

Dear new UM president: Please keep system open



Expect constant attention from Media

By JEAN MANEKE
MPA Legal Consultant



(Jean Maneke, MPA's Legal Hotline attorney, can be reached at (816) 753-9000; jmaneke@manekelaw.com.)

To: Gary Forsee
President - University of Missouri System
Dear President Forsee:

Welcome to your new position as president of the University of Missouri. It's a fine system with a wonderful heritage in the field of journalism, as you know.

Missouri Press Association looks forward to working with you in your new position. As you can imagine, the newspaper publishers in the state of Missouri have many opportunities to be in contact with you, including working on stories involving university information, hiring graduates, and working with the university to improve life in their communities.

You have, unfortunately, gotten into a job where you will find yourself surrounded by the media. Perhaps you thought things were bad while serving as CEO of Sprint. I imagine the number of reporters you will deal with in this new job may well exceed the number of reporters in your former job.

Columbia is well supplied with journalists, all needing to make that big story to add to their resumes. We are all proud of the products of your University, and you should just keep in mind that you are training sharp young minds there on campus and this is part of their development process.

But that's not why I'm writing to you today. I think it is important that early in your tenure at the helm of this institution you be sensitized to the history of the University and the open meetings/open records law in the state.

I imagine this is a law that you have had little experience with in your earlier jobs in your career. The university exists, in a significant part, through public dollars. It was created by state statute. Its governing board is a "public governmental body," a "term of art" under the state Sunshine Law. That means that the records of the University, in addition to the Board of Curators, are public records. Meetings of the Board of Curators are public meetings.

Simple enough. Should be no problem, right?

Unfortunately, what you should know is that this has not always been the case. The University, speaking in the general sense, and the media in Missouri have a long history of controversy over access to records and meetings. There has been litigation. Attorneys have advised the University to dodge giving access when requested. Overall, there was an attitude that the University was above state law. Legislation was passed in an effort to clarify this issue and to make certain that it was clear that the law applied to the Board of Curators.

Then President Elson Floyd arrived.

One of his first acts was to end the sunshine law litigation that was pending when he took office. He declared a new era of openness had arrived at the University. He hired a longtime and well-respected reporter, Scott Charton, formerly with the AP, to assist in handling public affairs for the University. And while there were some bumps in the road, in general it was an era of "Yes You Can."

Now it's time for you to "Power Up" in this new environment. We are all waiting and watching to see if this era of sunshine over the University continues or if we find the mindset of private corporate business has descended on the University. We hope that's not the case.

"Sprint Ahead" in your new position and as you do so, please help us keep the era of access and openness

within the University system here. We look forward to working with you, President Forsee, to continue this great partnership between the University and the newspapers in the state in advancing education.

I hope you'll pardon my use of Sprint catch phrases. I couldn't help myself.

Best wishes to you!