

April 2-3, 2009

UNIVERSITY OF MISSOURI  
Columbia . Kansas City . Rolla . St. Louis



## BOARD OF CURATORS

Minutes of Board of Curators Meetings  
Missouri University of Science and Technology Campus  
Rolla, Missouri  
April 2-3, 2009

The Oath of Office was administered to Curator Don M. Downing on April 2, 2009, by Secretary Miller. Vice Chairwoman Haggard presented Curator Downing with a curator lapel pin.

### **BOARD OF CURATORS MEETING – PUBLIC SESSION**

A meeting of the University of Missouri Board of Curators was convened in public session at 12:40 P.M., on Thursday, April 2, 2009, in the Havener Center St. Pat's Ballroom, on the Missouri University of Science and Technology campus, pursuant to public notice given of said meeting. Curator Judith Haggard, Vice Chairwoman of the Board of Curators, presided over the meeting.

#### Present

The Honorable John M. Carnahan III  
The Honorable Don M. Downing  
The Honorable Warren K. Erdman  
The Honorable Bo Fraser, by telephone  
The Honorable Judith G. Haggard  
The Honorable Doug Russell  
The Honorable Cheryl D. S. Walker  
The Honorable Don Walsworth

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Student Representative Anton H. Luetkemeyer  
 Curator Fraser participated via telephone.  
 Curator Wasinger was absent from this portion of the meeting.

Also Present

Mr. Gary D. Forsee, President, University of Missouri System  
 Mr. Stephen J. Owens, General Counsel  
 Ms. Kathleen M. Miller, Secretary of the Board of Curators  
 Dr. Gary K. Allen, Vice President for Information Technology  
 Dr. John F. Carney III, Chancellor, Missouri University of Science and Technology  
 Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia  
 Dr. Thomas F. George, Chancellor, University of Missouri-St. Louis  
 Dr. Steven Graham, Interim Vice President for Academic Affairs  
 Mr. Stephen C. Knorr, Vice President for Government Relations  
 Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration  
 Mr. Leo E. Morton, Chancellor, University of Missouri-Kansas City  
 Dr. Michael F. Nichols, Vice President for Economic Development  
 Ms. Betsy Rodriguez, Vice President for Human Resources  
 Dr. David R. Russell, Chief of Staff  
 Ms. Cindy Pollard, Associate Vice President for Strategic Communications  
 Media Representatives

**General Business**

It was recommended by Chairman Fraser, moved by Curator Walsworth and seconded by Curator Carnahan, that the following Board of Curators Executive Committee and Standing Committee appointments for 2009 be approved:

**Executive Committee**

Judith G. Haggard, Chair  
 John M. Carnahan III  
 Doug Russell  
 Bo Fraser, ex officio

**Academic, Student and External Affairs Committee**

Judith G. Haggard, Chair  
 Don M. Downing

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Warren K. Erdman  
David G. Wasinger  
Tony Luetkemeyer, ex officio  
Bo Fraser, ex officio  
Gary Forsee, ex officio

**Audit Committee**

John M. Carnahan III, Chair  
Don M. Downing  
Don Walsworth

**Compensation and Human Resources Committee**

Warren K. Erdman, Chair  
Judith G. Haggard  
Cheryl D. S. Walker  
David G. Wasinger

**Finance Committee**

Doug Russell, Chair  
Don M. Downing  
Don Walsworth

**Governance Committee**

Warren K. Erdman, Chair  
John M. Carnahan III  
Cheryl D. S. Walker  
Don Walsworth  
Bo Fraser, ex officio  
Gary Forsee, ex officio

**Resources and Planning Committee**

David G. Wasinger, Chair  
Doug Russell  
Cheryl D. S. Walker

Roll call vote:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.

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Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried.

It was moved by Curator Walker and seconded by Curator Carnahan, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting, on Thursday, April 2, 2009, and as needed on Friday, April 3, 2009, for consideration of:

- Section 610.021(1), RSMo, relating to matters identified in that provision, which include legal actions, causes of action or litigation, and confidential or privileged communications with counsel; and
- Section 610.021(2), RSMo, relating to matters identified in that provision, which include leasing, purchase, or sale of real estate; and
- Section 610.021(3), RSMo, relating to matters identified in that provision, which include hiring, firing, disciplining, or promoting of particular employees; and
- Section 610.021(12), RSMo, relating to matters identified in that provision, which include sealed bids and related documents and sealed proposals and related documents or documents related to a negotiated contract; and
- Section 610.021(13), RSMo, relating to matters identified in that provision, which include individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment.

Roll call vote:

Curator Carnahan voted yes.

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Curator Downing voted yes.  
 Curator Erdman voted yes.  
 Curator Fraser voted yes.  
 Curator Haggard voted yes.  
 Curator Russell voted yes.  
 Curator Walker voted yes.  
 Curator Walsworth voted yes.  
 Curator Wasinger was absent.

The motion carried.

This segment of the Board of Curators meeting-public session was followed by an Audit committee meeting, a Compensation and Human Resources committee meeting and a Finance Committee meeting. The Finance Committee meeting concluded at 4:10 P.M., on Thursday, April 2, 2009.

**Audit Committee Meeting Agenda** (revised by Curator Carnahan on April 2, 2009)

- I. Background – provided by Curator Carnahan
  - i. Brief history of Audit Committee’s spin-off from Finance and Audit Committee as of this year
  - ii. Responsibilities
  
- II. Housekeeping – conducted by Curator Carnahan
  - i. Nikki Krawitz will be providing a proposed calendar for agenda items for each meeting (4)
  - ii. Sunshine Law requirements meeting auditors – General Counsel Owens
  - iii. Plan on meeting to discuss audit contract and consideration of recommendations to Board regarding bid or not bid
  - iv. Discussion of committee jurisdiction of areas of interest – question of litigation and standards of conduct
  - v. Book of background materials and responsibilities of Audit Committee should be distributed to members within the next three to four weeks
  
- III. Formal Agenda

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Information

1. Research Compliance Update
2. Internal Audit and Follow-up Reports, UM
3. FY 2008 A-133 Audit Report, UM

**Compensation and Human Resources Committee Meeting Agenda**

Information

1. 2010 Contingency Salary Pool

Action

1. University of Missouri Retirement, Disability and Death Benefit Plan Document Approval
2. Amendment to Collected Rules and Regulations 320.050 Employee Status
3. Revised Implementation Date for Collected Rules and Regulations 360.050 Overtime

**Finance Committee Meeting Agenda**

Information

1. Debt Capacity Report
2. FY 2010 Preliminary Budget
3. Retirement Trust Fund and Endowment Fund Investment Update
4. Asset Liability Study

Action

1. FY2010 Tuition and Fees, UM
2. FY2010 Student Activity, Facility, and Health Services Fees, UM

(20-minute recess)

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### **BOARD OF CURATORS MEETING – EXECUTIVE SESSION**

A meeting of the University of Missouri Board of Curators was convened in executive session at 4:30 P.M., on Thursday, April 2, 2009, in the St. Pat's Ballroom of the Havener Center, on the Missouri University of Science and Technology campus, pursuant to public notice given of said meeting. Curator Judith Haggard, Vice Chairwoman of the Board of Curators, presided over the meeting.

#### Present

The Honorable John M. Carnahan  
The Honorable Donald M. Downing  
The Honorable Warren K. Erdman  
The Honorable Bo Fraser, by telephone  
The Honorable Judith G. Haggard  
The Honorable Doug Russell  
The Honorable Cheryl D. S. Walker  
The Honorable Don Walsworth  
The Honorable David G. Wasinger  
Student Representative Anton H. Luetkemeyer

#### Also Present

Mr. Gary D. Forsee, President  
Mr. Stephen J. Owens, General Counsel  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration  
Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia

General Counsel's Update – presented by General Counsel Owens

Vice President Krawitz joined the meeting to present the property items for consideration by the Board.

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910 W. 10<sup>th</sup> Street, Rolla, Missouri, Property Purchase, MO S&T – presented by Vice President Krawitz

It was recommended by Chancellor Carney, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Walsworth and seconded by Curator Carnahan, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to purchase 910 W. 10<sup>th</sup> Street, Rolla, Missouri, for \$940,000, for the Missouri University of Science and Technology from Tenth Street Medical Center Partnership, Rolla, Missouri.

The legal description is as follows:

A part of the Southwest Quarter (SW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section Two (2), Township Thirty-Seven (37) North, Range Eight (8) West of the Fifth Principal Meridian, in the City of Rolla, Missouri, described as follows:

Commencing at a point on the North line of 10<sup>th</sup> Street in the city of Rolla, Missouri, a distance of 30 feet North and 117 feet West of the Southeast (SE) corner of said Southwest Quarter (SW  $\frac{1}{4}$ ) of Southwest Quarter (SW  $\frac{1}{4}$ ) of said Section, Township, and Range, thence North 208.8 feet to a point; thence West a distance of 91.8 feet to a point; thence South 208.8 feet to a point on the North line of 10<sup>th</sup> Street; thence East along the North Line of 10<sup>th</sup> Street a distance of 91.8 feet to the place of beginning;

A fractional part of the Southwest Quarter of the Southwest Quarter of Section 2, township 37 North Range 8 West, more particularly described as follows:

Beginning at a point 208 feet 8 inches West and 30 feet North of the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 2, Township 37 North, Range 8 West; thence North 208 Feet 8 inches; thence West 104 feet 4 inches; thence South 208 feet 8 inches; thence East 104 feet 4 inches to the place of beginning.

Funding is from Student Health Services capital pool:

\$940,000



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Roll call vote:

Curator Carnahan voted yes.  
 Curator Downing voted yes.  
 Curator Erdman voted yes.  
 Curator Fraser voted yes.  
 Curator Haggard voted yes.  
 Curator Russell voted yes.  
 Curator Walker voted yes.  
 Curator Walsworth voted yes.  
 Curator Wasinger voted yes.

The motion carried.

The University of Missouri closed September 18, 2009 on the purchase of 910 W. 10<sup>th</sup> Street, Rolla, Missouri for the Missouri University of Science and Technology campus. The property was purchased from Tenth Street Medical Center Partnership for \$940,000. The 0.94 acre site value is \$140,000 and the building value is \$800,000. This is deed # R 149.

Lots #5 and #6, University Fraternity Subdivision, Rolla, Missouri, Property Lease, MO S&T – presented by Vice President Krawitz

It was recommended by Chancellor Carney, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Walsworth and seconded by Curator Carnahan, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to extend the ground lease to The Alumni House Fund Association for Lots #5 and #6, University Fraternity Subdivision, Rolla, Missouri, for an additional fifty years, through December 31, 2070 at the current annual rent of \$200, plus a proportionate share of the cost of repairs, maintenance, and upkeep of utility lines and roads serving the area, for Missouri S&T.

Proceeds credited to Campus Funds: \$ 200

Roll call vote:

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Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried.

On June 2, 2009, the University received a fully executed extension of a lease to The Alumni House Fund Association for Lots #5 and #6, University Fraternity Subdivision, Rolla Missouri, for an additional fifty years, through December 31, 2070 at the current annual rent of \$200, plus a proportionate share of the cost of repairs, maintenance, and upkeep of utility line and roads serving the area, for Missouri S & T.

Vice President Krawitz excused herself from the meeting at 4:40 P.M.

Chancellor Deaton joined the meeting.

<sup>182-184</sup> University President's Report on Personnel, Property and Legal Issues – President Forsee (no report on file)

<sup>183</sup> Authorization to Enter into an Agreement with the State of Missouri and the Missouri Department of Mental Health regarding the Conveyance of Mid-Missouri Mental Health and Operation of an Inpatient Psychiatric Center, UM – presented by President Forsee

It was endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Carnahan and seconded by Curator Fraser, that the following recommendation be approved as amended:

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President Forsee shall be authorized to enter into an Agreement with the State of Missouri and the Missouri Department of Mental Health regarding the conveyance of Mid-Missouri Mental Health Center to the University of Missouri and the operation of an acute inpatient psychiatric service by the University, subject to certain contingencies contained in said Agreement, **with Unit Accounting and Medicaid Reimbursement**, and in a final form approved by the General Counsel.

Roll call vote:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent for the vote.

The motion carried.

The agreement was executed on July 1, 2009.

Litigation Report – presented by General Counsel Owens (report on file with the Office of the General Counsel)

The executive session of the Board of Curators meeting recessed at 6:15 P.M., on Thursday, April 2, 2009, to be reconvened as needed upon conclusion of the public session on Friday, April 3, 2009.

Board of Curators Working Dinner

The Board of Curators attended a working dinner with the University President and General Officers at 6:15 P.M., on Thursday, April 2, 2009, in the Carver-Turner room

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of the Havener Center on the Missouri University of Science and Technology campus, pursuant to public notice given of said meeting.

Present

The Honorable John M. Carnahan III  
The Honorable Donald M. Downing  
The Honorable Warren K. Erdman  
The Honorable Judith G. Haggard  
The Honorable Doug Russell  
The Honorable Cheryl D. S. Walker  
The Honorable Don Walsworth  
The Honorable David G. Wasinger  
Student Representative Anton H. Luetkemeyer

Also Present

Mr. Gary D. Forsee, President, University of Missouri System  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Dr. Gary K. Allen, Vice President for Information Technology  
Dr. John F. Carney III, Chancellor, Missouri University of Science and Technology  
Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia  
Dr. Thomas F. George, Chancellor, University of Missouri-St. Louis  
Dr. Steven Graham, Interim Vice President for Academic Affairs  
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration  
Mr. Leo E. Morton, Chancellor, University of Missouri-Kansas City  
Dr. Michael F. Nichols, Vice President for Economic Development  
Ms. Betsy Rodriguez, Vice President for Human Resources  
Dr. David R. Russell, Chief of Staff  
Ms. Cindy Pollard, Associate Vice President for Strategic Communications  
Members of the Missouri University of Science and Technology Trustees

Reports

1. University of Missouri Energy Summit Update – presented by Chancellor Carney
2. Student, Faculty and Research Highlights, Missouri S&T – presented by Chancellor Carney

The working dinner concluded at 7:30 P.M., on Thursday, April 2, 2009.

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Missouri S&T Faculty Senate Breakfast with the Board of Curators

The Missouri S&T Faculty Senate hosted the Board of Curators for a breakfast program at 7:45 A.M., on Friday, April 3, 2009.

Program Topic: Explosives

Student Presenters: Jacki Berendzen, Andrew Blair, Erin Clark, Brandon Meadows, Phil Mulligan, Brian Sandhause

Faculty Presenter: Paul Worsey

**BOARD OF CURATORS MEETING – PUBLIC SESSION**

The meeting of the University of Missouri Board of Curators was reconvened in public session at 9:10 A.M., on Friday, April 3, 2009, in the St. Pat's Ballroom of the Havener Center, on the Missouri University of Science and Technology campus, pursuant to public notice given of said meeting. Curator Judy Haggard, Vice Chairwoman of the Board of Curators, presided over the meeting. Chairman Fraser was incapacitated due to a back injury.

Present

The Honorable John M. Carnahan III

The Honorable Donald M. Downing

The Honorable Warren K. Erdman

The Honorable Bo Fraser, periodically, by telephone

The Honorable Judith G. Haggard

The Honorable Doug Russell

The Honorable Cheryl D. S. Walker

The Honorable Don Walsworth

The Honorable David G. Wasinger

Student Representative Anton H. Luetkemeyer

Also Present

Mr. Gary D. Forsee, President, University of Missouri System

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Ms. Kathleen M. Miller, Secretary of the Board of Curators  
 Dr. Gary K. Allen, Vice President for Information Technology  
 Dr. John F. Carney III, Chancellor, Missouri University of Science and Technology  
 Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia  
 Dr. Thomas F. George, Chancellor, University of Missouri-St. Louis  
 Dr. Steven Graham, Interim Vice President for Academic Affairs  
 Mr. Stephen H. Knorr, Vice President for Government Relations  
 Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration  
 Mr. Leo E. Morton, Chancellor, University of Missouri-Kansas City  
 Dr. Michael F. Nichols, Vice President for Economic Development  
 Ms. Betsy Rodriguez, Vice President for Human Resources  
 Dr. David R. Russell, Chief of Staff  
 Ms. Cindy Pollard, Associate Vice President for Strategic Communications  
 Media Representatives

General Counsel Owens was in private legal negotiation meetings throughout the meeting.

### **General Business**

Board Chair Report – provided by Vice Chairwoman Haggard (transcription on file)

University President's Report – provided by President Forsee (transcription and slides on file)

Government Relations Update – provided by Vice President Knorr (slides on file)

Missouri University of Science and Technology Campus Update – provided by Chancellor Carney (slides on file)

### Chancellor Reports on Budgets and Achievements

Chancellor Carney, Missouri University of Science and Technology

- Accreditation Agency report was good with two caveats:
  - Laboratories and equipment need to be updated on a regular basis.
  - With substantial increase in enrollment, faculty size has remained essentially the same. Student:Faculty ratio is too high.
- Missouri S&T's Men's Track & Field Team won the conference championship this year. Coach Sterling Martin was named GLVC Coach

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of the Year for Men's Track & Field. Three Missouri S&T pole vaulters earned All-America honors for Division II Indoor Track & Field championships: Jordan Henry, Peter Hollenbeck and Dan Hellwig.

- Missouri S&T sophomore Zlatan Hamzic became the first student-athlete in school history to earn an individual national championship in the 200-yard breaststroke in school record time at the NCAA Division II Swimming and Diving Championships
- Missouri S&T Miners Swim Team placed third in the NCAA Division II team competition (the third straight top-four national finish).

Chancellor Deaton (slides on file)

- Rick Puig, a junior at MU and a young entrepreneur with his own LLC, is the only Truman Scholar in the State of Missouri this year.
- Beginning next year, MU is doing a phase out of \$1.5 million of general operating support for athletics. Those funds will be reallocated to the educational mission.
- Mark Ellis, University of Missouri-Columbia heavy-weight wrestler, was crowned NCAA national champion this spring - the second ever in university history.

Chancellor Morton (slides on file)

- New utility plan has provided \$1.6 million a year in utility savings.
- This has been an exceptional development year for UM-Kansas City. Alumni giving is at an all-time high.
- University of Missouri-Kansas City student, Grant Snider, named the Charles M. Schultz 2008 College Cartoonist of the Year (Forsee cartoon on file).

Chancellor George (slides on file)

- UMSL is carefully examining campus-wide teaching loads and program productivity.
- UMSL has nearly 60% women in tenure-track faculty positions, which is notably among the highest percentage in the country.
- Private giving for the UMSL campus is up substantially this year.

## **Consent Agenda**

Minutes of the February 5-6, 2009, Board of Curators Meeting

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It was moved by Curator Walsworth and seconded by Curator Russell that the minutes of the February 5-6, 2009, Board of Curators meeting (as provided to the curators for review) shall be approved, provided that the wording for the new standing committee be changed to the Academic, Student and External Affairs Committee, for the permanent record.

Proposed 2010 Board of Curators Meeting Calendar

It was moved by Curator Walsworth and seconded by Curator Russell that the proposed 2010 Board of Curators Meeting Calendar be approved as follows:

2010 Board of Curators Meeting Calendar

Thursday-Friday	January 28-29, 2010	UM-St. Louis
Thursday-Friday	April 15-16, 2010	Missouri S&T
Thursday-Friday	June 10-11, 2010	Columbia, Missouri
-Friday	July 23, 2010	Teleconference
Thursday-Friday	September 23-24, 2010	UM-Columbia
Thursday-Friday	December 9-10, 2010	UM-Kansas City

Degrees, Winter Semester 2009

It was recommended by the Chancellors, endorsed by President Forsee, moved by Curator Walsworth and seconded by Curator Russell, that the following resolution be approved:

the action of the President of the University of Missouri System in awarding degrees and certificates to candidates recommended by the various faculties and committees of the four University of Missouri campuses who fulfill the requirements for such degrees and certificates at the end of the Winter Semester 2009, shall be approved, and that the lists of said students who have been awarded degrees and certificates be included with the records of this meeting.



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Spinal Cord Injuries and Congenital or Acquired Disease Processes Research Program Proposals

It was recommended by Interim Vice President Graham, endorsed by President Forsee, moved by Curator Walsworth and seconded by Curator Russell, that the following action be approved:

the two research proposals approved by the Spinal Cord Injuries Research Program Advisory Board shall be approved as follows:

Spinal Cord Injuries and Congenital or Acquired Disease Processes  
Research Program

Proposals Recommended for Funding, 2009

- |     |   |          |
|-----|---|----------|
| I.  | Isolated motor networks may be fundamentally altered as a result of nerve injury to their descending inputs<br>David J. Schulz<br>Assistant Professor of Biological Sciences<br>University of Missouri-Columbia | \$48,483 |
| II. | Regulation of Neurite Outgrowth of Lamprey Brain Neurons<br>Andrew D. McClellan<br>Professor of Biological Sciences<br>University of Missouri-Columbia  | \$46,033 |
|     | Total funding:  | \$94,516 |

Spinal Cord Injuries and Congenital or Acquired Disease Processes Research Program Board Members and Board Chair

It was recommended by Interim Vice President Graham, endorsed by President Forsee, moved by Curator Walsworth and seconded by Curator Russell, that the following action be approved:

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the new members with appointments expiring in 2012, as provided with the records of this meeting, shall be approved for the Spinal Cord Injuries and Congenital or Acquired Disease Processes Research Program Advisory Board for terms to begin January 1, 2010. (Biographical materials are on file with the Office of the Vice President for Academic Affairs.); and

David Gray, Ph.D., shall be reappointed as the Chair of the Advisory Board.

Spinal Cord Injuries and Congenital or Acquired Disease Processes Research  
Program 2010 Membership

David Brody, Physician, December 31, 2012

Florian Thomas, Physician, December 31, 2010

Erin Dannecker, Non-physician-Research, December 31, 2010

David Gray, Non-physician-Research, December 31, 2012

Hiroko Awikawa, Non-physician-Professional, December 31, 2010

Steven Kinstler, Non-researcher Active in Qualifying Association,  
December 31, 2010

Eric Westacott, Non-researcher Active in Qualifying Association,  
December 31, 2010

Steve Graham, Curators' Representative, ex officio

Collected Rules and Regulations 370.015 Pilot Academic Grievance Procedure  
Revision, UMC, UMKC and Missouri S&T

It was recommended by Chancellor Carney and Interim Vice President Graham, endorsed by President Forsee, recommended by the Academic, Student and External Affairs Committee, moved by Curator Walsworth and seconded by Curator Russell, that the following action be approved:

the revised pilot Academic Grievance Procedure (as on file) shall replace the current pilot Academic Grievance Procedure in Collected Rules and Regulations 370.015 and be applicable to Missouri University of Science and Technology for the same period as the pilot currently applies to the University of Missouri-Columbia and the University of Missouri-Kansas City. Prior to the end of the trial period, the University of Missouri-Columbia, the University of Missouri-Kansas City, and Missouri University of Science and Technology will review

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section 370.015, share the results of the review with the University of Missouri-St. Louis, and then all four campuses will use the information derived from the pilot to craft a common grievance procedure for all campuses for consideration by the Board of Curators by the end of calendar year 2011.

Collected Rules and Regulations 370.010 Academic Grievance Procedure Revision

It was recommended by Interim Vice President Graham, endorsed by President Forsee, recommended by the Academic, Student and External Affairs Committee, moved by Curator Walsworth and seconded by Curator Russell, that the following action be approved:

the Missouri University of Science and Technology shall be removed from the current Academic Grievance Procedure in Collected Rules and Regulations 370.010.

Discovery Ridge Research Park Revised Master Plan, UM

It was recommended by Vice President Nichols, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Walsworth and seconded by Curator Russell, that:

the Discovery Ridge Research Park Revised Master Plan shall be approved as on file with the minutes of this meeting.

Schematic Design for the Thomas Jefferson South Tower Renovation, Missouri S&T

It was recommended by Chancellor Carney, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Walsworth and seconded by Curator Russell, that:

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the schematic design prepared by Treanor Architects, P.A., Kansas City, Missouri, for the Thomas Jefferson South Tower Renovation at the Missouri University of Science and Technology, shall be approved as on file with the minutes of this meeting.

Funding is from revenue bonds: \$12,976,483

Roll call vote on Consent Agenda:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser was absent for the vote.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried.

### **Audit**

Committee Chair report from the Audit Committee meeting, April 2, 2009, was provided by Curator Carnahan.

### **Compensation and Human Resources**

Committee Chair report from the Compensation and Human Resources Committee meeting, April 2, 2009, was provided by Curator Erdman.

University of Missouri Retirement, Disability and Death Benefit Plan Document Approval

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It was recommended by Vice President Rodriguez, endorsed by President Forsee, recommended by the Compensation and Human Resources Committee, moved by Curator Walker and seconded by Curator Walsworth, that the following action be approved:

Collected Rules and Regulations 530.010 University of Missouri Retirement, Disability and Death Benefit Plan shall be amended to reflect member contributions to the trust fund (530.010.T), definition of furlough (530.010.A.26), and inclusion of furlough regarding service credit in Leave of Absence (530.010.C.6), as follows:

AMENDMENT TO THE  
UNIVERSITY OF MISSOURI  
RETIREMENT, DISABILITY & DEATH BENEFIT PLAN

Effective July 1, 2009, the University of Missouri Retirement, Disability and Death Benefit Plan, is amended by the addition of new Section 530.010.T. to the Plan, as follows:

**T. MEMBER CONTRIBUTIONS TO THE TRUST FUND**

1. Amount of Member Contributions – Effective July 1, 2009, Members are required to contribute a percentage of their salary, as defined and/or limited in Section 530.010.T.1 (referred to hereafter in this section as Salary), to the Trust Fund of this Plan. Members shall contribute one percent (1.0%) of the Member's Salary on the first \$50,000 of Salary received during a calendar year, and two percent (2.0%) of the Member's Salary in excess of \$50,000 received during a calendar year. Although designated as Member contributions, all such amounts shall be picked up by the University on a pre-tax basis in accordance with Section 414(h)(2) of the Internal Revenue Code. The University shall pay these contributions by a reduction in Salary to Members. Members shall not be permitted to opt out of making Member contributions or to receive Member contribution amounts directly instead of having them paid by the University to the Trust Fund of this Plan.
  - a. For purposes of Member contributions, Salary shall have the meaning set forth in Section 530.010.D.1., including Section

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- 530.010.D.1.f., except that Salary for purposes of Member contributions shall not include items of real income that are not paid as cash Salary, as described in Section 530.010.D.1.d. Member contributions shall not be deducted from Salary that exceeds the annual compensation limit under Section 401(a)(17) of the Internal Revenue Code, as described in Section 530.010.D.1.e.
- b. Contributions shall be made only on Salary earned during the period an individual is admitted to membership in the Plan in accordance with Section 530.010.B. Member contributions will only be required of Salary earned on and after July 1, 2009.
  - c. Members contributions shall not be required to be made on amounts of Summer Appointment Salary that exceed two-ninths ( $2/9$ ) of the Member's Salary for the nine (9) month period immediately preceding Summer Appointment (or the nine (9) month period immediately following Summer Appointment if the Member's first appointment is a Summer Session Appointment) or if the Summer Session Appointment is not immediately preceded by the Member's appointment for full Contract Year.
  - d. Member contributions shall only be required to the extent the Member receives Salary, including, but not limited to, periods of leaves of absences.
2. Refund of Member Contributions – A Qualified Member shall not be permitted to elect a refund of Member contributions. If a Member's employment with the University is terminated prior to becoming a Qualified Member in accordance with Section 530.010.B.4, such Member shall be permitted to elect to receive a refund of Member contributions upon application for refund in writing on a form provided by and filed with the Committee. The amount of the refund shall equal all Member contributions made prior to termination of employment plus interest credits at a rate of four percent (4.0%) per annum, compounded annually from the end of the calendar year for which the Member contributions were made to the date of application for a refund. A refund of Member contributions shall be paid in a lump sum or direct rollover only, as elected by the Member. In any event, a refund of Member contributions shall be made in accordance with

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applicable distribution requirements set forth in Section 530.010.L. and Section 401(a)(9) of the Internal Revenue Code.

- a. Notwithstanding any other provisions of this Plan, a Member who elects to receive a refund of Member contributions relinquishes all current and future rights to benefits and Service Credit earned to date of the election under all provisions of this Plan. Notwithstanding the provisions of 530.010.C.5.a, a Member who receives a refund of Member contributions as a result of a termination of employment and subsequently resumes status as a Member of the Plan shall not be permitted to repay the amount of the refund or any portion thereof and reinstate any benefits or Service Credit earned under the Plan prior to receipt of the refund of Member contributions. A Member who terminates employment with the University prior to becoming a Qualified Member and does not elect a refund of Member contributions, shall have Service Credit earned prior to termination of employment determined in accordance with rules regarding discontinuous periods of service as set forth in Section 530.010.C.5.a. However, a Member's contribution amounts are not forfeited due to a loss of Service Credit under that Section.
- b. If a Member's employment with the University is terminated due to death prior to becoming a Qualified Member, a refund of Member contributions shall be payable to the Member's Beneficiary. The Member's Beneficiary shall be determined in accordance with Section 530.010.J.6.

Effective July 1, 2009, the University of Missouri Retirement, Disability and Death Benefit Plan Section 530.010.C.5.a, first sentence is amended to read:

Subject to the prohibitions contained in 530.010.T.2.a, in the case of a Member whose period of service is interrupted, Service Credit earned both prior to and subsequent to such interruption shall be aggregated except that:

Effective July 1, 2009, the University of Missouri Retirement, Disability and Death Benefit Plan Section 530.010.D.1.f, first sentence is amended as follows:

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Section 530.010.D.1.f shall be used to define salary for benefit determination purposes as well as Member contributions as described in Section 530.010.T.

Section 530.010.A.26 will read:

26. Furlough—a period of time, not to exceed thirty (30) days in any Contract Year, in which a Member is placed in a temporary, non-duty, non-pay status due to financial constraints of the University and after which the University expects the Member to resume normal duties.

The first paragraph of Section 530.010.C.6 will read:

6. Leaves of Absence—Except as provided in this section (C.6) periods of leaves of absence shall not be taken into account as Service Credit but shall not be deemed to constitute an interruption of the period of service. Military leaves of absence as a Member of the Armed Forces of the United States, provided such Member is reemployed by the University within the period of time for which such Member's reemployment rights are guaranteed under federal law, extension of sick leave without pay, leaves of absence granted in accordance with the Family Medical Leave Act for which a member receives full-time compensation from the University, and furloughs shall be taken into account as Service Credit.

Note: The only change to above paragraph was to add "and furloughs" to the last sentence.

Roll call vote:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser was absent for the vote.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.



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The motion carried.

Amendment to Collected Rules and Regulations 320.050 Employee Status

It was recommended by Vice President Rodriguez, endorsed by President Forsee, recommended by the Compensation and Human Resources Committee, moved by Curator Walker and seconded by Curator Walsworth, that the following action be approved:

Collected Rules and Regulations 320.050 Employee Status shall be amended to allow for consistency in the definition of benefit eligibility among all benefit plans (as on file with the minutes of this meeting).

320.050 Employee Status

Bd. Min. 2-27-76; Amended 9-26-97; Amended Bd. Min. 10-17-03, Amended 4-03-09.

I.

A. **Administrative, Service and Support Staff Defined:**

Administrative, service and support employees are designated as regular, nonregular, or per diem. Only those employees designated as regular status are eligible to participate in the University's benefit programs. The following provisions defining regular employee, nonregular and per diem employee are in effect for all administrative, service and support employees, unless specifically exempted by policy.

1. **A Regular Employee** is an administrative, service and support staff member expected to work at least 75 percent FTE with an indicated appointment duration of at least nine months. All regular employees are benefit eligible. Service credit under the UM retirement program requires a minimum of 1500 hours worked per year.
2. **A Nonregular Employee** is an administrative, service and support staff member whose appointment does not qualify for regular employee status as defined. Employees may be reappointed beyond the initial appointment, but in no instance

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may a nonregular employee work 1500 hours per year (September 1 – August 31).

3. **A Per Diem Employee** is an administrative, service and support employee whose appointment is not a part of an operating unit's regular work schedule and is scheduled to work only on an "as needed" basis. Work may be scheduled prospectively but should be considered as "elected" by the employee. Due to the nature of such an appointment, the employee may work as many hours as he/she elects, as approved by the University, without becoming eligible for University benefit programs. Such an employee is not extended benefits or rights of University employment policies for regular employees and may be excluded from future service at any time. Per diem employees are provided an hourly rate of pay following approved rate schedule(s). In all such per diem designations, approval is required by the Vice President of Human Resources.

**B. Benefit Eligible Employees:**

1. All regular employees are benefit eligible. All nonregular and per diem employees are not eligible for benefits.
  2. In the event that an employee with an initial benefit eligible appointment is changed to an appointment of 75 percent FTE or greater, but less than nine months in duration, the employee will continue to be considered benefit eligible.
  3. Individual salaries must be commensurate with FTE.
  4. A department is prohibited from requiring a benefit eligible employee to forego benefit entitlement as a condition of employment.
  5. Individuals who are working at UM through an exchange program, visiting scholars program, or other similar program, in which the individual is receiving compensation from another institution and not from UM, are not to be considered benefit eligible.
  6. Student employees, including but not limited to Graduate Teaching Assistants, Graduate Research Assistants, Graduate Instructors, and Student Assistants, are not benefit eligible.
- II. The President is hereby authorized, subject to approval of the language by the General Counsel, to modify the language of benefit plan documents, as necessary to make them consistent with the above revisions of Section 320.050.

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Roll call vote:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser was absent for the vote.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried.

Revised Implementation Date of Collected Rules and Regulations 360.050 Overtime

It was recommended by Vice President Rodriguez, endorsed by President Forsee, recommended by the Compensation and Human Resources Committee, moved by Curator Walker and seconded by Curator Walsworth, that the following action be approved:

the implementation date of Collected Rules and Regulations 360.050 Overtime, of April 19, 2009, shall be changed to a date to be determined by the President, and communicated to the Board of Curators (expectation being that it be no later than September 1, 2009).

Roll call vote:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser was absent for the vote.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.

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Curator Wasinger voted yes.

The motion carried.

## **Finance**

Committee Chair report from the Finance Committee meeting, April 2, 2009, was provided by Curator Russell.

### FY2010 Tuition and Fees, UM

It was recommended by the respective Chancellors, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Walker and seconded by Curator Walsworth, that the schedule of rates for tuition and supplemental fees (as on file with the minutes of this meeting), be approved, effective beginning with the 2009 Summer Session.

1. Tuition as shown in Schedule I (on file) shall be approved and become effective beginning with the 2009 summer session. Resident and Nonresident tuition rates for next year will remain at current levels.
2. Supplemental and other related enrollment fees for undergraduate, graduate, and professional students as shown in Schedule II (on file) shall be approved and become effective beginning with the 2009 summer session. These fee rates will remain at current levels for next year.
3. Effective beginning with the 2009 summer session, the Board of Curators shall revoke and repeal all previous tuition and fee schedules and adopt the tuition and other related enrollment fee schedule (as on file with the minutes of this meeting). The Board finds such actions to be necessary for the maintenance and operation of the University.
4. Tuition and required fee recommendations are approved contingent on no reduction in appropriations in FY2010 from the FY2009 base state

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appropriation for operations.

Roll call vote:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser was absent for the vote.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried.

FY2010 Student Activity, Facility, and Health Services Fees, UM

It was recommended by the respective Chancellors, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Walker and seconded by Curator Walsworth, that the schedule of rates for the Student Activity, Facility, and Health Services fees (as on file with the minutes of this meeting) shall be approved, effective beginning with the 2009 Summer Session.

Roll call vote:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser was absent for the vote.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

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The motion carried.

### **General Business**

#### Good and Welfare of the University

Curator Walker publicly commended the outstanding season of the Mizzou Men's Basketball Team in winning the Big 12 Conference Championship and progressing through the Elite 8 round of the NCAA basketball tournament. The Board of Curators asked that Chancellor Deaton and Athletic Director Mike Alden communicate the board's congratulations to Coach Mike Anderson and his team.

Curator Don Downing remarked on his appointment to the University of Missouri Board of Curators and his appreciation for the opportunity to serve the university in the coming years.

There being no further business to come before the Board of Curators in the public session of the Board of Curators meeting, the public session concluded at 11:40 A.M., on Friday, April 3, 2009, and the Board of Curators prepared to resume the meeting in executive session.

### **BOARD OF CURATORS MEETING – EXECUTIVE SESSION**

The meeting of the University of Missouri Board of Curators was reconvened in executive session at 11:40 A.M., on Friday, April 3, 2009, in the St. Pat's Ballroom of the Havener Center, on the Missouri University of Science and Technology campus, pursuant to public notice given of said meeting. Curator Judy Haggard, Vice Chairwoman of the Board of Curators, presided over the meeting.

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Present

The Honorable John M. Carnahan III  
The Honorable Donald M. Downing  
The Honorable Warren K. Erdman  
The Honorable Bo Fraser, by telephone  
The Honorable Judith G. Haggard  
The Honorable Doug Russell  
The Honorable Cheryl D.S. Walker  
The Honorable Don Walsworth  
The Honorable David G. Wasinger  
Student Representative Anton H. Luetkemeyer

Also Present

Mr. Gary D. Forsee, President, University of Missouri System  
Mr. Stephen J. Owens, General Counsel  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia

<sup>182b</sup> Personnel, MU – This item has been excluded from the minutes and may be given public notice upon completion of transaction of subject matter.

It was moved by Curator Carnahan and seconded by Curator Walker, that the Board of Curators meeting, April 2-3, 2009, be adjourned.

Roll call vote:

Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried.

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There being no further business to come before the Board of Curators, the meeting was adjourned at 12:15 P.M., on Friday, April 3, 2009.

A press conference with Vice Chairwoman Haggard and President Forsee was conducted upon conclusion of the Board of Curators meeting.

Respectfully submitted,



Kathleen M. Miller  
Secretary of the Board of Curators

Approved by the Board of Curators on June 5, 2009.