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Americans remember Sept. 11
By Jane Dail
Tuesday, September 11, 2012

Today marks 11 years since terrorists killed thousands of people in a few hours, threatening national security and changing the course and history of the country.

Planes were hijacked by al-Qaida and intentionally flown into The World Trade Center in New York City and the Pentagon in Washington, D.C. Another crashed in a field in Pennsylvania.

Even though Sept. 11, now called Patriot Day, was more than a decade ago, the gruesome events of the day were fresh on peoples’ minds Monday on the campus of East Carolina University.

Ali DeMocker was just in the third grade on Sept. 11, 2001, and remembers the chaos and confusion that followed the attacks.

“I was in my classroom,” DeMocker said. “They wouldn’t tell us what it was. A bunch of kids were being picked up from school. ... They wouldn’t really tell us until the next day, but some of the classes later on had the news on and everything so we figured out what it was about. It was really scary.”

Wilson Hawkins, a senior at ECU, was enjoying a day at the beach with his family until word that a Twin Tower was hit got out.
Hawkins said he did not understand the importance of the World Trade Center or the Pentagon at the time, but vividly remembers when his family realized what seemed to be an accident was in fact an act of malice.

“I didn’t really know what was going on, but I figured it out later,” Hawkins said. “I was on the beach when the first one hit, and someone was walking around saying the World Trade Center got hit, so we went back to our camper. We watched on TV the second plane hit. My mom said that’s not an accident. That’s when they started explaining to me what was going on.”

Christopher Wolfe, a sophomore at ECU, said his fifth-grade teacher turned on the TV to watch the news and taught him a lesson he will not forget.

“We were so young; none of us knew what a Pentagon was,” Wolfe said. “We were in math class, and we were going over geometrical shapes, so the teacher used that to teach us what a pentagon was.”

Susan Irons, an administrative assistant at ECU, said once she heard of the attacks, she realized America would have to face tough times before it could heal.

“I did realize that the America that we’ve known, that our lives were going to change,” Irons said. “We were being attacked for the first time since Pearl Harbor.”

Edna Bunn, a housekeeper at ECU, said the acts of terror made her count her blessings.

“It changed me totally,” she said. “It changed the whole nation because it was shocking, frightening. ... It just let us know how grateful we are (to be alive). ... That’s a day we’ll never forget.”

Kayshaun Banks, a sophomore at ECU, said he noticed a movement of patriotism and togetherness.

“The change in the country ... you saw people waking up more in America,” Banks said.

Though he hopes everyone remembers those who were lost 11 years ago, Wolfe said many often forget.

“I feel like people have forgotten it a little bit now and have gotten used to the way of living again and forgot that there’s a war out there pretty much because of (Sept. 11),” he said.

Irons said she hopes people continue to remember and honor those who were lost.
“It’s sort of like our world doesn’t need to forget what happened during the Holocaust,” she said. “Our young people need to know and be reminded of freedom, and freedom is not free.

“Somebody is losing their lives to protect our freedom: our military.”

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Each year since al-Qaida terrorists flew commercial aircraft into familiar symbols of American economic and political might, the nation pauses to reflect and remember the lives of those lost one terrible September morning. We think of those men and women who merely went to work when tragedy struck, of the firefighters who died by the hundreds in New York City and of the brave few who fought back on United Flight 93.

The nation will never forget what happened on Sept. 11, 2001, but there is some measure of concern that the full gravity of the loss — the overwhelming shock and sorrow that consumed the country in its aftermath — will become tepid with time. On this anniversary, Americans should resolve to hold tightly to those memories in order that they be passed to the next generation so that it will understand the impact and aftermath of what happened.

Most freshmen now studying at East Carolina University and Pitt Community College were 6 or 7 years old when planes hijacked by al-Qaida terrorists felled the World Trade Center towers, crashed into the Pentagon and dove into a Pennsylvania field 11 years ago. For most of these young men and women’s lives, the United States has been at war in Afghanistan,
Iraq and places around the globe, seeking revenge for that attack and justice for the victims.

The scope of tragedy that day was more than most could contemplate, standing as one of the deadliest acts to take place on American soil. Thousands in the towers and Pentagon were killed, as well as hundreds more aboard the four aircraft. None should forget the sacrifice of the New York firefighters and police officers who also gave their lives attempting to save those trapped on the upper floors of the World Trade Center.

But the toll does not end there. The nation’s subsequent war in Afghanistan claimed the lives of more than 2,000 American troops and continues to do so. Nearly 4,500 died in Iraq. Soldiers from many other countries and an untold number of innocent civilians were killed in those two conflicts as well. It is a reminder that this massive loss of life was not confined to Sept. 11 or to these shores.

It is a terrible anniversary the nation marks each year, but one important to preserving memories and providing context for the next generation. Americans would do well to take a moment to reflect today and pay tribute to all those lost that day and in its aftermath.
New partner joins health effort
By Michael Abramowitz
Tuesday, September 11, 2012

Affordable preventive care and fitness is a shared community experience in Pitt and Martin counties, said an array of experts gathered on Saturday to show off their programs and services to west Greenville residents.

They were at a special kickoff on Ward Street to welcome a new partner to the collective health effort — IGCC Fit — the newest in a growing list of programs for children and families available at the Lucille Gorham Intergenerational Community Center. The program is funded by a grant from the Kate B. Reynolds Charitable Trust, under the direction of Kerry Littlewood, a professor at the School of Social Work at East Carolina University’s College of Human Ecology.

“The idea is to offer health and wellness in a holistic way across the generations of the community,” Deb Moody, director of programs at the IGCC, said.

The center will combine education, nutrition assistance, physical activity, and community support and engagement to accomplish a more valued and lasting relationship between the idea of wellness and the people in the community, Moody said.

A new health and wellness room at the center has exercise equipment. Activities will include dance, martial arts, yoga, community walks and fall prevention.

Staff, interns and volunteers from several ECU schools, the Pitt County Health Department, outreach organizations and community residents will collaborate to provide the education and services, including after-school
programs, time management, parental nurturing, family diabetes management, medication maintenance and substance abuse prevention.

Nutritional assistance will be provided through meal planning, healthy cooking demonstrations, low-cost meal options, coupon trades and mobile farmers markets.

The community engagement will provide care coordination, mentorship, bulletins, monthly health screenings, seminars and health fairs.

The program highlights the vast range of possibilities through collaboration between the people in the community and the resources marshaled by East Carolina University.

“We know we will encounter people in crisis and will have a system in place to get them immediate help, but we will show people who are borderline or at risk to turn their health around,” Moody said. “The biggest factor in this community is that people don’t know the resources that are out there for them, so we want to bring the resources to them, too.”

One valuable lesson Moody and her accomplices hope to share is that financial ability is not as much a barrier to a better quality of life as many believe.

“This program is free of charge,” she said. “All folks have to do is come to the door and sign up.”

To prove her point that affordable wellness is here and real, the IGCC shared the spotlight with several government agencies and community outreach programs that collaborate to deliver health and physical and mental fitness programs to the underserved population. Programs that offer health support from pre-conception health to fitness and medical care for the elder population were on hand and ready to help. Many programs provide resources for the entire family, especially in matters of nutrition and preventive health.

Pitt County Health Department staff spread the word about the many programs there that focus on overall health and illness prevention, including physical activity, diet, mental and emotional health, and nutrition across generations. The WIC program for women, infants and children up to 5 years old provides healthy food, nutritional and breastfeeding education and others provided information on topics like pre-conception health for adults preparing to be parents.
The grant to the Intergenerational Community Center will fund the program until December 2014, supported by the university and operated by Access East Inc., a subsidiary of the Vidant Health System.

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New roommate rule moves ahead
By Wesley Brown
Tuesday, September 11, 2012

Although the boundaries of a new zoning law have been changed twice in the last month, city leaders pressed forward Monday night in their efforts to open up certain homes in one college neighborhood to four renters.

In a 4-2 vote, the City Council turned downed a request by Councilwoman Marion Blackburn to revisit the newly formed Neighborhood Revitalization Initiative.

Authored by Councilman Max Joyner, the initiative is a permit program that would allow a fourth roommate in homes that are greater than 1,500 square feet and have more than four bedrooms between Elm, Fifth and Reade streets to the Tar River.

The proposed district has not expanded, but it has shrunk in the past month, causing some confusion among area residents, Blackburn said. The presence of city parkland and state-owned properties forced planners to keep the northern corners and parts of the southern edge of the district untouched, city attorney Dave Holec said.

“I believe we have a legal responsibility to review any changes made to the proposal to ensure complete transparency as we move forward,” Blackburn said. “It is like we are changing horses in the middle of the race.”

Joyner’s initiative passed a preliminary reading on Aug. 13. It is scheduled for review by the Planning and Zoning Commission on Sept. 18, before it will come back to the council for a final vote on Oct. 11. Notices were mailed to residents about the proposed zoning change last week.

“It will be implemented to the fullest extent while complying with state law and the city’s best practices,” Holec said.

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Trip to UNC highlights ECU slate

“This is a marquee game for us and one that our kids will be very excited to play.”

East Carolina men’s basketball coach Jeff Lebo will be returning to familiar territory this season.

Lebo, a former standout with the North Carolina basketball squad, will lead the Pirates to Chapel Hill on Dec. 15 to face the Tar Heels, according to the 2012-13 schedule released on Monday.

“Coach (Roy) Williams has been very gracious to play at other places I’ve been and was all for it here as well,” Lebo said. “This is a marquee game for us and one that our kids will be very excited to play.”

The game, which is schedule for a noon tip-off, marks the third meeting between the two programs. The Tar Heels defeated the Pirates 79-66 at Christenbury Gym in Greenville on Jan. 6, 1953. The last meeting took place during the first round of the 1993 NCAA tournament when North Carolina scored an 85-65 win in Winston-Salem.

The Pirates’ slate includes 17 home games and 13 contests against teams that participated in postseason play last year.
ECU opens the season with four straight home games — Washington and Lee followed by games against Methodist College (Nov. 13), UNC Greensboro (Nov. 16) and Appalachian State (Nov. 20) to conclude the homestand.

The Pirates then hit the road to take on Georgia State (Nov. 26) and Charlotte (Dec. 1).

Home dates with St. Andrews (Dec. 4) and Gardner-Webb (Dec. 18) sandwich the showdown in Chapel Hill.

After a trip to Massachusetts (Dec. 22), ECU plays three straight at home — Norfolk State (Dec. 29), Campbell (Jan. 2) and N.C. Wesleyan (Jan. 5) — before tipping off Conference USA play at Memphis on Jan. 9.

COLLEGE BASKETBALL
Top UNC fundraiser resigns amid questions

By Dan Kane - dkane@newsobserver.com

CHAPEL HILL—Matt Kupec, a star quarterback for UNC-Chapel Hill who later returned to become its chief fundraiser, resigned Sunday after an internal investigation showed he and university fundraiser Tami Hansbrough appear to have taken personal trips at the university’s expense, Chancellor Holden Thorp said Monday.

Thorp said Kupec, the vice chancellor for university advancement, offered his resignation Sunday night after Thorp told Kupec a review of his travel with Tami Hansbrough, the divorced mother of former UNC star basketball player Tyler Hansbrough, showed trips that did not appear to be university related. Thorp said those trips appear to have included destinations where her other son, Ben Hansbrough, then a star basketball player at Notre Dame, was playing, but Thorp did not say how many.

“Last night I told Matt what I had been finding and I was going to have to do a thorough investigation of his travel, and he offered his resignation,” Thorp said, adding he accepted it.

“It was difficult because Matt has been such a great person for the university and has raised billions of dollars for us,” Thorp added, “but I had to share with him what we had been finding and it didn’t look good and that it’s
likely that this sort of personally driven travel was unacceptable, and we are going to need to do a pretty thorough investigation of it.”

The personnel changes and internal investigation involving the mother of one of UNC’s most popular basketball players come amid a yearlong academic fraud investigation that also has ties to athletics. But Thorp said he did not see the fundraising controversy as being an athletics concern.

**Hansbrough on leave**

Thorp said Tami Hansbrough, a major gifts officer who earns $95,000 annually, has been placed on administrative leave as that investigation continues. Kupec declined to be interviewed Monday night but released a statement confirming the resignation. He did not provide details but thanked the university for his time there. Hansbrough could not be reached.

The personnel changes give another twist to Hansbrough’s unusual work history at UNC-Chapel Hill. She was originally hired on Dec. 8, 2008, as a fundraiser for the foundation that serves UNC-CH’s dental school.

At the time, her son Tyler, a senior, was beginning his final season on the basketball team, a season that would bring the university a national championship. Tyler Hansbrough was named an All-America and now plays in the NBA.

Thorp confirmed that a dental foundation audit later found that during that championship run, Tami Hansbrough had been traveling to cities in which Tyler Hansbrough was playing basketball. But Thorp said those foundation-paid trips were legitimate because she was raising money for the university, and UNC fans traveling to those games would have been good candidates to make donations.

**Compliance office reviews**

Thorp said the university’s compliance office reviewed information about the travel for compliance with NCAA regulations.

The audit led to the exit of Hansbrough’s boss at the foundation, Brad Bodager, Thorp confirmed. Attempts to reach Bodager over the past few weeks have been unsuccessful.

In mid-2010, Kupec sought to hire a fundraiser. By then, Kupec was in a relationship with Hansbrough, Thorp said, and Thorp had heard that she might be interested in the job. When Thorp learned that she would be reporting to Kupec in the new job, Thorp told Kupec he could not hire her
because it would violate the university’s nepotism policy since they were in a relationship.

The position disappeared and was never filled. A short time later, another fundraising position surfaced, only this time it reported to Winston Crisp, who is the vice chancellor for student affairs. Thorp said he had supported the position being created.

After what Thorp said was a proper job search with multiple candidates, Crisp hired Hansbrough for the job. But Hansbrough traveled regularly with Kupec, who separated from his wife in October 2009. The marriage ended two years later, Orange County records show.

The divorce papers indicate that Kupec had committed “marital misconduct” according to North Carolina law. Kupec first joined the university as a fundraiser in 1992 and became the vice chancellor for university advancement in 1995. He made a $349,800 annual salary.

Tami Hansbrough is divorced from Tyler and Ben Hansbrough’s father.

**Concerns about travel**

Thorp said he began hearing concerns regarding Kupec’s and Hansbrough’s travel weeks ago and initiated an investigation.

The News & Observer sought to obtain a copy of the dental foundation audit and related expense records four weeks ago, but the foundation’s new director, Paul Gardner, said they were not public record because the foundation is a nonprofit and not a public agency. He forwarded The N&O’s request to UNC-CH’s legal department, which so far has not provided information.

Past and current members of the dental foundation either said they knew nothing about the audit or declined to comment. But one board member, Dr. Bettie McKaig, a Raleigh dentist, said Hansbrough had been a good fundraiser for the foundation.

Last week, The N&O contacted Thorp and asked him about the audit, Kupec’s relationship with Hansbrough and how she got hired. Thorp said he could not talk about the matter then, but called The N&O early Monday evening and confirmed several details.

**Kupec’s statement**

Kupec said in his statement that “I have been privileged to have worked with incredibly talented faculty, students, administrators and staff. I have worked with gifted Chancellors. But most of all, I have been fortunate to work with
a score of passionate alumni and friends who love this University and who have paved the way through their generosity to make Carolina a true gem.

“I will miss you all but in my heart I will always be a part of the Carolina family.”

Kupec said he was proud to have led two major fundraising campaigns – the $440 million Bicentennial Campaign for Carolina and the $2.38 billion raised during the Carolina First Campaign. Overall, he said, he raised $4 billion for the university.

Kupec played quarterback for Carolina from 1976 through 1979 and set or broke 19 passing records, according to his university biography.

Staff writer Amanda James contributed to this report.

Kane: 919-829-4861
NCSU cuts $10 million research deal with chemical firm

By Jay Price - jprice@newsobserver.com

RALEIGH–A multinational chemical company has signed a $10 million deal with N.C. State University that school leaders hope will become a model for streamlined research partnerships that attracts other companies.

The deal with Eastman Chemical Co. sets the terms for collaboration across a broad range of disciplines and different schools within the university. It also sets out a blanket plan for sharing revenue from all resulting discoveries so that terms for each don’t have to be negotiated separately.

“We’re finding a lot of our industry partners are really interested in these sorts of agreements,” said Terri Lomax, NCSU’s vice chancellor for research, innovation and economic development.

The deal gives Eastman the commercial rights to any products that result from the research with sales of less than $20 million. For sales beyond that amount, NCSU receives royalties, Lomax said.

The university hopes to soon unveil a generic policy outlining how such deals should work, she said.

Having the revenue terms settled in advance is good for the company in part because it means Eastman won’t have to worry about heavy costs early in the life of an invention before it generates revenue, said Greg Nelson, the chief technology officer at Eastman.

It also means the university will gain by being able push more new products and technologies into the marketplace – one of its missions – and do so quickly, he said.

Eastman will provide the money over a six-year period to fund the partnership and open a lab on NCSU’s Centennial Campus.

The partnership will involve research in materials science, chemistry, chemical engineering and textiles among other areas, said Bob Clemens, Eastman’s vice president of corporate technology.

In the past few years, NCSU has placed more emphasis on creating new companies and new products to boost the state’s economy.
In 2010, Chancellor Randy Woodson announced an initiative to double the number of private companies NCSU spins off every year, and to boost by 50 percent annually the amount of grants and contracts its faculty and staff win to fund research.

The emphasis on such arrangements apparently paid off in the Eastman deal. When Eastman began considering a research partnership, it considered every university in the nation, then narrowed the field to 10 finalists before picking NCSU, said Clemens.

The ease of dealing with the contract and the new approach to the terms played a big part in its selection, said he and Nelson.

“I haven’t seen a more pleasant negotiation in 25 years in the industry, and it was obvious that N.C. State is really motivated to make public-private partnerships work and get more innovative products out there to help the economy,” Nelson said.

NCSU’s peer universities, he said, would likely use the deal as a model to compete for similar arrangements with corporate partners.

Several aspects of the deal make it a more nimble arrangement for both sides, said Lomax.

Having the conditions pre-negotiated for commercial rights eliminates the lengthy negotiations that can arise, she said. Not every promising product turns out to be marketable, so this can eliminate months of wasted wrangling.

The deal also offers up-front protection for the commercial rights to things Eastman has already created.

That gives the company confidence that it can share important inside knowledge with NCSU researchers without risk that it will be obtained by competitors.

Also, it gives the company the ability to handle the legal aspects of obtaining intellectual property rights for the fruits of the partnership, such as patents.

That’s something that companies often feel they can handle more quickly than universities, meaning that discoveries are protected sooner, Lomax said.

Initially, the company’s presence in Raleigh will be small – just four people to work with the NCSU scientists. Its lab, which it expects to open early next year, can accommodate about 10, and it hopes to outgrow that space, Clemens said.
Under the deal, visiting Eastman scientists can work at NCSU and university researchers can do the same at Eastman facilities. NCSU students are also expected to participate in the projects that arise from the partnership.

Price: 919-829-4526

About Eastman

Eastman Chemical Co. of Kingsport, Tenn., began in 1920 producing raw materials for the Eastman Kodak Co. Kodak spun the company off in 1994. It now has annual revenues of about $9.3 billion last year and about 13,500 employees world-wide.
Briana Moore, left, and April Hammonds gather with hundreds to remember Haliwa-Saponi tribe member and UNC student, Faith Hedgepeth, during a vigil Monday, September 10, 2012, at UNC Chapel Hill. Hedgepeth was found dead in her Chapel Hill apartment Friday September, 7, 2012. Her death is being treated like a homicide by Chapel Hill police.

**UNC students gather to remember, mourn slain classmate**

By Anne Blythe and Jeanna Smialek - ablythe@newsobserver.com

CHAPEL HILL—As UNC-Chapel Hill students gathered publicly to mourn the death of Faith Hedgepeth, investigators questioned people privately in a search for clues to the homicide.

Hedgepeth, a biology major from Hollister, was found dead at 11 a.m. Friday inside an apartment at the View complex that straddles Orange and Durham counties. Police acknowledged Monday they think Hedgepeth had been killed in a crime that was not random, but they were tight-lipped about the cause of death and whether they had suspects.

On a college campus where students typically are preparing for the life ahead, Hedgepeth’s death and the many unanswered questions about it left her peers to grapple with a sudden finality.

Hundreds of students, many weeping, gathered Monday evening at the Pit – the brick courtyard where students congregate to socialize, listen to
speeches, or debate – and held unlit candles as Hedgepeth's a Capella group, Unheard Voices, performed an Native American “unity” song and another a Capella group, the UNC Harmonix, performed songs dedicated to the UNC junior.

“None of us are ever prepared for such a sudden and unexpected loss,” said UNC-CH Chancellor Holden Thorp. “We are stunned and grief-stricken as individuals and as a community.”

The Student Union walkway – a work of art with bricks depicting turtles and other symbols that was a gift to the University from a member of Hedgepeth's Haliwa-Saponi tribe – was illuminated in her memory, Thorp told the crowd.

“I urge all of you to be there for each other in these difficult days and weeks ahead,” he said, reminding students that counselors are available for those who need them.

“When we grieve, we grieve together,” said student body president Will Leimenstoll. “I don't know what to say in situations like this.”

The crowd lit their candles as members of Hedgepeth's family and her Haliwa-Saponi tribe took the podium to recall her life and share their grief.

“Our hearts are heavy and we can't understand of any of it,” said Consuela Richardson, Hedgepeth's cousin. “We will get through, and justice will be served.”

Richardson recalled how inspired she was by Hedgepeth, saying the young woman would live on as an inspiration and role model to those who knew her. Hedgepeth had worked hard to win a scholarship to UNC system schools through the Gates Millennium Scholars program, a source of pride to her entire tribe.

The first time she flew in a plane, her cousin said, Hedgepeth commented that she wanted to play in the clouds.

“No she's got all the clouds she needs,” Richardson said.

Police have established a tip-line at 919-614-6363 for anyone with information related to the investigation. Callers who wish to remain anonymous will be allowed to do so, according to officials.

People may also contact Crime Stoppers at 919-942-7515. Calls to Crime Stoppers are confidential and anonymous, and the caller may be eligible for a cash reward up to $2,000 for information that leads to arrest.

Blythe: 919-836-4948
A lawsuit filed in Austin, Texas by a jeweler says that Duke's Lance Thomas purchased nearly $100,000 in custom jewelry during the 2010 season from a New York firm that caters to professional athletes and is now being sued for failing to pay the balance of what he owes.

**NCAA faces time pressure if they want to investigate Lance Thomas, Duke**

By Laura Keeley - lkeeley@newsobserver.com

If the NCAA intends to investigate whether or not Lance Thomas received any extra benefits that allowed him to purchase nearly $100,000 in jewelry, the organization better start soon.

Duke must receive a notice of allegations from the NCAA with the charges and what bylaws the enforcement staff feels were broken before the organization’s four-year statute of limitations expires. There are exceptions, including cases involving current student-athletes, a lack of institutional control or a pattern of violations that predates the statute of limitations, but it does not appear that any of those will apply, according to NCAA compliance expert John Infante.

“It doesn’t look like any of those are present, at least based on the facts right now,” said Infante, a former assistant director of compliance at Colorado State who now writes a blog on compliance issues. “So the NCAA would need to do this within the coming year or so.”
According to the lawsuit filed by Manhattan jeweler Rafaello & Co. against Thomas, the former Duke player made a $30,000 down payment on five pieces of diamond jewelry worth $97,300 on Dec. 19, 2009. That gives the NCAA until Dec. 19, 2013 to notify Duke of any potential violations.

In addition to the truncated timeline, the NCAA faces other hurdles in gathering information, Infante said. Since Thomas is no longer under the NCAA’s purview, he is not required to talk to the organization and also cannot be forced to talk. And since the NCAA does not have subpoena power, Rafaello & Co. or any other involved party cannot be made to talk either.

When asked, Rafaello & Co. declined to speak with the NCAA since the matter is the subject of ongoing litigation, said Mike Bowers, the jewelers’ lawyer.

“If everybody keeps their mouth shut and everybody refuses to talk to the NCAA, and by everybody I mean Thomas and the jeweler and whoever might have provided him this $30,000 if it did come from someone else, then there’s not much the NCAA can do if they don’t get information,” Infante said.

Thomas, then in the middle of his senior year, signed a purchase agreement stating that he would pay the remaining $67,300 balance on the jewelry in 15 days. He did not have a co-signer on the purchase agreement, Bowers said.

“It’s one of those things that would give somebody pause when you’re talking about a $30,000 down payment,” said David Ridpath, the former director of compliance at Marshall and current Ohio University professor who has testified before Congress on compliance issues. “It makes you wonder, one, where he got the money and then, two, being extended that type of credit as a college student when you can’t receive any benefits or services based upon your potential utility as a professional athlete. So, certainly, there is an issue that has to be looked at. There might be a plausible explanation for it, but it just seems a little unlikely to me. It does seem, at least on the surface, like an extra benefit violation.”

Duke associate athletic director for media relations, Jon Jackson, declined to comment. He has previously said the university will not comment beyond its initial statement that the school is aware of the lawsuit and looking into the matter.
NCAA bylaw 16.01.3 states that a benefit must be available to any of the institution’s students, their relatives, and friends determined on a basis unrelated to athletic ability for it to be permissible. Extra benefits that are impermissible come in a variety of sizes and some could be as small as a free ride for an athlete on a rainy day from a driver who wouldn’t offer one to a student they did not recognize.

The lawsuit against Thomas potentially involves a much larger benefit.

“This isn’t just going and getting an IOU at Wendy’s or something because the manager is a basketball fan and says, ‘hey, I’ll just give you a free meal and you can pay me whenever,’” Ridpath said. “But something to the level of six figures and getting that type of credit extended gives me pause to think it has to be based on something else.”

Both Ridpath and Infante agreed that there is not yet enough information to determine if Duke will face sanctions. In the interim, questions remain.

“You have two pretty significant questions about Thomas’s eligibility,” Infante said. “It’s as standard a penalty as there is in the NCAA. If a student-athlete is ineligible and plays in a game, then the results have to be vacated, which would include any win he played in certainly after the purchase, and maybe before depending on any other violations that might be uncovered. That obviously includes the tournament run up to and including the Final Four and National Title game.”

Keeley 919-829-4556
Professor’s Dismissal Upheld by Colorado Supreme Court

By DAN FROSCH

The Colorado Supreme Court on Monday refused to reinstate Ward L. Churchill as a University of Colorado professor despite his longstanding contention that he was dismissed because of his controversial political views.

Upholding two lower court decisions on Mr. Churchill’s case, the court affirmed that the university’s Board of Regents had essentially acted as judges in firing him for academic misconduct in 2007 and was therefore legally immune to his attempts to win his job back.

Mr. Churchill, 64, an ethnic studies professor, created a national uproar when he described some victims of the Sept. 11 attacks as “little Eichmanns” in an essay that first appeared in 2001, referring to Adolf Eichmann, the Nazi who helped carry out the Holocaust. But the essay did not draw attention until 2005. Shortly thereafter, several scholars came forward accusing Mr. Churchill of committing plagiarism in his research on American Indians, which eventually led to his dismissal.

He has been trying to get his job back ever since, maintaining that his political views were the real reason he was fired and accusing the university of violating his free speech rights.
“The Colorado State Supreme Court spends 55 pages saying the regents are above the law,” said David A. Lane, Mr. Churchill’s lawyer. “Regents at universities all over the country should feel emboldened to feel free to violate the First Amendment any time they want, as long as there is some sham due process that is given before they do it.”

Mr. Lane said he planned to appeal to the United States Supreme Court.

The ruling, which came just one day before the 11th anniversary of the attacks, is the culmination of years of bitter legal battles between Mr. Churchill and the university. In 2009, a Denver jury agreed with Mr. Churchill’s assertion that he was wrongfully fired but awarded him only $1 in damages. And the district judge in the case, Larry J. Naves, refused to return him to the classroom, ruling that the regents’ actions were quasi-judicial and legally protected. The Colorado Court of Appeals agreed.

“Obviously, we are pleased that the Supreme Court upheld Judge Naves’ ruling that we acted appropriately throughout this,” said Ken McConnellogue, a spokesman for the University of Colorado. “At the end of the day, academic integrity is at the core of our mission. Today’s ruling is a victory for all of C.U.’s faculty and students.”