

AKL | After two years off campus, social fraternity seeks reinstatement of charter

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"Once anyone looking to complete the chartering process turns in the packet with all the necessary signatures, an individual with Organizational Services then reviews all materials," Bates said.

Bates said the individual who reviews the packet is a student who has been trained in the chartering process, has worked at the CSI for a minimum of one year and has a complete understanding of process and all the policies the program entails.

"They go through [a] checklist to make sure everything is signed, all policies have been read and understood and the constitution meets all the guidelines of the University," Bates said.

After the student has reviewed the packet, it will be turned over to Amy Currier, the program adviser at the CSI, Bates said.

"We're pretty optimistic," AKL president senior

Justin Rolwes said. "We have a lot of momentum right now, we're looking forward."

Rolwes said the fraternity has undergone a lot of changes since losing its University charter.

"We've gutted our infrastructure and revamped it," Rolwes said. "We're striving to be ahead of the curve for risk-management policies in order to prevent any situations like the one in 2006."

Rolwes, along with fellow AKL members senior Nathan

Hoffman and sophomore Luke Freeland, gave a presentation to the Interfraternity Council Jan. 21. Hoffman led the presentation, gave a recap of the last two and a half years, explained what changes the fraternity has made and answered questions from members of the council.

Rolwes said he is visiting other fraternities' chapter meetings this week to discuss his fraternity before the next IFC meeting Jan. 28, when the council will vote on whether or not to re-accept the fraternity into the organization.

Rolwes said he was not worried about the other fraternities deciding the fate of AKL.

"We have confidence that the Greek community will stick together and make the right decision," Rolwes said. "We've served our punishment and believe that IFC will make the right choice."

IFC president junior Jason Moore said he thought that the AKL presentation was informative and sparked conversation within the council.

"I'm impressed with AKL," Moore said. "It is commendable that their brotherhood has stood up through two years of this type of trouble."

Beth Tuttle, director of Greek life, summer conferences and special events, said that the dean of student affairs, Lou Ann Gilchrist, must also sign off on the charter for AKL to reverse its University suspension.

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AKL President

Warren Wells
University General Counsel

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Nixon | Agreement grants level funding in exchange for no tuition increase or fees

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for places where savings and revenue can be maximized.

McClanahan received an appointment to the House budget committee Jan. 15, and will have an active role in reviewing all budget bills — which are initiated in the House — before they are debated on the House floor, move on to the state Senate, are revised and ratified by both parties and sent to the governor for approval.

"We are required to have a balanced budget and ultimately, the governor must see that that occurs," McClanahan said. "But clearly, the House of Representatives and the Senate are very active in that process as well."

Although Nixon revealed his recommendations for the higher education budget today, budget director Dave Rector said the complete budget will not be released until Tuesday at the State of the State address. He said until then, it is unclear how Nixon would level the higher education budget.

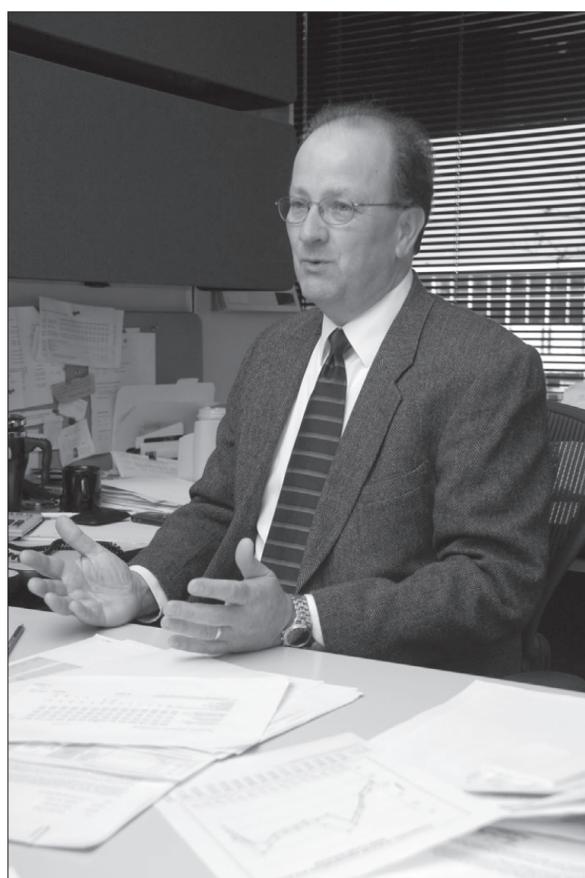
"Once we see the budget, then obviously the budget has both sides of the picture: here's the revenue, here's the expenditures, so we'll see that," he said.

Even if public institutions in Missouri receive level funding for fiscal year 2010, Rector said there would be a shortfall where costs of things like student employment, health insurance and utilities see a natural increase. Since that would not be able to be supplemented by a tuition increase or a student fee that shortfall — which adds up to about \$1 million — would be addressed by reallocating of funds inside the University, he said.

Rector said there also is a possibility that Nixon could impose a withholding at any point during this fiscal year or the next in order to balance the state budget.

"We're still being conservative in our spending right now just in case that happens so we build up a pool of money, I guess you'd say," he said. "If there's no withholding, some of that money can carry forward to get us into position for the next year."

Junior Cody Sumter, student representative to the Board of Governors, said he would caution students to not let their guards down while the state



Budget director Dave Rector discusses possible funding scenarios for higher education in his office Tuesday morning.

still has to balance its budget.

"What we're at right now is both the best case scenario and the worst case scenario," Sumter said. "If we had received a cut, we could be planning for it right now."

Sumter said student senate is looking at the possibility of an alternative to the student fee. Instead, they could make an "if-then" proposition, which would allow a student fee for the

following school year if the budget doesn't pass. Students should keep in mind that massive withholdings lurk in the near future if the economy doesn't stabilize, he added.

"It's been unifying for our campus — there's a Facebook group that's over 1,100 people now," he said. "... It worries me that we're going to lose all that momentum, but the problem's not necessarily gone."

FERPA | Opponents of FERPA changes discuss new implications for campus crime records, disciplinary results

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the public access to certain records. The Jeanne Clery Act, a law instated in 1992 and amended in subsequent years, requires post-secondary schools to notify the public of campus crime, and the Missouri Sunshine Law entitles state, local and quasi-public governmental bodies to allow public access to certain information.

Because of Clery Act regulations, the Department of Public Safety documents student crimes daily in a log made available to the public. No legal action is taken for crimes that don't get reported to DPS, which are strictly under University jurisdiction and don't follow a clear pattern of open information. Victims of these crimes can decide to only file a report under the Student Conduct Code, in which student records are protected by FERPA. The University documents these crimes in statistical form online for the general public.

University General Counsel Warren Wells, who reviews record requests, said contradictions between FERPA and open records can lead to different interpretations of the laws by school officials.

"FERPA is generally about students' right to privacy and the Sunshine Law is generally about the public's right to know," he said. "The Sunshine Law says, though, that some things can be kept secret if there's some other provision of the law that

says so."

Wells said some court cases have decided FERPA trumps the right to open records. But in a 1999 case dealing with Southwest Missouri State University, Missouri Circuit Court Judge Henry Westbrook ruled that the Sunshine Law had precedent over FERPA, and that university officials must disclose the results of a disciplinary hearing for a crime of violence to the public.

Jan. 8 changes in FERPA imply that schools can't release students' identification information, including their names and any documents that might allude to the identity of that student, unless it's to the victim of the crime. Wells said this could limit FERPA interpretation to a case-by-case basis, potentially making it tougher to provide information to the public about student

criminal cases.

"If you're going to give out warnings, they've got to be meaningful and helpful," he said. "You have to balance that against, well, could they figure out who we're talking about? ... You have to have a specific fact situation and sit down and figure out what you're going to try to say about it, and then somebody has to analyze, 'Well, if they can reach the second story window, will [the reader] realize they have to be the 7-foot-tall center on the basketball team?'"

Truman and FERPA
Truman's Student Conduct Code

already followed a strict interpretation of FERPA, so the documents dealing with three separate cases of sexual misconduct by students in the past two semesters have been safeguarded by University officials. These cases weren't reported to DPS.

David Hoffman, assistant dean of student affairs, said the University cannot force a student to report an incident to DPS unless the incident directly affected the University. He said student affairs and campus safety offices are separate entities and serve different purposes. The Student Conduct Code is designed to educate students so that they can better follow the University's rules and learn from their mistakes, he said.

If student affairs thinks a particular crime could have immediate effect on students' safety, they could choose to issue a timely warning, a Clery Act procedure that's supposed to immediately notify students of a pending criminal issue, such as a gunman on campus. The University also has means of removing a student from campus if he or she is deemed to pose a threat, but this wouldn't necessarily be made public, he said.

Hoffman said he's hesitant to release records of a crime that he doesn't think will have an immediate effect on student safety because he thinks students will avoid approaching the conduct board, particularly with sexual assault cases, if they think their information will be released to the public.

"They'd probably go to counseling or however else they want to deal with it to put it behind them," he said. "Then the question is, is the University community more safe or less if they don't come forward?"

Opposing the change
FERPA speculation has been an

ongoing tug of war between universities and the general public. Research conducted by students at the Edward R. Murrow School of Communication in 2004 demonstrated that the average person didn't have easy access to documents relating to the outcomes of disciplinary hearings for crimes at 20 universities in five western states.

The Society of Professional Journalists addressed a letter to Congress, calling for a hearing to debate the new FERPA regulations. David Cuillier, freedom of information chairman for SPJ, said Congress needs to consider the implications of the FERPA regulation changes if they make it more difficult for school officials to decide whether to release records.

"According to the DOE, school officials would violate FERPA if they in any way confirmed to the public that they had prevented a potential school shooter from going on a rampage in the local high school — because that would violate the privacy rights of the would-be shooter. Is this kind of irrational secrecy truly within the scope of FERPA?" reads a section of the letter.

Cuillier said the hefty job of universities to decide what constitutes public information could lead many schools, especially smaller ones, to err on the side of privacy, which frustrates freedom of information advocates.

"From [the university's] perspective, they don't want parents and others to know that there's crime on campus or they may not attend the university," he said. "So they're trying to hide these crimes in order to make themselves look better, and I think that's morally wrong and legally wrong."

CRIME | Grand jury issues two class A misdemeanors

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were presented to the grand jury, although Gunn was not asked to testify.

Gunn will be arraigned in circuit court Feb. 2.

Sgt. Steve Farnsworth of the Kirksville Police Department said Kirksville police officers took a report of the incident when it occurred in February, but have since forwarded that information to the prosecutor's office. He said he could not comment further on the case.

Gunn was arrested Jan. 11 and taken to the Adair County Detention Center, where he was held on a \$1,000 cash-only bail. He posted bond later that day and was released, according to officials at the detention center.

According to Missouri statute, sexual misconduct in the first degree is committed when an individual "purposely subjects another person to sexual contact without that person's consent." Sexual misconduct in the first degree is punishable by up to one year of incarceration in the Adair County Law Enforcement Center, up to a \$1,000 fine or some combination of both, according to the indictment.

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