

STUDENT AFFAIRS TODAY

News and Strategies for Higher Education Professionals

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SNAPSHOTS

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COVER STORY

Prepare to meet mental health needs of veterans on campus

As veterans began returning to college to make use of their GI Bill benefits, Bernadette Buchanan Mencke became concerned. She's lead retention counselor for student support services at Washington State University.

Many of the returning vets had mental health issues and were homeless. "I noticed my campus wasn't ready, from the counseling center to the disability center," Mencke said. "A lot of them are going to come to our campuses and we need to be ready."

Many vets struggle with anger, anxiety, depression, post-traumatic stress disorder and traumatic brain injury.

With the new GI Bill's generous benefits to begin this August, thousands of additional vets are expected to be enrolling in higher education. Inside, find out how to prepare to meet their needs. **Full story, pages 4-5.**

Help vets adjust

Follow a 20-point checklist, plus get 4 more tips to address needs of vets on your campus. **See pages 4-5.**

HIGHLIGHTS

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Use online rehab program to keep students in college

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Check out the CAP strategy to achieve buy-in for change

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Consider benefits of large and small colleges

Eugene L. Zdziarski, II, vice president for student affairs and dean of students at Roanoke College, provides valuable insights and career advice. **Page 12**

Brown considers a slavery memorial

If your institution's history includes ties to slavery, consider erecting a memorial.

Brown University officials are considering the idea after a university commission asked the institution to establish a memorial to acknowledge such ties and promote reconciliation. The commission made the recommendation after studying civil rights and slavery memorials around the world, the *Associated Press* reported.

The university had used slave labor to construct a campus building and accepted funds from slave owners. ■

Biden tours Penn, views energy model

Cutting your energy bill just might result in good publicity via high-ranking government officials.

Vice President Joe Biden and cabinet secretaries recently toured the University of Pennsylvania. The university cut energy use by 15 percent and is planning green park land, native plant material to conserve water, and LED lighting and solar panels, *The Wall Street Journal* reported.

The tour was part of the White House's Middle Class Task Force's first meeting, which focuses on energy and green jobs for middle-income workers. ■

Farmers' markets moving to college campuses

Consider bringing a farmers' market to campus to provide access to fresh fruits, vegetables, breads and flowers. A growing number of colleges are discovering that campus farmers' markets tap into students' interests in sustainability, food, music, and a sense of community, the *Los Angeles Times* reported.

The University of Southern California buys products from local

farms, sets up stands, and accepts buyers' dining cards and cash. ■

Georgia Tech staff misuse state cards

Monitor the use of university-issued credit cards.

A former program coordinator at Georgia Institute of Technology received a 10-year prison sentence after pleading guilty to going on a \$175,000 shopping spree. She used her state-issued credit card and altered receipts to cover it up, the *Associated Press* reported. A probe revealed widespread misuse of the cards. An audit last year traced the misuse to a lack of oversight. It led to stricter rules and removal of some cards. ■

ASSESSMENT ADVICE

Try alternatives to surveys for assessment

Q My department understands we need to assess outcomes. But is there a more effective assessment method than using a survey?

A Yes. Observe behavior and listen for key points in discussions before, during and after your service or event. Then use a consistent rubric to record, rate and measure observations. New student affairs professionals are often trained in the observation method in grad school, so look to them and the military for examples.

Assessment Advice is a monthly Q & A column that offers tips to help you evaluate your programs and services. Do you have a question and/or answer to submit? E-mail the editor at cmccarthy@wiley.com. ■

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Create residential seminars to aid in student success

SEATTLE — Students who form connections with peers in their living and learning environments and to faculty inside and outside the classroom tend to have more successful college experiences, student affairs professionals report.

But the tricky part is developing programs to help students and faculty form these relationships. And how can you convince faculty to participate? Look for inspiration from successful residential seminars, such as the one at the University of Puget Sound. “It has worked out well in terms of enhancing the quality of students’ experience,” said Debbie Chee, at the recent conference of NASPA—Student Affairs Administrators in Higher Education. Chee is the university’s assistant director for student development.

The initiative evolved after a professor noticed that 16 out of 17 seniors on track to graduate were stu-

dents living on the same floor who had completed his pilot social justice first-year residential seminar. He suggested student affairs look into the program.

The university then launched a residential seminar program involving multiple seminars, with the students in each seminar living together. Based on pre- and post-assessments, participating students scored 10 percent higher than nonparticipants in having established better relationships, said Chee and Mike Segawa, vice president for student affairs and dean of students. Also, a high percentage of residential-seminar students demonstrated an enhanced ability to conduct research. Although seminar participants exhibited similar retention and conduct as other students, some had better GPAs.

Faculty assessments revealed increases in student attendance and writing quality. Plus, professors rated the overall quality of their courses more highly than those not offered through the seminars. Finally, they noted a decrease in students’ office-hour visits. ■

Follow 11 steps to ensure successful residential seminars

To launch a successful residential seminar program at your institution, follow these steps from University of Puget Sound officials Debbie Chee, assistant director for student development, and Mike Segawa, vice president for student affairs and dean of students:

1. Find willing volunteers in academic affairs to discuss feasibility and interest. Segawa attributed UPS’ success to faculty bringing the idea to student affairs. “It’s not very effective to tell faculty to do anything,” he said.

2. Decide with academic affairs which courses or seminars could work.

3. Collaborate. UPS included residence life; academic deans; the Center for Writing, Learning and Teaching; academic advisors; the library; and the Office of Institutional Research. Collaboration with resident assistants proved easier than with resident directors, who often don’t recognize their responsibility for advising students about faculty and homework struggles, Segawa said.

4. Find a start-up funding source. The university received a grant from the Andrew W. Mellon Foundation.

5. Target new students before they arrive on campus, but keep it covert. Send all new students an academic advising brochure, asking them to rank freshman seminars based on their interests. Then, unbeknownst to the students, assign those in the same seminars to the same residence hall floor.

6. Remember, it’s an academic-driven program.

“This was not going to be a residential life program we tried to insert into academic life,” Segawa said.

7. Help plan out-of-class activities. Faculty offer seminar students academic enrichment activities, including field trips to museums, dinners and tea ceremonies. They offer an average of three activities per seminar, but some offer weekly or no activities.

8. Keep partnership at the forefront. Student affairs staff members go with students on outings when professors are not willing or available.

9. Make enrichment activities voluntary. Students will still participate. “In most cases, faculty and students have gone, to everyone’s surprise,” Segawa said. “Faculty members have been very pleased with ... student affairs’ planning of logistics.”

10. Prepare to debunk myths, especially with newer faculty. Tell them they don’t have to check in on students in their dorms or host a weekly enrichment activity, Segawa said. But returning faculty have a sense of comfort. “They have been real gems in advancing this program,” Segawa said.

11. Design an assessment based on learning outcomes and student success. “This wasn’t going to be one of those satisfaction surveys where we ask, ‘Did you like living there?’ We wanted to know if they learned anything,” Segawa said.

E-mail Chee at dchee@ups.edu. ■

Make changes to address mental health needs of vets

Many veterans are leaving war behind and coming to college campuses. But along with GI Bill funding, they often bring with them complicated mental health issues. And that means student affairs professionals have some serious preparing to do to provide appropriate support services to help vets adjust to campus life.

Studies show more of today's veterans report post-traumatic stress disorder than any other war, even Vietnam, said Robert Mock, Jr., assistant vice chancellor for student affairs at the University of Arkansas. And 360,000 vets may have a brain injury, Mock said at the recent conference of NASPA — Student Affairs Administrators in Higher Education. "It's the invisible wound. I can tell if you're an amputee, but I can't see if you have a psychological issue or a brain injury," Mock said.

Vets are between 2 and 4 percent more likely than the general population to commit suicide, according to a 2006 study, Mock said. And married vets commit suicide at even greater rates, he said. "Some vets are finding out after they return from war, that they're no longer married," he said.

Those most likely to commit suicide are the lowest-ranking soldiers, white, in their twenties or thirties. Most college student vets are between 25 and 30, noted Bernadette Buchanan Mencke, lead retention counselor for student support services at Washington State University.

The presenters cited Paul Rieckhoff, executive director of Iraq and Afghanistan Veterans Administration, as stating: "We have lost more soldiers to suicide than Al Qaeda."

Although violence to soldiers abroad is going down, "violence is often internal" to the veterans, Mock explained. "The culture in the military is to never say anything," said Mock, who completed basic training to join the Army National Guard at the age of 37 while working in student affairs.

He traces the secrecy to fear of embarrassment as well as a belief that admitting to mental struggles indicates a sign of weakness that could interfere with promotions and security clearance.

Many vets saw the atrocities of war firsthand plus some men and women became victims of sexual assault while in the military, Mock said.

Mencke suggested that student affairs professionals ask themselves: "Are our staff members ready to address these situations?"

Vets often believe that civilians don't understand their problems, so they don't trust or open up to even trained professional counselors. For example, one of Mencke's students yelled at a professor during a class discussion about war. He went to the counseling center, but refused to talk when he failed to find a vet on staff.

And don't think you can just ask a vet on your campus about his mental health and expect a straight answer.

Mock recalls a vet under his charge who successfully completed an exit interview with the military after returning from his first deployment in Iraq. "On his exit interview, he gave us all the right answers," Mock said.

Thirty days later, his wife reported him missing. Mock found him at a military base, where the vet explained: "It's the only place I feel safe. I felt like I could see the people putting out the IEDs (improvised explosive devices)."

Of course, not all vets have mental health problems. And even those who do can still succeed in higher education. "Many of our vets are honor students. They earn good grades. They know how to study and how to work with professors. They just have invisible wounds no one can see," Mencke said. ■

Try 4 ideas for welcoming vets

The University of Minnesota has a large population of veterans on campus. Sandra Olson-Loy, vice chancellor for student affairs at the university's Morris campus, has found veterans bring valuable perspective, experience and insight to the classroom and campus community.

It's important, and possible, for student affairs professionals to make vets feel welcome and appreciated, regardless of your stance on politics or war, she said.

She suggests you try some of UM's proven strategies listed below:

1. Host send-off ceremonies for veterans from the campus and the community. Provide facilities, planning and staff at no cost.
2. Hold on-campus events on Veterans' Day.
3. Plan veterans' recognition days on campus.
4. Provide veterans' appreciation T-shirts and buttons so veterans and others on campus can display their support of veterans.

E-mail Olson-Loy at olsonloy@umn.edu. ■

Follow these tips to help student vets with mental health needs

This checklist of practical tips will help your campus prepare to meet the mental health needs of returning vets. It's offered by Robert Mock, Jr., assistant vice chancellor for student affairs at the University of Arkansas, and Bernadette Buchanan Mencke, lead retention counselor for student support services at Washington State University:

- ❑ Take a survey to identify students who are vets.

- ❑ Identify at least one veteran in each campus department, such as financial affairs and counseling. Share a list with vets, who will feel more comfortable seeking help from other vets.

- ❑ Make sure you have counselors trained in treating vets with post-traumatic stress disorder and traumatic brain injury.

- ❑ Set up a veterans' affairs task force committee and include student vets.

- ❑ Establish a veterans' affairs office, even if it has just one staff member, and a veterans' hotline.

- ❑ Have veterans' affairs send a welcome packet to incoming veterans and host a reception for them.

- ❑ Establish a government liaison for veterans' issues.

- ❑ Offer a veterans' transition course or program (see trsp.berkeley.edu/veterans.htm and studentaffairs.arizona.edu/vets/).

- ❑ Have behavioral intervention teams in place.

- ❑ Consider paying other student vets to serve as vet mentors.

- ❑ Encourage students to start a chapter of Military Past and Present on Campus (see mppoc.org).

- ❑ Allow credits for military experience in place of PE courses and electives.

- ❑ Offer remedial writing and math courses to student vets who need them.

- ❑ Offer alternative testing sites instead of crowded classrooms. "This not only benefits vets but also others with anxiety or other disorders," Mencke said.

- ❑ Provide sensitivity training for faculty, staff and students. Some have been known to ask vets in class such questions as, "How many people did you kill? Are you aware that you're a murderer?"

- ❑ Encourage students to host an appreciation event for vets. This will help vets feel welcome. And it may soothe some of their anger at traditional-aged students whom they may see as less responsible and focused on more carefree things, such as homecoming and their social lives.

- ❑ Don't group vets together in residence halls or other settings. "It could be problematic if you did a residential vets program because not everyone is in the same place," Mencke said. She recalled a vet who said other struggling vets brought her down because she had already been through therapy and was no longer crying every day.

- ❑ Assign vets to the first floors of residence

halls near an exit. When vets enter a room, they're trained to immediately identify quick exits and potential weapons, Mock said. If they're not near an exit, anxiety may flare up.

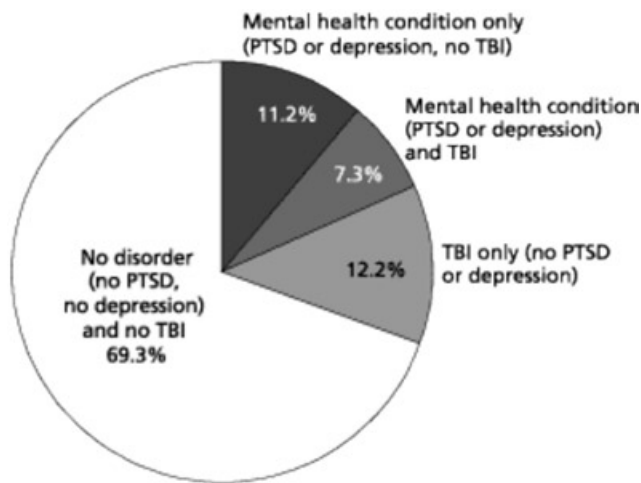
- ❑ Establish policies about weapons on campus. Ask the Veterans Administration to visit the vets enrolled in your institution to provide them with lock boxes for their weapons to protect their children and others.

- ❑ Get advice from other university officials who have vets' programs or a large veteran population, such as Texas A&M University and the University of Minnesota.

E-mail Mencke at bmencke@wsu.edu or Mock at rcmock@uark.edu. ■

Many vets have brain injuries

An estimated 31 percent of troops returning from Iraq and Afghanistan have a mental health condition or reported experiencing a traumatic brain injury. The chart below shows how many of today's returning veterans have post-traumatic stress disorder, depression and TBI.



Rates of PTSD, depression, and TBI

Source: Rand Corporation. Used with permission.

Use online rehab program to help more students stay in college

You've seen it happen time and again. One of your students needs help for drug or alcohol abuse. But your campus doesn't have the services he needs.

And he doesn't have the money for private treatment. He drops out to have more time to party. Or he continues drinking and drugging on campus, leading to a forced expulsion or medical leave. Or his parents pull him out to keep a closer eye on him at home or send him away to rehab.

"When you place someone in treatment, it halts everything. He may lose credits for that semester or his place in a training program," said Cynthia Reinbach vice president of clinical services for CRC Health Corporation. She's also a licensed marriage and family therapist.

"A plan ... that is less disruptive to him, and also for the college, is remaining as a student on probation, taking classes as normal, and undergoing substance abuse treatment online," said Tom Brady, vice president and chief medical officer of CRC.

CRC offers a live, online substance abuse treatment program called eGetgoing. The accredited program provides anonymous help to students and others.

"They access it confidentially from their personal computers in the privacy of their dorm rooms or homes," Brady said. Most of these college students can get back on track and move beyond their substance abuse with this treatment, Brady said. "And the college doesn't have to lose an otherwise promising and tuition-paying young person." Based on eGetgoing's tracking data, 87 percent of patients complete the program. One week after completion, 20 percent of students relapsed (for three days). Nine months later, 15 percent relapsed (for two days).

The 12-week, 24-session eGetgoing treatment plan costs \$1,200 per person, or \$50 per group meeting. The groups meet twice weekly for three months. The program also includes private sessions with a counselor, homework and journaling, a personal home page, and a year of tracking and aftercare support group meetings.

Traditional outpatient rehab usually costs \$75 to \$150 per group meeting, Reinbach said.

The company accepts insurance and will work with colleges to provide a discounted rate. "The goal is to make affordable treatment available," Reinbach said. "If you're carrying a huge course load and have to get up and go across town to a counselor or group meeting, this is another alternative."

Patients chat with their 10-member group and counselor in real time via a headset and microphone provided by CRC. The counselor is visible on screen,

but members are not visible to each other.

Counselors use slides, videos, white boards, polls, and graphs as part of the 12-step-based program.

Patients choose fake first names and drop their last names. Only the counselors know everyone's real identity. Privacy is further ensured by the lack of tracking cookies and the use of a layered

security system.

"Being a traditional therapist, I'm used to seeing groups interact together," Reinbach said. "But the anonymity of this group allows people to have an instant level of esteem. They're not being judged by what they're wearing, or if they're in their jammies. Everyone's equal. It levels the playing field. Our groups come together a lot faster than any other group." If a group member refuses to participate, he's asked to enter a private break-out room with a counselor to discuss the situation. If one sounds "out of it" or dangerous to himself or others, counselors will call emergency contacts or police for help.

Counselors are recovering from substance abuse themselves. They participate in 12-step programs outside of work, Reinbach said.

Counselors monitor members' attendance, sobriety, participation, anxiety and depression.

With a signed release form, eGetgoing can provide verification of a student's treatment to colleges' referring counselors or judicial affairs officers. It can also give a student 24-hour notice to have a urine test at an independent lab and verify the results.

Free assessments determine if students need other types of care or more intense therapy.

Visit www.egetgoing.com or call (866) 435-7999. ■

Patients prefer anonymity of group

Here's what two *eGetgoing.com* participants who completed the program had to say about it:

- "The online group is a great tool for me because I can talk openly and I don't get so nervous," said a college student.
- "You get a lot more one-on-one. You can't see the other people and you're not going to run into them somewhere, so you can speak more freely," said Cindy, a Minnesota real estate professional. ■

Use the CAP strategy to achieve buy-in for change

You know getting staff members' buy-in is key to making any changes needed in your student affairs department. But that's easier said than done. How can you help staff truly embrace changes, even though new processes usually mean more work for them, at least in the short-run?

Consider embracing Douglas Walker's CAP strategy. That's his acronym for clarity, attainability and payoff.

"Anytime we want to get people to do what we want them to do, we'll have to put three pieces of a puzzle together," according to Walker, author and executive management coach. His book, *A-ha! Performance*, explains how to get that elusive buy-in. It was coauthored by Stephen Sorkin.

"The first piece of the puzzle is clarity," Walker said. That's the what, who, when and where of what you want staff members to do.

"For some, that's all they need," he said. They like being part of new initiatives, so they just need to know what you want, and they jump in. They are ready because the other two pieces of the puzzle are already in place, whether they've been discussed or not, Walker said.

The second piece of the puzzle is attainability. "Before people will do what we want them to do, they have to believe they can do it," Walker said. It is your responsibility to get student affairs staffers to verbal-

ize the barriers they believe exist to implementing the change you are championing. Then you must address those concerns, eliminating them to the best of your ability. "This eliminates any 'can't' excuses," Walker said. For example, one staff member may believe there will be no hands-on training for the new system. But you can assure him you will provide training.

The third piece of the buy-in puzzle is payoff—the "what's-in-it-for-me component," Walker said. "The payoff to join in has to be greater than the cost, or they won't participate."

Give your student affairs staff a series of options to reduce or eliminate their cost of joining the initiative. Could a reluctant staff member be paired with a knowledgeable student affairs colleague who will teach him about the new system? Could student affairs staff watch a video of others using the system you're asking them to embrace?

"You must offer a safe way to be a part of the activities involved," he said.

If some are still hesitant to join, explain that everyone will have to attend a training to see how it unfolds, Walker said.

"Wants precede performance," he said. "If they want to join in, they will. If they don't want to, they won't. And CAP is the formula for setting wants."

Source: Information on this page was adapted from A-Ha Performance, published by John Wiley & Sons. For information, or to order, go to www.wiley.com and input "A-ha Performance" in the search box on the page. ■

MANAGING YOUR OFFICE

This regular feature provides you with guidance to help you sharpen your management skills.

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Did nondiscrimination policy deny students' constitutional rights?

The College of Staten Island is part of the City University of New York. At CSI, a recognized student group is entitled to privileges, including use of the college's facilities and services and the opportunity to apply for special funding through CSI student government.

An unrecognized group isn't banned. It's just not afforded those privileges.

For CSI to recognize a group, it must comply with the college's nondiscrimination policy, which prohibits gender discrimination.

A fraternity that did not admit women applied to become a chartered and officially recognized CSI student group. CSI denied the application. The group didn't comply with the nondiscrimination policy.

The fraternity and its CSI-student members sued CUNY in federal district court. They alleged that CSI violated their First and 14th Amendment rights and federal antidiscrimination law.

The District Court concluded that while eliminating sex discrimination in general is a compelling state interest, preventing fraternities from discriminating is not. It granted the fraternity a preliminary injunction that barred CSI from enforcing its nondiscrimination policy against it. The university appealed.

Chi Iota Colony v. City Univ. of New York, No. 06-41111-cv (2d Cir. 2007).

Did enforcement of the nondiscrimination policy violate the fraternity's rights?

A. Yes. Single-sex fraternities and sororities are ex-

empted from federal antidiscrimination statutes.

B. Yes. By enforcing the policy, CSI violated the students' constitutionally-protected right of association.

C. No. The state's interest in eradicating gender discrimination is greater than the fraternity's interest in maintaining its single-sex status.

D. No. Federal constitutional protections apply to individuals only, not to organizations.

Correct answer: C.

The 2d U.S. Circuit Court of Appeals annulled the preliminary injunction and sent the case back to the trial court. The 2d Circuit observed that the trial court minimized the state's interest in eradicating gender discrimination. The District Court found it significant that fraternities and sororities have long existed as single-sex institutions, and that federal antidiscrimination laws specifically exempt them from their reach.

But the 2d Circuit stated that the appropriate question to ask in evaluating a First Amendment associational-interest claim is: "Upon a balancing of all pertinent factors, do the state's interests, and its means of achieving them, justify the state's intrusion on the particular associational freedom?"

The 2d Circuit found that CSI had substantial interest in making sure that its resources were available to all students. When a student group is recognized by the college, it becomes entitled to privileges funded in part by tuition paid by CSI's students. ■

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SECURITY

University faces jury trial in student's murder

Case name: *Estate of Butler v. Maharishi University of Management*, No. 4:06-cv-00072-JEG (S.D. Iowa 12/11/08).

Ruling: The U.S. District Court, Southern District of Iowa denied Maharishi University of Management's motion for summary judgment on claims of premises liability, fraudulent misrepresentation, and negligence arising from the death of a student who was stabbed on campus.

What it means: A university may be held liable for a student's murder on campus when its failure to follow published safety policies and protocols contributed to the death.

Summary: Levi Butler enrolled at MUM in August 2003. He was murdered by a fellow student six months later when he was stabbed in the campus cafeteria by Shuvender Sem.

Sem had attacked another student earlier the same day. But instead of calling police, university officials had entrusted Sem to Joel Wynsong, the

dean of men. However, Sem evaded his custody while Wynsong was performing his daily transcendental meditation.

Sem was later tried and found guilty of the stabbing, although mentally ill. He was diagnosed with paranoid schizophrenia and committed to a hospital.

MUM's promotional materials described its campus as a "safe haven of peace, friendship, and zero crime" because "every student, faculty member, and administrator practices the Transcendental Meditation technique, which eliminates stress that is the basis of crime and other social problems."

On its Web site, MUM stated that it had a policy of promptly contacting authorities to remove from campus individuals who posed a danger to themselves or others. The Web site also claimed that MUM reported any serious crimes committed on campus to its community.

Butler's estate sued MUM, claiming that it 1) was liable for Butler's safety while on campus; 2) fraudulently misrepresented its safety policies; and 3) negligently admitted a student who posed a danger to others.

According to his parents, Butler enrolled at MUM because it promised to provide learning opportunities in an environment of heightened safety.

Additionally, other evidence showed that university officials should have been aware that Sem had a history of violence prior to his enrollment.

The District Court dismissed MUM's motion for summary judgment.

Whether Butler relied on MUM's statements concerning safety on campus should be decided at a jury trial, according to the court. It also reasoned that MUM's promises of safety could have lulled Butler into a false sense of security that resulted in his death. Similarly, whether MUM breached its duty of care when it failed to investigate Sem's background should also be decided at a jury trial, the court ruled. ■

LAW & CAMPUS

This regular feature keeps you informed about lawsuits affecting students and student affairs programs, services and staff.

CALL US, E-MAIL US

Do you have a comment, question, suggestion or story idea?

If so, please contact:

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DISCRIMINATION

OCR orders revision of nondiscrimination notice

Case name: *Letter to: Texas College*, No. 06082079 (OCR 11/21/08).

Ruling: The Office for Civil Rights determined that Texas College did not discriminate against a student on the basis of disability because the student failed to identify himself as an individual with a disability and did not request accommodations. However, OCR found that the college violated federal regulations regarding its required nondiscrimination notice.

What it means: Colleges and universities are not required to provide accommodations or auxiliary aids to students who fail to identify themselves as qualified individuals with disabilities. Additionally, higher education institutions must disseminate a nondiscrimination notice that includes the name/title, office address and telephone number of the Section 504 compliance coordinator.

Summary: While investigating a student's complaint of discrimination at Texas College, OCR found that the college was not in compliance with Section 504's procedural requirements.

The original investigation concerned a student's allegations that the college denied him necessary academic accommodations. After interviewing the student and various college officials, as well as reviewing documentation provided by the college, OCR closed the complaint due to insufficient evidence. It determined that the student did not identify himself as an individual with a disability and did not request any accommodations.

For a college student to obtain academic adjustments under Section 504, OCR policy requires that he identify himself to the institution as an individual with a disability and make a request for academic adjustments. The investigation revealed that the college had policies and procedures for students with disabilities to request academic adjustments.

However, OCR did find that Texas College failed to include a nondiscrimination notice, or published an inappropriate notice, in the *2007-2009 College Catalog*, *2007-2008 Student Handbook/Day Planner*, and on its admission application.

The college agreed to disseminate a revised nondiscrimination notice that would include the name and/or title, office address, and office telephone number of the person designated to coordinate its compliance with Section 504.

The college also agreed to provide copies of the revised notice to OCR. ■

ACCOMMODATIONS

Athletic facility falls short of disability standards

Case name: *Letter to: Arizona State University*, No. 08062046-A (OCR 11/13/08).

Ruling: The Office for Civil Rights determined that Packard Stadium at Arizona State University did not meet regulatory standards for accommodating individuals with disabilities.

What it means: Athletic facilities at higher education institutions must comply with federal standards for accommodating individuals with disabilities.

Summary: OCR investigated a complaint alleging that Arizona State discriminated against individuals with disabilities by failing to provide a barrier-free environment in Packard Stadium.

If a university's facilities are inaccessible to, or unusable by, individuals with disabilities, Section 504 and Title II regulations provide that no qualified individual with a disability shall be: 1) excluded from participation in, or denied the benefits of services, programs or activities; or 2) otherwise be subjected to discrimination by the university.

OCR found that Arizona State did not comply with Section 504 and Title II regulations because there was no accessible route to the stadium's berm along the first-base line. Also, the accessible seating on the plaza did not provide an integrated spectator experience for people with mobility disabilities.

The university agreed to take the following measures to correct the violations:

1. Incorporate wheelchair seating areas with general admission seats on the plaza.
2. Monitor the number of wheelchair seating areas sold for each game. Depending on the number of wheelchair seats sold for each game, additional general seating would be allowed on the plaza.
3. Ensure that each wheelchair seating area on the plaza has a minimum clear ground or floor space of 33 inches wide by 48 inches deep for forward or rear access, or 33 inches wide by 60 inches deep for side access.
4. Ensure that a) the ground or floor at all wheelchair locations is level, firm, stable and slip resistant; b) wheelchair seating areas are an integral part of the fixed seating plan and are located so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those available for members of the general public on the plaza; c) wheelchair seating areas adjoin an accessible route that also serves as a means of egress in case of emergency; and d) at least one fixed companion seat is provided next to each wheelchair

seating space, except where other equivalent facilities are provided.

5. Provide an accessible route to the berm.

OCR will monitor the plan's implementation to ensure that the university complies with the agreement. ■

JUDICIAL AFFAIRS

Court clears student found guilty of plagiarizing final exam

Case name: *Coster v. Duquette*, No. UW-YCV075005297S (Conn. Super. 12/03/08).

Ruling: In an unreported decision, the Superior Court of Connecticut, judicial district of Waterbury held that Cristina Duquette stole and plagiarized a final exam from Matthew Coster. The court sentenced Duquette to pay \$100 in compensatory damages and \$25,792.56 in punitive damages.

What it means: The findings of a university hearing on a student's misconduct are subject to review. During judicial review, the court may examine new evidence not available at the administrative hearing.

Summary: Coster and Duquette, who did not know each other, were enrolled in separate sections of the same class at Central Connecticut State University.

After reviewing their final exams, their professor concluded that Coster plagiarized Duquette's paper. His conclusion was based on the fact that Duquette had received better grades than Coster in the two previous papers he had assigned that semester. The university expelled Coster after a three-person panel concluded that he had submitted a plagiarized final exam. Duquette went on to graduate and obtained a substitute teaching position in Connecticut.

Coster filed suit against Duquette, alleging that she was guilty of civil theft and conversion. Conversion is an unauthorized act which deprives another person of his property permanently or for an indefinite time. The essence of the wrong is that a plaintiff's property rights are used in a manner that is inconsistent with his right of ownership and harms him.

At trial, both parties' experts agreed that Coster's computer revealed that his paper had been created before Duquette's. Coster had not been allowed to introduce this evidence at the university's hearing. Based on the new testimony, the court concluded that Duquette had somehow managed to get a copy of Coster's paper, edited it for content and style, and then handed it in as her own.

Duquette alleged that the court could not retry her on an issue that had been resolved by the university's administrative hearing. But the court held that the university's administrative hearing was subject to review. Also, since she had not been ac-

cused of plagiarism at the original hearing, it ruled that Duquette could be tried on the charge.

The court found Duquette guilty on both counts. She was ordered to pay Coster \$100 in compensatory damages and \$25,792.56 in punitive damages. ■

COPYRIGHT INFRINGEMENT

University must identify file-sharing students

Case name: *Arista Records, et al. v. Does 1-27*, Nos. CV-07-162-B-W, CV-08-028-B-W (D. Me. 10/29/08).

Ruling: The U.S. District Court, District of Maine denied a motion to dismiss submitted by the student-defendants in a lawsuit for copyright infringement.

What it means: Higher education institutions that act as Internet service providers must comply with *ex parte* court orders requesting the names of students identified by their IP addresses in copyright infringement lawsuits.

Summary: A consortium of copyright owners and licensees filed two cases against unknown University of Maine students, alleging copyright infringement. They served *ex parte* court orders on the students' Internet service provider — University of Maine — requesting their names.

The students filed motions to dismiss the lawsuit and to quash the court orders. They alleged that the lawsuit was a vehicle to obtain court orders needed to access their education records. According to the students, the plaintiffs could not otherwise access that information because it was protected under the Family Educational Rights and Privacy Act's nondisclosure provisions.

They further asserted that the plaintiffs planned to use this information to "demand settlement amounts far in excess of actual damages from the individual student[s]."

The plaintiffs claimed that each student used an online distribution system to download and distribute copyrighted recordings. They identified each student's IP address. They also provided a detailed list of songs that were allegedly distributed to, or downloaded through, each IP address from others on the same file-sharing network.

The U.S. District Court denied the students' motion to dismiss. The plaintiffs had met both elements of a copyright infringement claim, the court held. They had alleged ownership of the copyrights and violation of their exclusive ownership rights, including reproduction and distribution.

Accordingly, the court also held that the University of Maine had to comply with the court orders requesting the students' identities. ■

EUGENE L. ZDZIARSKI, II, VICE PRESIDENT FOR STUDENT AFFAIRS AND DEAN OF STUDENTS, ROANOKE COLLEGE

Transition from large to small college yields valuable lessons

After years working at two large universities, Eugene L. Zdziarski, II, has discovered that smaller colleges serve as a valuable step in the career path of a successful student affairs professional.

It's a step that's often overlooked or undervalued, Zdziarski said. And it may come earlier or later in your career. But either way, it can bring perspective, experience and opportunities that you might not find anywhere else, he said. Zdziarski is a member



EUGENE L. ZDZIARSKI, II

of the *Student Affairs Today* Advisory Board.

"There's a bit of ego that's involved in coming from a large Division I, big-name school that sometimes people can get caught up in," said Zdziarski, vice president for student affairs and dean of students at Roanoke College in Virginia. "At times you miss some of that visibility. Then

you realize the goals and purposes are identical. You find you can have a bigger impact, and that's been exciting and invigorating for me."

He previously served as assistant vice president and dean of students at the University of Florida, and as dean of students at Texas A&M. Each have about 50,000 students. Roanoke has about 2,000 students.

It's the significant difference in numbers that helps him make a difference in students' lives, Zdziarski said.

"What's exciting about being at a smaller school is that once you've built relationships, the changes and impact you can have happens more quickly because you don't have the volume of constituencies to get on board," he said.

Some might see a large university as the upper rung in the climb up the career ladder. Leaving it behind might not make sense to them. But to Zdziarski, it makes perfect sense.

The desire to switch gears hit him one day after he gave an impassioned lecture about the attributes of a liberal arts education.

"One of my students said, 'Dean Gene, if you feel so strongly about that, why are you at UF?'"

And a colleague told him, "You're a small school person in a big school body. You should give it a

try." Zdziarski gave it serious thought.

"I realized it's always been an interest of mine and I've not had that experience," he said. "I felt I was at a point in my career where I could pursue my passion and interest in having that personal connection with students."

Zdziarski helped lead Texas A&M through the 1999 bonfire collapse. And he's widely recognized as an expert in crisis management. So he brings a valuable perspective in safety planning to Roanoke. In fact, he's their crisis/emergency manager.

"Until you've experienced a crisis, the importance of crisis planning and preparation is not as high of a priority. It's easy to let it slide to the background, saying we don't have the time or the money," Zdziarski said. "Having been through that, it's always a priority for me. I always look at events and activities through a different lens, trying to avoid another crisis from occurring, making sure we have plans in place and have thought things through." ■

WORD OF ADVICE

Find the right fit

Eugene L. Zdziarski, II, vice president for student affairs and dean of students at Roanoke College, said a smaller college might suit you if you're:

✓ **Looking for an opportunity to have a more personal impact on students.**

✓ **A young professional, wanting to broaden your experience and increase your chances for upward mobility.**

✓ **Completely matched to the campus culture and philosophy.** "At a smaller school, it really is the fabric of the institution, so you have to find the fit that works for you."

✓ **Ready for an increased emphasis on relationships.** "At a small school, everybody knows each other."

✓ **Comfortable sharing responsibilities.** "There's more collaboration and less ownership of particular things. You can't get too caught up in, 'This is your responsibility and this is mine.'"

✓ **Willing to take the time to understand the people, culture, systems and processes.** "I have to be careful about taking a concept or approach from a large school and applying it here. I have to make sure it fits," Zdziarski said. ■