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A recent review by East Carolina University of the academic coursework completed by student-athletes found that members of the Pirates’ sports teams were not clustered into classes in a manner that would ensure their eligibility. Given the recent revelations of fraud uncovered at the University of North Carolina at Chapel Hill, that should provide relief for the entire East Carolina community.

What happened at Chapel Hill and, for starkly different reasons, the stinging rebuke of Penn State University’s football program demonstrate the danger of putting excessive emphasis on collegiate athletics. Though they serve a valuable purpose for universities like East Carolina, sports should always be of less importance to the school’s academic mission and its reputation as an institution of learning.

A five-member panel of the UNC Board of Governors on Friday began its review of UNC Chapel Hill’s investigation into allegations of academic fraud stemming from its athletic department. Several months ago it was revealed that a number of Tar Heel players enrolled in so-called “no-show” classes, those that did not require attendance and expected only an end-of-term paper for passage. These courses enrolled many of the school’s biggest football and basketball stars that ensured their eligibility for participation.

That is an damning indictment for a school that prides itself on an otherwise laudable academic reputation as the state’s flagship institution. And, though East Carolina is not under NCAA investigation like its fellow UNC school, it conducted an internal investigation to ensure a similar propensity toward “clustering” student-athletes into easy classes was not occurring here. That report, released last week, found no such problems at East Carolina.

However, that should not mean that this school cannot gain guidance from UNC or from Penn State, two schools where the pursuit of championships on the field led to terrible decisions off of it. Both adopted a win-at-all-costs mentality — though the culture at Penn State was far more toxic, harmful and criminal than in Chapel Hill — and compromised their reputations as a result.

Intercollegiate athletics can be of great value to a school in raising its profile, generating income, building community and energizing the alumni
base. But all universities must be careful that the emphasis on football, basketball or baseball does not overwhelm the more important work being done as institutions of higher learning. That is an important lesson that, unfortunately, some schools learn too late.
Thirty property owners along Farmville Boulevard may lose their home due to construction of the 10th Street Connector. (Rhett Butler)

Connector land purchase begins
By Wesley Brown
Sunday, July 22, 2012

When Ida and Herbert Williams Jr. bought their first home on Greenville’s upper west side nearly 40 years ago, they thought they would be there forever.

The one-story brick ranch at 1230 Farmville Blvd. had all the young couple needed to raise three of their youngest five children, including twins Kimmy and Timmy: three bedrooms, one-and-a-half baths and a full kitchen overlooking a small, but quaint lot.

“It was our dream home for life,” Ida Williams, 73, said in an interview with The Daily Reflector last week.

As time passed, the couple, married for 50-plus years, seemed destined to live out their dream life in their dream home, now emptied of children and its mortgage completely paid.

But today that future has been clouded by a road expansion project beginning to take shape in the city.

Right-of-way agents with the state Department of Transportation started making initial contacts this month with 12 of the more than 200 residents and business owners projected to be affected by the 10th Street Connector project.
Most of the people affected will only lose a sliver of land when crews symmetrically widen Farmville Boulevard in 2014 to create a central avenue between East Carolina University and Vidant Medical Center.

However, 30 residents, 24 businesses and seven institutions are expected to be displaced when the highway system extends from Evans Street to Memorial Drive.

The Williamses, whom state officials have yet to meet with, are in the zone of uncertainty, an unsettling feeling for a family that has lived in Greenville since before the 1970s.

“It’s terrible, just awful,” said Ida Williams, one of 10 residents on a citizens advisory committee formed to help steer the highway project, now in its seventh year of planning.

**Fair appraisals**

Most, if not all, of last week’s meetings with affected residents — prioritized above shop owners on the belief that finding a new home is harder than moving businesses — took place in person at the individual’s house.

The conversations were lengthy, private and personal with state officials reportedly swapping contact information, explaining the land acquisition process and taking extensive notes on the condition of the owner’s property.

Doug Askew, the DOT right-of-way agent heading the state buyout — estimated to swallow $27 million in private property — described the process as painless.

“People think that when you deal with something like this it’s a constant head-butting affair, but it’s not,” said Askew, who has been with the DOT for 25 years. “We try to be fair to the taxpayers and property owners since we are dealing with public funds.”

Due to a lack of state resources, Askew said assessments have been contracted out to a number of private contractors, with Philip Newkirk, a veteran appraiser in Greenville, doing the “lion’s share.”

Property will be priced free of charge to the landowner based on a before-and-after approach that values its worth, with damages factored in, versus its hypothetical value if the project were not to happen.
“That’s really only the fair way to do it,” said Askew, who added DOT officials will check all assessments against federal standards and state guidelines for accuracy and consistency.

“It wouldn’t be fair to go in and pay just on a square foot basis and not look at how it affects the totality of the property,” Askew said.

Wanting more
So far, Askew said 90 percent of the people affected by the project, ongoing since 2005, have been “extremely nice” in speaking with DOT officials, expressing relief that appraisals in the project have finally begun.

While cordial, the remaining 10 percent have made their displeasures known, publicly voicing complaints on the level of government funding provided to help the displaced move, according to minutes of public meetings.

Askew said impacted landowners will be eligible for reimbursement for both moving expenses, including utility hookup, and replacement housing payments through the federal Uniform Relocation Act.

But federal payouts are uniform for all those that apply and in some cases, especially for business owners, are capped, forcing many to have to come up with the money themselves to find and secure new land.

North Carolina does not supplement federal allowances with public funding.

Local government and public and private institutions, such as East Carolina University and Vidant Medical Center (partners in the project) are allowed to contribute relocation assistance, but at the expense of their own budgets.

After providing funds to help DOT develop initial plans and ideas, Dr. Rick Niswander, vice chancellor for administration and finance at ECU, said the university’s current involvement in the project is “minimal.”

“ECU has had no say in determining the scope of the project or the corridor selected for it,” Niswander said in a prepared statement sent to The Daily Reflector. “This is a N.C. Dept. of Transportation project; not ECU, not the City, nor others. Thus, this project does not establish new procedural grounds for any party.”

Although representatives at Vidant Medical Center held the same position, city officials took a different stance on the project.
City leaders have reserved $100,000 in local coffers to help people relocate, said Greenville City Council member Rose Glover, who represents the district through which much of the 10th Street Connector will run.

Glover said the council also has asked Merrill Flood, head of Greenville’s Community Development Department, to investigate the possibility of getting a grant or loan, or developing a five-year working capital plan, to assist in the move.

‘Horror stories’

The measures, though, are not enough, said Glover, who has concerns city assistance will dry up quickly, people will get shorted on their appraisal or that they will be forced to relocate near the city’s industrial parks.

“Most of the people that are going to be affected are older and have paid off their house ... others are businesses that have been there 100 years,” Glover said. “They cannot afford to move. Where they are now is where they were going to retire.”

Glover said she plans to do all she can to hold the state to its word that it will make affected business owners and residents “whole or better once they relocate them.”

DOT officials eased Glover’s worries by referencing their prime example of how one business in the city recently made it through a relocation happy with the end result.

John A. Conway III, president of Greenville Marble & Granite, remembers hearing the “horror stories” when in 2000 state engineers approached him about straightening the intersection at Memorial Drive and Dickinson Avenue.

The crossing, on the northeast corner where Conway’s family had manufactured headstones since 1941, was seen as dangerous.

State officials proposed demolishing the company’s main office and rebuilding it 80 feet west of its original site to make for a safer flow of traffic.

Reluctantly, Conway agreed and the DOT assigned him an adjuster.

The move took 90 days.

Conway lost two weeks worth of business and to keep his original mailing address, had to buy 10 feet of property adjacent to his lot.
But beyond that, Conway described his experience with the DOT as “fair,” saying its staff kept him abreast of the appraisal and destruction of his office building.

“You hear all kinds of horror stories of how the DOT is going to take your land and not compensate you fairly,” Conway said, admitting he almost “took the money and moved.”

“But the people we worked with ... I guess the Lord blessed us. It might be I prayed more than the regular business owner.”

Conway’s words of wisdom to the people affected by the 10th Street Connector are “good luck,” a sentiment for which Williams continues to pray.

“I am hopeful,” Williams said. “I am hopeful something good will come out of this, that if we have to move, we have somewhere to go. But we will just have to wait and see.”

Contact Wesley Brown at 252-329-9579 or wbrown@reflector.com. Follow him on Twitter @CityWatchdog.
Housing Authority scholarships offer 'chance for a better life'

By Cleve R. Wootson Jr.

Through the speeches, applause and camera flashes from proud parents, everyone packed inside the northeast Charlotte church seemed aware of one fact: Many didn’t expect the nearly 100 scholarship winners to make it this far.

The winners, almost entirely minorities, all grew up in affordable homes subsidized by the Charlotte Housing Authority. At best, the students had to overcome the hurdles associated with poverty. Many had to contend with more.

“What an impressive thing these kids have done today,” said Onica Baker, the master of ceremonies and herself an alumna of the scholarship fund. “The stats say you shouldn’t be here, that you wouldn’t be sitting here today.”

The nearly 30-year-old CHA Scholarship Fund doled out more than $100,000 in scholarships Sunday to recent graduates or students currently in college.

The fund was started in 1983 by John Crawford, a youth services employee for CHA at the time. The scholarships are intended to give kids who live in
the city’s low income housing something to strive for. If their goals extend to college, the scholarships also provide a financial boost.

“Education is the great equalizer,” Crawford told the hundreds of family members and supporters gathered in the purple and white sanctuary of Ebenezer Baptist Church on Sugar Creek Road. “It levels the playing field. Believe in yourself. If you put in the effort, this is your chance for a better life.”

Since it was founded in 1983, the organization has picked up corporate sponsors, including the Foundation For the Carolinas and the Bank of America Foundation. It has provided $2.5 million in aid to more than 500 students from low-income environments. Crawford estimated the average income of the scholarship winners’ families was about $15,000.

Next year, the organization hopes to give money to more than 100 students. Speaking last, Crawford, towering over the crowd in a dark suit and red tie, congratulated the young adults, but also admonished them not to become complacent.

“You’re not finished yet,” he said. “You’ve got to get that job, or get that additional education, but you are on the right track. … The one thing I ask of you, is when you get your degree and you get your job and you’re doing well, help somebody else. Please, help somebody else.”
Guitar in hand, Brazil native Sabrina Calado stood in the multipurpose room of St. Paul’s Episcopal Church in Greenville. Smiling, she waited for her audience to arrive.

“I’m excited,” Calado said. “I’ll be teaching them to sing ‘Happy Birthday to You’ in Portuguese.”

Calado is a member of the East Carolina University Language Academy, an intensive program for individuals wishing to learn the English language while gaining exposure to American culture. Participants who earn a high TOEFL exam score that demonstrates English proficiency may then enroll at ECU.

Calado and her fellow students practiced their communication skills July 6 at St. Paul’s by presenting information about their native countries to campers from the Pirate SP.E.E.CH. (SPeech/language Education and Enrichment for Children) Camp, for children with autism and severe communication impairments.

Language Academy instructor Paul Morin supervised the visit to the Pirate SP.E.E.CH. Camp.

“I think the most important thing the students learn is that, outside of the English as a second language environment, they will need to be able to think on their feet in English — to react quickly and express themselves coherently in English,” Morin said.

ECU instructor Lori Kincannon, Department of Communication Sciences and Disorders, directs the Pirate SP.E.E.CH. Camp, now in its fifth year. She said this is the first year the language academy students have visited. Their visit was timed to coincide with “All Around the World” week, when campers learned about the foods, flags, music and dress of people from other countries, Kincannon said.

Three Saudi students showed campers photos of animals from their country, as well as native dress. Ahmad Alqair showed images of camels, reptiles, a wild cat and an Arabian Leopard, allowing the children to reach out and touch the photographs.
Khalaf Alswit showed campers a white thawb, the traditional robe worn in the summer months. Alswit and Alqair modeled the robes. The children laughed as the two ran around the room, demonstrating how to run while wearing a thawb. Then Alswit and Alqair helped the campers try on Alswit’s traditional Saudi Arabian headdress.

“I was especially pleased to see that some of the kids were eager to try on the traditional Saudi clothing,” Morin said. The campers showed no fear, though the visitors might have looked out of the ordinary in their native apparel, he said.

At another learning station, more laughter and excitement greeted a second group of Saudi students who were teaching children about their national flag and how to find the country on a map. They shared with campers their favorite American food — macaroni and cheese.

Music and song erupted from Calado’s station as she taught the children to sing along to “Parabéns Pra Você,” the Portuguese version of “Happy Birthday to You.” Calado shared pictures of animals from Brazil and spoke about the Brazilian flag.

The children practiced interacting with visitors by asking questions of their visitors, such as “What are your favorite things about living in America?” The language academy students responded: the friendly people, hamburgers and pizza.

Kincannon was excited to see the children interacting so well with their visitors.

“Some children may read to their peers, some may hold up signs, and some may use augmentative communication devices to participate,” she said. An augmentative communication device is a form of assistive technology—a device that increases, maintains or improves functional capabilities of individuals with disabilities.

All students participate in their own way, Kincannon said. “We find their strengths and allow them every opportunity to participate using those strengths.”

While the campers benefited from interacting with visitors, the language academy students gained experience in communicating using the English language.
“The Pirate SP.E.E.CH. Camp was a perfect opportunity to give our students experience…in a real-world setting,” Morin said. He said he would like the collaboration to become an annual event.

**Professors, teachers develop curriculum**

Faculty from ECU’s College of Education and the College of Arts and Sciences are spending time this month helping local teachers craft curriculum to meet new classroom standards.

Teachers will soon be tasked with covering essential subjects in a new way. North Carolina adopted Common Core standards in 2010, which focus on skills needed for college or the workplace in core subjects: language arts, math, social studies and science.

“The way we teach has to change,” said Bill Frazier, an administrator with Pitt County Schools. “It’s no longer a simple answer…it’s process. How do you get there? We teach (students) how to think.”

ECU faculty members are working with staff from Greene and Pitt county schools to develop content-specific lesson plans and units of study in those areas.

The training is part of the Teacher Quality Partnership Institute, which aims to produce more effective first-year teachers. Program administrator Dr. Betty Beacham said ECU graduates teaching in Greene and Pitt counties can receive continued training and assistance as they begin their careers through the partnership.

Efforts to support new teachers range from an orientation program at local schools in August to holding future methods courses at Greenville’s J.H. Rose High School, where education students get that “on-site experience,” Frazier said.

“It was taking a good program that we’ve got, looking and saying, ‘We can make it better,’ said Beacham.

The four-week institute began in late June and continues through the end of July. Funding for the institute and other partnership efforts comes from a five-year, $9 million grant from the U.S. Department of Education.
The Wilmington Star News

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This photo by Ohio State University shows the Furtwangler ice wall on Mount Kilimanjaro in Tanzania, where glaciers are rapidly retreating. The potential consequences of global warming could be devastating for Africa, the world's poorest continent. Photo via Associated Press

Lawrence Cahoon - Face the facts on sea-level rise

By Lawrence Cahoon

North Carolina's confrontation with the issue of sea level rise has made national headlines, partly owing to efforts by climate-change deniers and amateurs pretending to be scientists who muddy the waters with self-serving claims. Senate Bill 819 would direct state planning agencies to take no action for four years and “study the issue” further by considering even the ludicrous possibility that sea level will fall(!). As this is written, the bill is on Gov. Beverly Perdue's desk.

A group calling itself NC-20 has played an important role in the debate about what North Carolina should do about sea level rise. Judging by the material posted on its website, however, NC-20 appears to believe that sea level has nothing to do with climate, that climate change is not happening anyway or is caused by mysterious “natural cycles,” is actually beneficial, or is all a massive global conspiracy.

Under its “Sea Level Rise“ subsection, NC-20's website posts several papers by Nicola Scafetta, whose basic argument is that planetary movements in our solar system control Earth's climate. None of his papers actually addresses sea level rise. NC-20 also posts a classic skeptic paper by Robinson, Robinson, and Soon in the “American Journal of Physicians and
Surgeons” (definitely not a climate science journal), but this paper does not analyze sea level rise, either.

I teach a climate change seminar for the University of North Carolina Wilmington's doctoral program in marine biology and assign some of these papers as “skeptic” literature specimens of junk science.

There's a lot of really sound scientific work on sea level rise that is publicly available; a quick Google search turns up the University of Colorado's excellent site on the science of sea level rise (http://sealevel.colorado.edu/). Look at the fine, peer-reviewed work on sea level by the coastal geology group at East Carolina University, especially relevant to any debate about North Carolina's situation.

North Carolina deserves to have real scientific experts inform its policies, not a group of amateurs. According to Google Scholar, none of the people associated with NC-20 has ever published a peer-reviewed scientific paper on sea level rise.

Sea level changes constantly and is affected by a wide variety of factors, including ocean basin and continental geology, seawater mass and density, fluctuations in the hydrological cycle, winds and currents, oceanic thermohaline circulation, and major climate oscillators like ENSO (El Niño/Southern Oscillation).

We know the oceans are warming and therefore expanding; oceanographers have measured ocean temperature for over a century with exquisite precision. We know from gravity-measuring satellites that ice sheets are shrinking and the mass of seawater is increasing. We know that the 2010-11 La Niña temporarily slowed sea level rise globally, but that El Niño will catch it up. These are important facts that need to be included in policy analyses.

Sea level at the coast, where tide gauges are located, is affected significantly by oceanographic processes, but our legislators would not learn that from NC-20. Ocean currents, changes in heat and salt contents, wind patterns, and ocean-atmosphere couplings, like ENSO and the Bermuda High, have significant effects on coastal sea levels. A strong northeaster along North Carolina's coast can temporarily raise coastal sea levels by 3 to 4 feet, prompting warnings of “coastal flooding.” The deniers are also apparently unaware that salt water intrusion into coastal freshwater wetlands can accelerate decomposition of organic soils, making the land sink as the sea rises. North Carolina has extensive areas at risk to this process, especially in Dare and Hyde counties.
Denial is for cowards. Refusal to face facts solves no problems and serves no public good. The necessary and important debate is about what we should do about those facts.

Sea level rise presents us with complex environmental, economic, and social optimization problems, for which the best responses remain to be determined. Opposition to some policy options is understandable, but no reason to deny the problem.

Our General Assembly's clumsy attempts to wish away the issue, abetted by NC-20's dismissal of the relevant science, do not serve the people of North Carolina well. Perdue should veto SB 819.

Lawrence Cahoon is a professor of biology and marine biology at UNCW who has taught biological oceanography for 30 years. He was appointed by Gov. Jim Martin to serve on the N.C. Marine Science and Ocean Affairs Councils and subsequently headed the N.C. Ocean Resources Task Force. He has published 86 peer-reviewed scientific papers.
Stephen Kyle Smart of Winterville recently received the 2012 Earl W. Bonner Scholarship presented by the Eastern Carolina Chapter of the Professional Engineers of North Carolina.

The scholarship supports engineering students from eastern North Carolina at accredited engineering schools in North Carolina.

Smart, the son of Carla and Steve Smart, is a rising senior in mechanical engineering at East Carolina University and a graduate of South Central High School. He received recommendations from his professors and engineering mentors on intern projects.

The scholarship honors Earl W. Bonner, a lifelong resident of eastern North Carolina and a veteran of World War II in the Seabee’s. He was a graduate engineer of North Carolina State University and worked as an engineer for the North Carolina Department of Transportation, the City of Washington and Beaufort County.

Carl Bonner, son of the late Earl Bonner, and his wife, Julia, were instrumental in establishing the endowment.
Dr. Alexa Meara

Internist joins ECU Physicians

GREENVILLE, N.C. (July 11, 2012) — Dr. Alexa Meara, a general internist, has joined the Brody School of Medicine at East Carolina University and its group medical practice, ECU Physicians.

Meara has joined the Department of Internal Medicine as a clinical assistant professor and associate program director of the internal medicine residency program. She has a medical degree from the Georgetown University School of Medicine in Washington, D.C., and completed residency training in internal medicine at ECU.

Meara is board-certified in internal medicine. Her research and clinical interests are rheumatology and resident education. She sees patients at Moye Medical Center at 521 Moye Blvd. Appointments are available by calling 252-744-3229.
William Howard Waugh, M.D., FACP, passed away on Wednesday, July 18, 2012, after a long illness. A memorial service will be held Sunday at 4 p.m. in the Wilkerson Funeral Chapel.

Dr. Waugh was born on May 13, 1925, in New York City, son of Richey L. Waugh, M.D, Medical Director of the United States Public Service, and Lyda L. Waugh. He was the third of four sons, Richey L. Waugh, Jr., MD, Robert J.L. Waugh, MD, and Charles R. Waugh.

Dr. Waugh attended Boston Public Latin School in Boston, Boston University, West Virginia University, and graduated from Tufts University School of Medicine in Medford, MA. He was a veteran of WWII with the U.S. Army Corps of Engineers and the Korean Conflict with the U.S. Air Force Medical Corps, where he served as a physician in Nagoya, Japan, during the American Occupation. He and his young wife Eileen shared this adventure on their way to their 59 years of marriage.

Dr. Waugh was a respected medical scientist, physician, and professor. He held faculty positions at the Medical College of Georgia, the Kentucky Heart Association (endowed) Chair of Cardiovascular Research and Professor of Medicine at the University of Kentucky School of Medicine, and he was instrumental in founding the East Carolina School of Medicine. At ECU he was Professor of Medicine and Professor of Physiology, served as Director of the Department of Clinical Sciences for the young medical school, and was Acting Chair of the Department of Medicine. He served ECU for 30 years and devoted much energy to ensuring high scientific ethics by chairing the institutional review board for research with human subjects, for both the medical school and the university, for 18 years.

After "retirement" in 2001, he remained active and productive as Professor Emeritus in Physiology and continued to conduct original scientific research, publish professionally, and earned several patents for his work. In his later years much of his work was done from his home laboratory. His last scientific publication was as recent as 2 years ago at age 85. His interests were wide and varied, ranging from cardiovascular science, renal physiology, the biology of Daphnia (water flea), sickle cell anemia, biochemistry of Alzheimer's disease, and development of nutraceutical substances from solid laboratory science—from which he obtained several
national and international patents with ongoing licensing for sale of products based on his discoveries. Most recently, a prospective purchaser of some of his patents acknowledged that, in their research, they had found Dr. Waugh to have been at the forefront of medical discoveries for seven decades, which is a remarkable accomplishment.

He was known as an indefatigable researcher and medical scholar who asked penetrating questions of existing theories, at times leading to innovative discoveries. As an example of his innovative mind, as a young physician he reasoned that an antihistamine medication (trade name Benadryl) could treat and save lives in the emergency treatment of severe Parkinsonian side-effects from major tranquillizers, drugs that were revolutionizing psychiatry in 1960 but sometimes produced serious side-effects. This was a landmark discovery that every psychiatrist and every emergency room doctor since 1960 has relied upon. He too was known for his expertise in medical diagnosis, akin to the television character "House." He was able to diagnose conditions over the telephone that confounded physicians doing a physical in-person examination.

Dr. Waugh also was an athlete. For decades he competed in the Master's Division of amateur track and field, performing the shot put and discus. He competed in those events every year between the age of 59 through 85, participating in local, state, regional and national competitions. He earned numerous medals from competitions, even into his 80's. His best competitive throw at age 85 was only 1/4 inch from All-American status for his age group. And on his 87th birthday, he threw several throws from his walker. When not in his lab or in the medical library, he enjoyed watching college football, boxing, and Sherlock Holmes movies, as well as discussing sports with his son William. He also liked going to the beach with his wife and family and eating Hershey's Chocolate Bars. And throughout his life, he never missed the chance to engage in a "spirited intellectual debate." This propensity at times invoked trepidation in his many medical students at East Carolina University.

The personal strengths that propelled Dr. Waugh's many and varied accomplishments include persistence, determination, a dedication to excellence, and rigorous pursuit of the truth. He evidenced these traits both in his professional and personal lives. He wanted to make a difference in the world, and he did.

He is survived by his wife, Eileen Garrigan Waugh, of Greenville; children, Mark H. Waugh, of Knoxville, Tenn., Kathleen C. Waugh, of Scottsdale, Ariz., and William P. Waugh, of Goldsboro; and a grandson, Robert M. Waugh, of New York City.
In lieu of flowers, the family request donations be made to Sickle Cell Foundation of America, 231 East Baltimore Street, Suite 800, Baltimore, Maryland 21202.

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Newman elected board chairman of alumni association
WORKWeek
Monday, July 23, 2012

James B. “Jim” Newman of Raleigh has been elected as chairman of the board of directors for the East Carolina Alumni Association for 2012-13.

Newman graduated from East Carolina University in 1968 and completed his master’s of business administration degree in 1974. He works as chief fiscal officer of the N.C. Department of Insurance.

As chairman, Newman will help lead an organization that reaches more than 130,000 ECU alumni worldwide.

“I am extremely excited about being on the board and serving as chairman,” Newman said. “Our board is so proud of ECU and we want to make the public aware of our successes and promote the University through the association.”

A Greenville native, Newman graduated from J.H. Rose High School and earned a bachelor of arts degree in psychology. His MBA focus was accounting. Newman is retired from the Navy and is a Vietnam veteran, having served four years of active duty there.

He served as treasurer of the board last year and has been a member since July 2008.
“Jim is a loyal volunteer and supporter,” Paul Clifford, president and CEO of the alumni association, said. “His love for ECU, vision for our association and service orientation will drive our association forward under his leadership.”

Three other board members were elected to executive committee positions for 2012-13. Angela Moss of Raleigh, associate director of investments for the UNC Management company, will serve as vice chairwoman. Glenda Palmer-Moultrie of Derwood, Md., a recreation programs coordinator, will serve as secretary. Neal Crawford of Norfolk, Va., president of Monarch Bank, will serve as treasurer.

Six new members will be joining the board: Dean Browder of Winston-Salem, senior vice president–deposit administration with Piedmont Federal Savings Bank; Duane Grooms of Columbia, S.C., assistant athletics director for facilities services at the University of South Carolina; John Israel of Norfolk, Va., command recreation specialist with the U.S. Air Force; Michael Kowalczyk of Chicago, resident director for guest services and marketing at the University of Illinois at Chicago; Dan Spuller of Raleigh, major gifts development coordinator at Wake Tech Community College Foundation; and Lynette Taylor of Winterville, anchor with WITN-7.
UNC panel begins review of academic fraud case

By Jane Stancill - jstancill@newsobserver.com

CHAPEL HILL–A five-member UNC Board of Governors panel began its review Friday of UNC-Chapel Hill’s investigation of academic fraud in the African and Afro-American Studies department.

The panel is expected to spend several months examining the campus review of dozens of classes, heavily enrolled with athletes, in which little or no faculty supervision took place.

The first order of business was a charge to the panel by UNC system President Tom Ross, who formed the group in June. He said the problems at UNC-CH were “deplorable, intolerable and are completely contrary to everything for which this university stands.”

He said the issues, and ongoing media coverage, had taken a toll on the reputation of the campus and on the university system as a whole. Ross emphasized that university officials had worked hard to get to the root of the problems.

“I’m extremely troubled by the suggestion that we haven’t taken this seriously, that nobody has done anything about it or that campus officials, the Board of Trustees or the Board of Governors have perhaps just looked the other way, because that is simply not true,” he said.

Ross told the committee to review and assess both the internal investigation on the Chapel Hill campus and the remedies put in place to prevent a recurrence.

The panel met in closed session twice Friday to discuss confidential information. It also heard oral reports from faculty, deans and the registrar about what was uncovered and what the university has done about it.

UNC Board of Governors Chairman Peter Hans, who was elected in June, urged the panel to ask lots of questions.

“It is time for us to rise to the occasion and resolve this saga, whether the solutions are easy or whether they are difficult,” Hans said. “If there is any question about competing priorities during this review, I urge you, as I believe you will, to come down on the side of integrity, academic rigor and accountability.”
Probing the probe

Panel members did ask questions. One was why the investigation only covered four years – 2007 to 2011. Jonathan Hartlyn, senior associate dean who helped conduct the probe, said it would have been difficult to reconstruct events prior to 2007 because of incomplete data and people’s fading memory of events.

Asked whether the problems may have occurred before 2007, Hartlyn said there was no way to know. “We suspect at least some of them may have,” he said.

UNC-CH officials said their investigations showed that the trouble was confined to the African and Afro-American Studies department and that two people were implicated – the professor at the center of the fraud investigation, former department Chairman Julius Nyang’oro, who recently retired, and Debbie Crowder, a former department office manager who retired in 2009 and declined to be interviewed by campus officials.

Panel members zeroed in on Nyang’oro’s 2011 summer class in which 18 football players and one former player were enrolled.

“Do you happen to know how those 18 students knew about the course?” asked Walter Davenport, a panel member from Raleigh.

Jan Yopp, dean of UNC-CH’s Summer School, said she didn’t know, but that Nyang’oro had contacted her the first day of the second summer session and said he had about 20 students from the department who needed the course to graduate. Faculty often know when there is demand for a certain course because students request it, she said, so that wasn’t unusual.

“He was the department chair,” she said. “I felt like he probably had a good idea of what students in his department needed.”

Counseling changes

Bobbi Owen, senior associate dean for undergraduate education, said academic counselors assigned to student athletes had in the past recommended classes to students – a practice that she said is now forbidden. In the case of Nyang’oro’s summer class, counselors let student-athletes know there was space available and helped register them. Now, she said, students must register themselves. Academic counselors are there to support them but are told not to direct athletes to specific courses, majors or areas of study.
Paper grade forms, which were found to have forged signatures, are also a thing of the past. A new, automated grade database will help the university monitor grading practices, courses and teaching assignments. That will allow officials to more easily spot outliers, said Chris Derickson, assistant provost and registrar.

UNC-CH trustee Chairman Wade Hargrove and UNC-CH Chancellor Holden Thorp attended the start of the meeting.

Thorp defended the decision to push Nyang’oro to early retirement rather than to fire him. Dismissal would have meant lengthy appeals, during which Nyang’oro would have been entitled to full pay. Retirement was a more expedient way to separate Nyang’oro from the university, Thorp said.

Nyang’oro has not spoken publicly about the situation. The State Bureau of Investigation is looking into whether there was criminal conduct associated with the fraud.

‘Disturbed and angry’

This week, Thorp said, the campus received a letter from its accreditation agency, the Southern Association of Colleges and Schools, accepting the university’s five-year interim report to the association with no issues. That is a sign that SACS approves of the university’s handling of the situation, he said.

“Throughout this ordeal, we have asked hard questions, and we have found answers that are humiliating and painful for a university built on a commitment to academic excellence,” Thorp told the panel. “And I am as disturbed and angry about it as anyone. What happened was wrong. There is no excuse and no justification for it. As chancellor, I take responsibility for it, and I also take responsibility for cleaning it up and making sure it never happens again.”

Lou Bissette, a board member from Asheville who chairs the panel, said the group hopes to report its findings to the full board in October. Next, the panel will begin to review documents and transcripts of interviews generated during the campus investigation.

“In my own mind, I think they’ve made a very good effort, but this is a big and very serious problem,” Bissette said. “We want to be sure there are no gaps. And if there are gaps, we point those out so they can go back and rectify that.”
Thorp said the university has to find the right balance between athletics and academics – a difficult task.

“We can do it,” he said. “We have to get better, and we will.”

Stancill: 919-829-4559
Staying Safe on Campus

By AIMEE LEE BALL

PUBLIC safety “is the responsibility of everyone at the university,” exhorts the Ohio State Web site. Taking that message to heart after a series of robberies on or near campus last year, Sara Rosenberg organized her friends into a posse of self-protection.

“We always make sure we have somebody to walk with after dark,” said Ms. Rosenberg, who will be a sophomore in the fall. She also signed up for a self-defense class and became a connoisseur of mace dispensers. “You have to find one with a steady stream instead of a spray or it could blow back in your face,” she said, adding: “You have to realize that you’re on a big campus — so big that we have our own zip code — and the city is around it. Things can happen.”

At campuses big and small, rural or urban, many students seem reluctant to venture out at night alone.

Shuttles between the library and residence halls are a fact of life, often with a long wait time, and colleges invest heavily in keeping students safe. The University of Miami plans on adding license-plate recognition software to its
surveillance system, and smart cameras at Johns Hopkins use algorithms to detect potentially troubling behaviors, including loitering, cars stopping suddenly and people who fall.

Department of Education statistics from 2006 to 2010, the latest available, show no significant change in campus crime, said Gary J. Margolis, a former police chief at the University of Vermont whose consulting firm received a grant from the Department of Justice to develop best practices in campus crime prevention. And some data, he said, even indicate a decrease.

But news of shootings and assaults sends shock waves through students, parents and administrators. With Virginia Tech held liable for failing to issue a timely warning in the 2007 shooting massacre, alerts are becoming part of the soundtrack of college life. Ohio State had 20 last year.

At orientation every year, newly arriving freshmen sit through mandatory talks by security personnel, warning against letting strangers “piggyback” their entry into locked dorms, and whenever high-school seniors visit prospective colleges they are shown the ubiquitous blue-light call boxes, with their 911 panic button.

“When you take your kid on the tour, every school spends a lot of time talking about safety and security,” said Ellen Weber, an executive in Philadelphia who visited American, Temple and the University of Pittsburgh with her daughter, Rebecca. “Then we went up to McGill in Montreal, where nobody mentioned security. When I asked about it, someone said, ‘Oh, you must be from the States.’”

In about 80 percent of campus crime, students are the perpetrators, according to the nonprofit Clery Center for Security on Campus. But town-gown tensions make students wary.

“There have been incidents where people from the wider community have shown up and caused problems,” said Julia Black, a senior at Wesleyan University in Middletown, Conn. “There is that dynamic when you have an elite institution integrated into a community with more socioeconomic diversity. But in the age of smartphones, we learn pretty quickly if there’s any street we might want to avoid.”

Last year, rumors abounded that an assault on two male students at Ohio State, situated in the heart of Columbus, was related to gang initiation in the city. The speculation, which seemed to have stemmed from a remark made in the student paper by the father of a victim, turned out to be false. But some sorority and fraternity members felt particularly vulnerable and stopped wearing their letters for fear they would attract attention.
“The perception is that if you’re able to afford the costs of Greek life, you can be targeted,” said Katie Nord, a recent graduate. She and her friends grew weary of the constant vigilance. “We were spending all our time worrying,” she said, “and we had to rearrange plans in order to be safe. If I wanted to stay late at the library but everyone else was leaving, I had to leave.”

Life at Ohio State did not always feel so perilous to Ms. Nord. “It changed 100 percent last year,” she said. “When I first got there, I would walk everywhere by myself. You feel invincible until something bad happens to you or someone you know.”

The most recent crime statistics from her school, covering the years 2008 to 2010 and about 56,000 students, show that the number of aggravated assaults, five, remained the same. Burglaries actually went down, from 197 to 147, as did reported sex crimes, 32 to 12.

The enhanced sense of danger may have something to do with the enhanced alert procedures. “One of the things that contributed to public alarm was the change in laws requiring us to have notification and timely information,” said David Rose, the university’s police captain. “We used to have an opt-in system. Students had to find our Web site and sign up for the alerts. Now it’s opt-out, and over 100,000 people get those e-mails, including people who hadn’t gotten the previous notices. It generated a lot of speculation that there was a large pattern of robberies.”

Technology for today’s students is a double-edged sword. The iPads, laptops and smartphones that make them prey for thieves also allow the administration to communicate safety precautions. “This is not a generation that will show up at a pizza event to talk about locking their bikes,” said Dr. Margolis, the consultant. “We have to reach them in a different way.”

Alexandra Huttler, a sophomore at Duke, depends on a phone app called Circle of 6. With one click, the preset message “Come and get me; I need help going home safely” can be sent to her six selected contacts. “I never walk alone,” she said. “My best guy friend will come get me.”

An app called the Guardian lets Brown students estimate how long it will take them to walk a particular distance, triggering an alarm unless the timer is deactivated on arrival. “But that’s what my friends and I do informally — ‘Text me when you get there,’” said Chandler Carter, a Brown sophomore. All new students are also given a personal safety device with a pin that can be removed to set off a loud alarm and flashing light.
While acknowledging widespread anxiety, Dr. Margolis begs for perspective. “You can be safe but not feel safe, and you can feel safe but not be safe,” he said. “Statistically speaking, you’re more likely to be the victim of a crime in the dorm by people you know than to get mugged walking across the green.”

“Let’s educate kids and have conversations about safety,” he said, “but not create a sense of paranoia that when you step out of a residence hall, someone’s waiting in the bushes. I’m more interested in talking with young women about drinking from the communal punch bowl at a party than wanting to make sure my child knows about the seven different kinds of pepper spray and how they can be deployed.”

Experts are adamant about one point: inebriation causes crime. All new students at the University of California, Merced, are required to participate in the Violence Prevention Program, which helps them anticipate problems, like seeing a young woman who’s drunk being led away at a party. “We give students sample scripts to safely step in and speak up,” said Kari Mansager, director of the program. “They’re understandably nervous, but I tell them, ‘I’d rather you be embarrassed if you’re wrong about a situation than allow these things to happen.’”

At Kalamazoo College in Michigan, “students are the biggest support for one another, never leaving a party alone, always making sure someone knows you’re there,” said Phoebe Solomon, a senior. “It’s awful walking home at night. I call people to keep me company. It’s like carrying a tiny witness with me.”

Not so fast, said Paul Cell, chief of police at Montclair State in New Jersey; he warns that talking while walking distracts and creates a false sense of security.

Mr. Cell has been teaching a self-defense course at Montclair for more than 20 years. One trend he has noticed is that men are taking steps to protect themselves, too. “I had all females for the first 10 years,” he said. “I was fighting that macho image for males. Now it’s a mixed class.”

Last year at Ohio State, Michael Dworkin, then a senior, started a petition calling for expansion of the university’s Safety Escort Service to walk or drive students home. The petition got 6,500 signatures and resulted in two new vehicles for the overburdened service. “It doesn’t matter how much you can bench-press,” Mr. Dworkin said. “If I were in a group of eight football players and there was one guy with a gun, I’d be scared.”
Penn State Penalties Include $60 Million Fine and Bowl Ban

By PETE THAMEL

The N.C.A.A. announced significant penalties against Penn State and its football program Monday, including a $60 million fine and a four-year postseason ban, in the wake of the child sexual abuse scandal involving the former assistant coach Jerry Sandusky.

The punishment also included the loss of some scholarships and the vacating of all of the team’s victories from 1998 to 2011, but stopped short of forcing the university to shut down the football team for a season or more, the so-called death penalty. Still, the penalties are serious enough that it is expected to take Penn State’s football program, one of the most successful in the country, years before it will be able to return to the sport’s top echelon.

The postseason ban and the scholarship restrictions essentially prevent the program from fielding a team that can be competitive in the Big Ten. The N.C.A.A. will also allow Penn State players to transfer to another university where they could play immediately, inviting the possibility of a mass exodus.
The N.C.A.A.'s penalty, announced by the organization’s president, Mark Emmert, is the latest action to stem from the scandal involving Sandusky, who was convicted last month of being a serial pedophile. The release of a grand jury report detailing Sandusky’s actions last November led to the firing of the legendary coach Joe Paterno; the removal of the university’s president, Graham B. Spanier; and charges against two other top university officials.

Emmert said that no punishment the N.C.A.A. could impose would change the damage done by Sandusky’s acts, but “the culture, actions and inactions that allowed them to be victimized will not be tolerated in collegiate athletics.

A report commissioned by Penn State’s board of trustees and conducted by a group led by the former F.B.I. director Louis J. Freeh and released this month revealed a series of failures throughout the university’s leadership in its handling of Sandusky going back more than a decade. The report concluded that those failures stemmed from a culture in which football was revered and consequently became too powerful on campus. The N.C.A.A. used information from the Freeh report when it decided its penalty.

The Freeh report helped enable the N.C.A.A. to penalize Penn State without going through its traditional infractions process, a typically lengthy affair that includes an investigation, a notice of allegations and providing the university a lengthy amount of time to respond.

The N.C.A.A. also chose not to wait for the numerous criminal and civil cases surrounding the Sandusky case to play out, though those will most likely provide new information on the actions of Penn State administrators.

That the N.C.A.A. acted this quickly and decisively did not come as a particular surprise to the former Big 12 commissioner Dan Beebe, a former N.C.A.A. investigator. Beebe said that the N.C.A.A. has struggled to appear relevant recently while dealing with some of the major issues surrounding college sports, including high-profile cases of rules violations and conference realignment, and that the organization expressed a sincere interest in being more proactive at a retreat in Indianapolis last year.

“I certainly think there have been a lot of changes and issues that have arisen that the N.C.A.A. hasn’t been able to get to,” said Beebe, who is a founding partner in BMT Risk Management, a company that advises colleges and professional sports teams on workplace misconduct.
He added: “I think the N.C.A.A. wasn’t a part of realignment, and the playoff movement did not involve N.C.A.A. staff. I think this is an area, like you said, that’s unprecedented and horrific, and I think there’s a real focus on what the N.C.A.A. can and will do about it.”

While the anticipation of the announcement led to much hand-wringing among athletic directors and among the N.C.A.A. compliance community, what sort of precedent this punishment sets remains unclear. Michael McCann, the director of the Sports Law Institute at Vermont Law School, said this ruling could end up being a one-time decision, with no lasting effect on future policy. He said the key to the N.C.A.A.'s decision to punish Penn State in this manner was directly tied to Penn State’s accepting the penalties.

“The N.C.A.A is 102 years old and this is the first time that something like this has happened,” he said. “I think normally the N.C.A.A. would rather give due process. I think it could be an exception and we don’t see this again. The circumstances are pretty unique, hopefully unique. I don’t see this in all likelihood to come up again.”

What’s certain is that Penn State’s football program will be hindered for a long time. The Nittany Lions welcomed a subpar recruiting class to campus this fall and will now likely see a significant number of players transfer. While Penn State avoided the death penalty, it could take years for it to again contend for the Big Ten title.

Penn State’s roster is considered weak by its normal standards, and coaches of rival reams said they spent Sunday evaluating the Nittany Lions’ roster and recruits to see which players might be most attractive to pursue.
2 California neurosurgeons banned from human research

McClatchy Newspapers

SACRAMENTO, Calif. -- A prominent neurosurgeon at the University of California, Davis, was banned from performing medical research on humans after he and a colleague were accused of experimenting on dying brain cancer patients without university permission.

Dr. J. Paul Muizelaar, who earns more than $800,000 a year as chairman of the university's department of neurological surgery, was ordered last fall to "immediately cease and desist" from any research involving human subjects, according to documents obtained by The Sacramento Bee.

Also banned was Dr. Rudolph J. Schrot, an assistant professor and neurosurgeon who has worked under Muizelaar the past 13 years.

The university has admitted to the federal government that the surgeons' actions amounted to "serious and continuing noncompliance" with federal regulations.

Documents show the surgeons got the consent of three terminally ill patients with malignant brain tumors to introduce bacteria into their open head wounds, under the theory that postoperative infections might prolong their lives. Two of the patients developed sepsis and died, the university later determined.

The actions described by two prominent bioethicists as "astonishing," and a "major penalty" for the school threaten both the doctors' professional careers and the university's reputation and federal-funding status.

"This is really distressing" said Patricia Backlar, an Oregon bioethicist who served on President Bill Clinton's national bioethics advisory commission.

"UC Davis is a very respectable school, but even the best places have trouble," Backlar said. "These men have put that school in jeopardy."

Research on both humans and animals is tightly controlled in the United States and, according to federal regulations and university policy, must undergo a rigorous approval process to ensure that subjects are protected.
Alleged violations involving experimental drugs or devices can trigger a "for-cause audit" by the U.S. Food and Drug Administration. Among possible enforcement actions, the agency can issue warning letters and publicize them or disqualify researchers from further clinical studies. The FDA has not notified UC Davis what, if any, action might be taken.

The National Institutes of Health also plays a role in protecting human subjects by potentially withholding coveted research money from individuals or institutions. Among medical schools, UC Davis ranks 36th in the nation in NIH funding for medical research at more than $130 million in 2011.

Muizelaar, 65, who has been a department chairman at the School of Medicine since 1997, said last week that he and Schrot believed the FDA gave its permission early on, if the doctors thought the treatment was "beneficial to the patients." He described the research ban as an "overreaction" by the university.

"And I understand it," he said. "There are people who blatantly break the rules that endanger all of their research programs. We certainly didn't bluntly trample any rules."

Schrot, 44, who was hired by Muizelaar, wrote in an email that "the determination of 'serious and repeated noncompliance' is misleading."

Despite the disciplinary action imposed last fall, Muizelaar was honored this spring with an additional academic role at UC Davis. He was named the first holder of the Julian R. Youmans endowed chair in the department of neurological surgery, according to an April 19 news release from the university's medical school.

He said he plans to funnel endowment dollars into further research on the procedure that led to the ban.

"If I come down with a glioblastoma, I will demand that it be done on myself," Muizelaar said.

The divergent views illustrate the tension that exists at research institutions between protecting human subjects and developing cutting-edge cures.

After an inquiry from The Bee, the university agreed to release a full accounting of the internal probe into the doctors' conduct.

UC Davis officials emphasized that they moved swiftly last year after learning more about the doctors' unusual work, launching an internal investigation that lasted six months.
In October, documents show, the university's vice chancellor for research notified the FDA of "serious and continuing noncompliance" by the two surgeons.

The letter from Harris A. Lewin, along with 195 pages of exhibits, claimed that Muizelaar and Schrot sidestepped procedures in their quest to introduce bacteria into live patients' head wounds.

"We really take these matters very seriously," Lewin said. "That's why we self-reported" to the FDA.

An FDA spokeswoman said she could not comment on the UC Davis case, or whether it would trigger a federal audit.

"We pursued this very aggressively and very vigilantly to ensure that we were complying with all regulations, so that we can continue to put protection of human subjects as paramount," Lewin said.

"You can understand why. Because if you don't do so, all your funding for federal research can be in jeopardy."

Lewin said physicians at UC Davis "have a lot of leeway" in treating patients but not when it comes to using them in research.

Federal regulations require that any research involving human subjects be reviewed and monitored by an institutional review board, or IRB.

UC Davis has three IRB committees charged with protecting the rights and welfare of people involved in research studies. The campuswide committees, which include members from the general public, have the authority to approve, modify or reject all research activities that fall within their jurisdictions.

The IRBs are a formidable presence in any campus or research setting. Its members must ensure that research involving humans complies with all federal regulations and university policies, and that subjects are adequately protected.

The controversy involving Muizelaar and Schrot erupted over a project known as "Probiotic Intracranial Therapy for Malignant Glioma."

According to Lewin's Oct. 17, 2011, letter to the FDA, the surgeons were intrigued by clinical trials showing promising but unproven results in patients suffering from glioblastoma, the most common and most deadly type of malignant brain tumor.
For these patients, median survival is only about 15 months from diagnosis, according to the National Cancer Institute.

However, Muizelaar and Schrot were aware of medical literature that "seems to suggest" that patients who had postoperative infections lived longer, Lewin's letter states.

Muizelaar said he "inherited" two glioblastoma patients who had unintended infections who went on to live 15 and even 20 years with the deadly disease. "We believed that this was innovative treatment, not research, and that IRB approval was not needed," Schrot said in an email.

In 2008, the doctors proposed treating a glioblastoma patient with bacteria applied to an open wound to "attack the tumor," then later withholding antibiotics and letting the bacteria do its work.

Schrot contacted the FDA but ultimately was cautioned that animal studies were needed first.

At Davis, IRB chairman Anderson, the trauma surgeon, was also skeptical. Anderson told Schrot in an email that denying this patient the treatment would be "likely devastating to this family," but that he believed the FDA and UC Davis "won't allow this product to be used in humans without further testing," internal documents reveal.

Despite the initial roadblock, Muizelaar and Schrot "strongly believed that the intervention with intentional wound infection was promising for patients who otherwise faced certain death," according to Lewin's letter.

And so the doctors continued with preclinical work, arranging for a rat study.

In 2010 events triggered the university's internal investigation.

From October 2010 to March 2011, the physicians went forward with three procedures on humans with malignant brain tumors, surgically introducing probiotics into their open head wounds.

Probiotics are popularly known as the "good" bacteria that live in the digestive tract. In recent years, probiotics have been marketed as remedies for stomach distress and even the common cold, and packaged in yogurt and dietary supplements.

Both doctors theorized that infection stimulates the body's immune system to help attack cancer.
The first surgery resulted from an encounter Muizelaar had with a patient suffering from recurrent glioblastoma in the brainstem. The patient "had been generally aware" of the unusual treatment option with bacteria "wound infection" and specifically requested it, according to Lewin's letter.

At Muizelaar's direction, the letter states, Schrot got IRB permission to move forward on Patient No. 1 with a "one-time procedure" that was "not associated with any research aim," the letter states.

University documents show that the physicians believed they had been given the go-ahead for all three surgeries, but officials later determined that they had been misinformed or were misunderstood by the doctors.

Muizelaar and Schrot stressed that all three patients, in consultation with their families, gave their consent.

The patients' outcomes varied dramatically. The documents reveal:

- Patient No. 1 died six weeks later after the tumor progressed. The university later determined that the patient also had developed sepsis, a life-threatening illness in which the body responds severely to bacteria or germs.

- Patient No. 2, who also underwent the procedure in 2010, was still alive when Lewin wrote his October 2011 report to the FDA. The patient was described as having a reduction in the brain tumor but also suffered a wound infection and was given antibiotics 10 months after being intentionally infected. Muizelaar noted last week that the patient has since died.

- Patient No. 3, who underwent surgery in 2011, soon developed sepsis and meningitis and died.

The same day Patient No. 3 "suddenly and precipitously deteriorated," the IRB director discovered that Muizelaar and Schrot were seeking permission from an ethics committee to infect five more patients.

The university threw on the brakes.

On March 17, 2011, the IRB director ordered the doctors to immediately stop their probiotic treatments, according to university documents.

Six months later, the university concluded its investigation and ordered the doctors to halt all human research activity "except as necessary to protect the safety and welfare of research participants."

In the case of Patient No. 1, the investigation found, Schrot had made an "incorrect statement" about restrictions on the bacteria's use, leading IRB
staff to incorrectly conclude that such review was not necessary, Lewin told the FDA.

As for Patients 2 and 3, the university found that treating them with an "unapproved biologic" amounted to human-subjects research and thus required prior review and approval.

"Drs. Muizelaar and Schrot have emphasized that at all times they believed they were acting in the best interests of their patients, and that they never intended to violate any rules," Lewin wrote to the FDA.

The research ban has potentially serious consequences for both the university and the surgeons.

"To be banned from clinical research makes a career in academic medicine challenging, to say the least," Schrot said. He said he plans to ask the IRB "to identify a pathway to regain my research privileges."

A renowned U.S. bioethicist, describing the alleged violations as "a major penalty," said the university's IRB was right to intervene and quickly.

Arthur Caplan, director of medical ethics at New York University's Langone Medical Center, said that desperate people are especially vulnerable and need added protections.

"If you're dying, you're kind of like reaching out to anything that anybody throws in front of you," said Caplan, who recently left the University of Pennsylvania's Center for Bioethics to assume the New York post.

"That's why so many people over the years are pursuing quack cures in Mexico and all kinds of questionable treatments," he said, speaking in general terms. "They're not able to think straight because they're at death's door."

Caplan said that institutional review boards are often misunderstood, with many people believing that such strenuous oversight is "a lot of bureaucracy to get in the way of trying something to save lives."

In reality, he said, the committees are an essential safeguard for research subjects, who may not get an unbiased view on a researcher's consent form of the study's risks vs. benefits. Or, he said, subjects may be unaware of the financial interests a doctor or researcher might have in an experiment an aspect thoroughly vetted by an IRB.

Besides ordering Muizelaar and Schrot to stop using the bacteria in procedures, the IRB ordered both doctors to stop enrolling new subjects in any research in which they serve as principal or co-principal investigators.
Additionally, the case was referred to three other campus units for investigation into other potential violations, including the faculty code of conduct.

Those reviews are under way, said Bonnie Hyatt, spokeswoman for the UC Davis Health System.

In its six-month investigation, the IRB also looked at its own culpability and that of campus administrators. According to Lewin's letter, the IRB acknowledged that "certain systemic issues may have contributed to the errors made and has worked closely with UCD Medical Center leadership to develop a series of improvements intended to avoid any future recurrence."

Schrot responded to the IRB leadership last September, lamenting that "a serious miscommunication occurred."

"When we administered this treatment, I believed it was appropriate innovative treatment which carried the hope of battling this deadly disease," Schrot wrote to The Bee. "I wished to do everything in my power to try to help these patients."

Schrot said he now realizes that federal regulations are complex, and that "all the appropriate regulatory processes were not followed."

Muizelaar said he and Schrot had no financial incentive or underlying motive for the research.

"This treatment we did it purely to save some patients," he said. "This is not something we can take a patent on. ... We won't get a dime for it."