference, she'll present two papers, one on the influence of gangs on bullying in middle school and another on the influence of disability on bullying.

She has co-authored a children's colouring book: All About Sports: for Athletes with Physical Disabilities, serves on the boards of Disabled Sports USA and Wheelchair Sports USA and has helped the Inter-national Paralympic Commit-tee with grassroots programs in Ghana and Bermuda.

"Sport can be a catalyst for social change, particularly in countries where people with disabilities are just written off."

She says places like Ghana have few policies to protect people with disabilities or to even get them access to schools. The IPC can help create opportunities, she says, but real, sustainable change has to come from within.

She also noted the IPC's "ridiculously convoluted documents" on policies, classification and process can be a challenge - a problem she's tried to minimize by paring down the language to make it more understandable.

In 2006, she visited India for the first time since her adoption.

"I was at an age where I finally started to care about my roots. I'd long ago come to terms with the fact I wouldn't connect with my biological family since there are no records or anything like that," said Forber-Pratt, who visited again in 2009 with her brother Ian, also adopted from India, spending time at a small orphanage and at boarding schools for blind and deaf boys. "But there are ways you can embrace the culture and the country and have it still be a part of your identity. It is very much a part of who I am. I'm starting to figure out how that could fit into my mission and what it is that I do." Forber-Pratt - who will do one other road race before the Olympics, the Peachtree Road Race 10K in Atlanta in July - says races like the Sun Run and the Boston and Chicago marathons are great ways to spread the message about the ability of those with disabilities.

"It speaks volumes in terms of education. Unless you see it, you don't understand. It really helps further the mission of the Paralympic movement."

gkingston@vancouver.sun.com

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LOREN TATE: TATELINES

MOUTH THAT ROARED

Weber would have been better off keeping to himself



Despite misgivings and some awkwardness, the 90th Kiwanis basketball banquet went off without a hitch Tuesday night.

A crowd of nearly 500 gave ousted Illini coach

Bruce Weber a standing ovation and clapped itself numb for everyone from the team managers to departing NBA hopeful Meyers Leonard.

Call it closure. Call it a reluctant, somewhat-confusing end to an enigmatic era.

And the biggest enigma of all is Weber himself. When you hear the comment, "He came out smelling like a rose," there'll be a photo of the former UI coach. He'll double his salary to nearly \$3 million each of the next three years and, in inheriting nine of Kansas State's top 10 scorers from a 22-win NCAA

team, takes over a stronger squad than is left here.

But Weber's inclination toward forthrightness can raise hackles. Fans, you see, are a delicate group. While his departure was not as strained as that of Gary Moeller, who made a futile speech to save his job at the football banquet, neither is Weber's departure as professional as that of Lou Henson.

Coaches have a choice in how to handle these matters ... just how much of their bitterness they allow to come to light.

Voice of reason

This issue is touchy because I was right in the middle of it. Weber believes, as he most recently told

Cole Manbeck in Manhattan's the-mercury.com, that part of his team's 2-12 finish stemmed from lack of support by athletic director Mike Thomas. And these words have been echoed by some of his coaching buddies, most notably Vanderbilt's Kevin Stallings and Michigan State's Tom Izzo.

The controversy stemmed from a "Saturday Morning Sportsline" (Feb. 11) response in which Thomas echoed a common phrase he had used during his evaluation of Ron Zook and on those occasions when the question came up about Weber: "I will assess the situation at the end of the season, as I do with all the coaches ... and the decision will be based on the total body of work."

Sounds innocent enough ... until somebody puts a reverse spin on it. Somewhere in there Weber, or those who carried the message to him, saw a non-vote of confidence.

Please see TATE, B-5

TATE

Continued from B-1

My reaction was, "What was Thomas supposed to say? Wasn't Weber already walking the last mile? In scanning the number of late road games (Michigan, Ohio State and Wisconsin among them) did anyone think Illinois had the firepower to turn it around?"

On Feb. 11, the team had just lost to Northwestern at

home and to Indiana by 13. The 1-5 slump included an inexplicable 42-41 win against Michigan State — embarrassing to both teams — and the Illini faced a road game at Michigan the next day, followed by a Purdue team that owned six straight wins in the series. Weber's seat was boiling hot. Almost no one, taking into account recent years and the circumstances at the time, honestly believed Weber would survive. And more than

anyone, Weber knew it.

Doing it the right way

If Thomas had been aware of the repercussions, he might have followed Stallings' recommendation: "Somebody has to have your back even if they mean it or not."

Oh, OK. I get it. Find a way to avoid the truth. Really?

Kevin, the handwriting was already on the wall in big, black letters. The instability of the squad was appar-

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ent before Nebraska went on a debilitating 51-12 run that had the team in tears. Furthermore, Weber's difficulty with postgame comments was well documented before it got worse.

The problem, in shifting blame for the team collapse to the AD, is that it sounds too much like an excuse. And it is as disappointing to me as the words of Zook, who felt it necessary to fire out from Florida: "Illinois had as much chance of hiring Kevin Sumlin as for me to be president of the United States."

What purpose does that serve? Is it to remind Illinois that the school has become a second-class citizen in the world of major sports? That reflects on Zook as much as it does the UI.

One last barb: In discussing Leonard in a Chicago interview, Weber noted: "We had to deal with Meyers as an emotional young man. When some of these things happened, he came in and said, 'If you're not going to be the coach, then I'm going to the NBA.' He felt it would be really tough to have a new coach and deal with that."

Leonard's decision appeared more reasoned this week. He said he teetered. Family considerations were huge. He appears to know what he is getting into. His responses Tuesday were thoughtful.

As for coaches, they are really soldiers on assignment. They travel from station to station, and it's important not to burn bridges. Now, in moving to Kansas State, Weber has a new opportunity to analyze how words can be used so as not to seem self-serving. His is a game of win-and-take-credit or lose-and-accept-blame, and there is no way to shift the latter.

Loren Tate writes for The News-Gazette. He can be reached at ltate@news-gazette.com.

UNIVERSITY OF ILLINOIS POLICE

Ex-staffer accused of forging pay requests

By MARY SCHENK
mschenk@news-gazette.com

URBANA — A Tolono man who allegedly submitted forged time sheets to the University of Illinois for three years after his job ended has been charged with theft over \$10,000.

Michael Wiersema, 37, appeared in Champaign County Circuit Court on Wednesday and was told to be back in court June 12.

The charge against Wiersema alleges that between May 2009 and April of this year, he stole \$77,000 from the UI by continuing to submit pay requests with a forged signature of his former supervisor.

UI police Sgt. Tom Geis said Wiersema was arrested Friday at Guardian West in Urbana where he works.

Geis said Wiersema was formerly employed as an academic professional in the crop sci-

ences department at the UI.

"He was forging signatures on payroll time cards for work he was supposed to be doing for a professor," said Geis, who said the position Wiersema held ended in 2009.

Geis said that in January a human resources employee noticed requests for overtime at a time of year when there wouldn't normally be overtime in the seed research field. The employee checked with the professor, who said he hadn't been signing the time cards.

A police report said when confronted about the time cards, Wiersema confessed he was submitting them and said he needed the money.

If convicted of the theft charges, Wiersema faces penalties ranging from probation to three to seven years in prison. He remains free on his own recognizance.

Report blasts pepper-spraying of California students

Thu. 04/12/2012 - 8:00am | The Associated Press

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SAN FRANCISCO (AP) — Campus police should not have pepper-sprayed student demonstrators at the University of California, Davis, in an incident that generated national outrage when video was posted online, investigators said Wednesday in a report that assigned blame to all levels of the school administration, where a former **University of Illinois** administrator is chancellor.

The decision by officers to douse a line of seated Occupy protesters with the eye-stinging chemical was "objectively unreasonable" and not authorized by campus policy, according to the report by a UC Davis task force created to investigate the incident.

"The pepper-spraying incident that took place on Nov. 18, 2011, should and could have been prevented," the task force concluded in the long-awaited report.

The chemical crackdown prompted campus protests and calls for the resignation of Chancellor Linda Katehi after videos shot by witnesses went viral. Images of an officer casually spraying orange pepper-spray in the faces of nonviolent protesters became a rallying point for the Occupy Wall Street movement.

In a statement Wednesday, Katehi said school administrators would study the report's recommendations and develop a detailed response and action plan "that will ensure that students' safety and free speech rights are paramount."

Katehi was provost at the UI before taking the California post.

Campus police Lt. John Pike and other officers involved in the operation have said they needed to use pepper-spray to break through a hostile crowd. But the investigation determined police were able to step over the seated protesters and walk through a throng of onlookers.

"There was really no reason, we conclude, to have used the pepper spray," Cruz Reynoso, a retired California Supreme Court justice who chaired the task force, said at a campus forum where the panel presented its findings and recommendations.

The report also said Pike used a pepper-spray canister that was larger than the one campus police officers are authorized and trained to use.

John Bakhit, an attorney for the campus police officers union, said the pepper-spraying was justified after protesters disobeyed orders to disperse and said they wouldn't allow the officers to leave until several detained demonstrators were released.

"I believe all the officers exercised quite a bit of restraint under the circumstances where you're surrounded by a crowd chanting vulgarities and told, 'We're not going to let you go unless you let go of the prisoners,'" Bakhit said.

All the officers involved are under orders not to discuss the incident because an internal department investigation is ongoing, Bhakit said.

The attorney said the task force was wrong to conclude that Pike's use of pepper-spray was unreasonable because investigators were not able to interview him.

The task force also blamed the incident on poor communication and planning throughout the campus chain of command, from Katehi to Police Chief Annette Spicuzza to Pike, the main officer shown in the video.

The task force blamed the chancellor for not clearly communicating to her subordinates that police should avoid physical force on the protesters. It also said she was responsible for the decision to deploy police on a Friday afternoon, rather than wait until early morning as Spicuzza recommended.

The report chided the police chief for failing to challenge the timing of the operation and not providing clear instructions to the responding officers.

In its recommendations, the task force called on UC Davis to develop a school policy detailing how administrators and campus police should respond to student protests and civil disobedience. The panel did not recommend disciplinary actions for specific university employees.

Mark Yudof, who heads the 10-campus system, said he planned to meet with Katehi to discuss implementation of the recommendations. A separate university task force is working on a report on how school officials should respond to student protests at all 10 UC campuses, he said.

"Free speech, including nonviolent protest, is part of the DNA of this university, and it must be protected with vigilance," Yudof said in a statement.

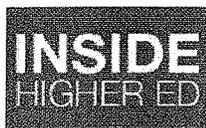
Assembly Speaker John Perez, who sits on the UC Board of Regents, said UC Davis officials "must be held accountable in addressing the very troubling revelations that this report has brought to light."

Fatima Sbeih, one of the pepper-sprayed students who is suing the administrators and alleging police brutality, said she was pleased by the report's thoroughness and detail.

"The university was acting on assumption and fear rather than following policy and procedure," Sbeih said. "Students do have a right to protest, and the university needs to respect that."

UC Davis published the task force findings and recommendations online a day after a judge approved their release without the names of most officers involved in the clash.

The report was originally set for release March 6, but the union sued to keep the document under wraps. It claimed the report contained confidential personnel records that should not be publicly released under state law.



(<http://www.insidehighered.com>)

Education Department changing graduation rate measurements

Submitted by Libby A. Nelson on April 12, 2012 - 3:00am

WASHINGTON -- A long-held wish of many community colleges is on the verge of becoming reality: the Education Department has [announced its plans](#) ^[1] to change how student success is measured in higher education, taking into account students who transfer, part-time students and students who are not attending college for the first time.

The department outlined its plans Wednesday to carry out the recommendations of the [Committee on Measures of Student Success](#) ^[2], a federal panel that called for changing how data on completion rates and other measures at community colleges is reported in the Integrated Postsecondary Educational Data System, or IPEDS.

While the recommendations are still several steps away from becoming reality -- the department's "action plan" talked about "taking steps" and "examining the feasibility" of broadening the measures of success -- they are a victory for community colleges and their advocates, who have complained for years that the federal data reporting system doesn't reflect the reality on their campuses.

The changes will apply to all postsecondary institutions, including four-year colleges. But they have the most significance for community colleges, which have been under political pressure to increase their graduation rates and have long argued that the current federal measures, which track only first-time, full-time students, exclude significant numbers of their students.

The department indicated that could soon change: it will take steps to enhance graduation and transfer rate reporting, and is examining the feasibility of including part-time degree-seeking students as well as other adult and nontraditional students. It also will clarify the meaning of "degree-seeking."

Over all, the plans hew closely to the committee's recommendations, including providing technical assistance on data collection. Grant programs will place a priority on improving colleges' capacity for collecting and reporting data on student learning and employment outcomes, the panel's most controversial recommendation.

But one policy that had troubled community colleges is absent from the department's plan: colleges will not be required to create a separate cohort of remedial students, which some had worried was unrealistic.

Community colleges cheered the changes, although they cautioned that the recommendations are technically complicated and are still months away (at least) from becoming reality.

"Transfer preparation is such an integral part of the community college mission," said David Baime, vice president for government relations at the American Association of Community Colleges. "When that is excluded from the published completion rates, even though the law says that it should be included, it's an affront to the successes of our colleges."

The changes will help for-profit institutions that serve similar populations of adult students. "These nontraditional students will now have access to greater transparency about which institutions can best get them to the finish line of their academic careers," said Mike Buttry, vice president for communications at Capella Education, where the majority of students are not the first-time, full-time population traditionally monitored in IPEDS.

The department did not say what its timeline for implementing the recommendations will be.

[Assessment and Accountability](#) ^[3]

[Learning Outcomes Measures](#) ^[4]

[Community Colleges](#) ^[5]

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Education Department's Report on Alcohol and Drugs May Prompt Crackdown

By Sara Lipka

Parents who have lost children make tenacious advocates. Stephen M. Guest, whose daughter Kristine died in an alcohol-related snowmobile accident at Paul Smith's College seven years ago, has been lobbying policy makers and legislators ever since for enforcement of a federal law requiring campuses to try to prevent alcohol and drug abuse.

Years of calls, e-mails, letters, and visits yielded a report last month by the U.S. Department of Education's Office of Inspector General: Enforcement of the law, it says, has been basically zero. Now, that may change.

The federal Higher Education Act, under amendments passed in 1989, requires colleges to have "adopted and ... implemented a program to prevent the use of illicit drugs and the abuse of alcohol." In theory, institutions must disseminate their policies annually to students and employees, along with information on health risks, disciplinary sanctions, and campus-based treatment options. Every two years, colleges are supposed to evaluate their programs to ensure they're effective and consistent.

Whether that happens, the Education Department can't say. The inspector general's report—requested in 2010 on Mr. Guest's behalf by two Connecticut Democrats in Congress, Rep. John B. Larson and Christopher J. Dodd, then a senator—finds no evidence of enforcement from 1989 to 1998; a lack of oversight until June 2010; and since then, a new process that doesn't guarantee compliance.

The report examines more than two dozen recent reviews by the department's office of Federal Student Aid of colleges' financial-aid, academic, and fiscal records, as well as their compliance with the crime-reporting law known as the Clery Act. Those reviews are meant to include the alcohol and drug policy requirements (or "Part 86" of the Drug-Free Schools and Campuses regulations), but most have fallen short, the report says.

The department's findings that colleges are in compliance with Part 86 have lacked documentation, according to the report. A handful of reviews have turned up violations but haven't noted them officially. And often, reviewers have found colleges in compliance, "despite documentation to the contrary," the inspector general says.

If the department did issue official findings of violations, it could provide technical assistance or impose sanctions, including the loss of all federal funds. It is not authorized to levy a set fine per violation, as it is (up to \$27,500) under the Clery Act.

The report's picture of inadequate oversight matches the impressions of campus officials and national experts.

"There's been no enforcement," says S. Daniel Carter, an advocate for campus safety. That leaves compliance up to colleges, he says: "They basically self-certify." Some follow the requirements; many may not even be aware of them.

To change the lax status quo, the report says, reviewers should be trained on alcohol and drug requirements. Reviews should include proper documentation and note any violations. The office of Federal Student Aid, which is supposed to monitor compliance, is now preparing a full response, a "corrective action report."

In a memo published with the inspector general's report, the office says that it "recognizes the serious health and safety threats posed by the scourge of drug and alcohol abuse on campus" and has begun to make the necessary changes "to ensure effective monitoring of institutions' compliance."

With the full response pending, the Education Department declined to comment further. The Higher Education Center for Alcohol, Drug Abuse, and Violence Prevention, which works with campuses under a government contract, referred questions to the department.

Clery-Like Enforcement?

Many colleges don't enforce their alcohol policies, says Mr. Guest, and unfortunately, students die. He has written, including once in *The Chronicle*, about what he sees as a crisis, and he wants the Education Department to step in. "The primary objective is to make what I think is an effectively written law a reality on campus," he says.

A soft-spoken man, Mr. Guest raises his voice slightly in an interview, then apologizes for his anger. He is now working with his elected officials, Representative Larson and Sen. Richard Blumenthal, and updating the Web site Compelledtoact.com.

Some day soon, he hopes, the department will investigate campuses where accidents occur for compliance with the alcohol and drug requirements. "Unfortunately, you don't have to do much more than open a newspaper in the morning to find indications of violations," he says.

He recommends a second strategy: "Go down the party-school lists." If the department starts levying fines like it does under the Clery Act, colleges won't want to risk that bad publicity, he says. "It will cause them to make a safer, alcohol-free campus a priority."

Federal pressure does result in safer campuses, says Mr. Carter, who has noted strengthening enforcement of the Clery Act, including spot checks in partnership with the Federal Bureau of Investigation.

Alcohol needs the same attention, he says. "This is the premier underlying campus-safety challenge," he says, citing physical and sexual assault.

Mr. Carter expects the department to crack down soon: "There's clearly something coming."

Enforcement is a matter of time, agrees Peter F. Lake, director of the Center for Excellence in Higher Education Law and Policy at Stetson University College of Law.

"If we don't fix this proactively, we're going to have a dormitory fire or a multicar crash," he says. "It's almost as if alcohol is waiting for its signature tragedy."

Meanwhile, the risk is not only accidents, but attrition, says Mr. Lake: Many dropouts are a result of alcohol and drugs. The science of prevention is getting more sophisticated, he says, and colleges need to keep up.

But even without a federal crackdown, many colleges are making progress on prevention, says Joan Masters, coordinator of Missouri Partners in Prevention, a coalition of public colleges in that state.

The federal requirements are the minimum standard for campuses concerned about their students, she says. "It's almost a no-brainer to be in compliance." Fear is also a motivator, she says, referring to the prospect of an Education Department review: "There are always rumors about people who have gotten letters." Still, she says, "I've never seen one myself."

Recently, Ms. Masters has seen the department devote increasing attention to emergency preparedness, possibly at the expense of alcohol and drugs, she says. What had been an annual meeting has become less frequent. And the department no longer finances a

group of prevention professionals on about 1,400 campuses known as the Network.

Still, she says, alcohol poisoning is a greater risk than an active shooter. The abuse of alcohol and other drugs is "the single greatest threat to colleges in terms of safety," she says.

Ms. Masters would welcome stricter enforcement, but she isn't holding her breath. "When it comes to additional sanctions," she says, "I will believe it when I see it."