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

BOARD OF CURATORS

Minutes of the Board of Curators Meeting
June 16-17, 2011
Reynolds Alumni Center
Columbia, Missouri

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the University of Missouri Board of Curators was convened in public session at 7:30 A.M., on Thursday, June 16, 2011, in Columns Ballroom C, D & E of the Reynolds Alumni Center, on the University of Missouri-Columbia Campus, pursuant to public notice given of said meeting. Curator Warren K. Erdman, Chairman of the Board of Curators, presided over the meeting.

Present
The Honorable David R. Bradley
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Warren K. Erdman
The Honorable Wayne Goode
The Honorable Judith G. Haggard
The Honorable David L. Steward
The Honorable Craig A. Van Matre

The Honorable Doug Russell was absent for the meeting.

Also Present
Mr. Stephen J. Owens, Interim President
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Miss Laura Confer, Student Representative to the Board of Curators
Dr. Betsy Rodriguez, Vice President for Human Resources
Ms. Cindy Pollard, Associate Vice President for Strategic Communications
Media Representatives

General Business

The oath of office was administered for Curator Craig A. Van Matre

Approval of Executive Committee and Board Standing Committee Appointments

It was recommended by Chairman Erdman, moved by Curator Goode and seconded by Curator Bradley, that the following Board of Curators Executive Committee and Standing Committees appointments be approved for 2011:

Executive Committee
Warren K. Erdman, Chairman
David R. Bradley
Don M. Downing

Academic, Student and External Affairs Committee
Judith G. Haggard, Chairwoman
Wayne Goode
Doug Russell
Craig VanMatre
Warren K. Erdman, ex officio
Laura Confer, ex officio
Stephen J. Owens, ex officio

Audit Committee
Wayne Goode, Chairman
Don M. Downing
Craig VanMatre

Compensation and Human Resources Committee
David R. Bradley, Chairman
Donald L. Cupps
Judith G. Haggard
David L. Steward

Finance Committee
Don M. Downing, Chairman
David R. Bradley
Wayne Goode
David L. Steward

Governance, Resources and Planning Committee
Judith G. Haggard, Chairwoman
Donald L. Cupps
Doug Russell
Warren K. Erdman, ex officio
Stephen J. Owens, ex officio

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell was absent.
Curator Steward voted yes.
Curator VanMatre voted yes.

The motion carried.

The public session of the Board of Curators Meeting recessed at 7:40 AM.

PRESIDENTIAL SEARCH COMMITTEE MEETING

A meeting of the University of Missouri Board of Curators Presidential Search Committee was convened in public session at 7:40 AM on Thursday, June 16, 2011, in Columns Ballroom C, D & E of the Reynolds Alumni Center on the University of Missouri-Columbia Campus, pursuant to the public notice given of said meeting. Curator Warren K. Erdman, Chairman of the Committee, presided over the meeting.

The public session of the Presidential Search Committee meeting concluded and the executive session of the Committee convened at 7:45 AM in the T.O. Wright Room of the Reynolds Alumni Center on the University of Missouri-Columbia campus.

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the University of Missouri Board of Curators reconvened in public session at 12:00 P.M., on Thursday, June 16, 2011, in Columns Ballroom C, D & E of the Reynolds Alumni Center, on the University of Missouri-Columbia Campus,

pursuant to public notice given of said meeting. Curator Warren K. Erdman, Chairman of the Board of Curators, presided over the meeting.

Present
The Honorable David R. Bradley
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Warren K. Erdman
The Honorable Wayne Goode
The Honorable Judith G. Haggard
The Honorable David L. Steward
The Honorable Craig A. Van Matre

The Honorable Doug Russell was absent for the meeting.

Also Present
Mr. Stephen J. Owens, Interim President
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Miss Laura Confer, Student Representative to 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, Senior Associate 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 Research and Economic Development
Dr. Betsy Rodriguez, Vice President for Human Resources
Ms. Kathleen M. Miller, Chief of Staff
Ms. Cindy Pollard, Associate Vice President of Strategic Communications
Media Representatives

General Business

Review of Consent Agenda – no discussion

Approval of Phillip J. Hoskins as Assistant Secretary for the Board of Curators

It was moved by Curator Haggard and seconded by Curator Downing, that the following action be approved:

> That effective June 17, 2011, the title and responsibilities of Phillip J. Hoskins be changed from Acting General Counsel of the University to Acting General Counsel of the University and Assistant Secretary of the Board of Curators.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell was absent.
Curator Steward voted yes.
Curator VanMatre voted yes.

The motion carried.

Approval of 2012 Board of Curators Meeting Calendar

It was recommended by Chairman Erdman, endorsed by Interim President Owens, moved by Curator Downing and seconded by Curator Bradley, that the proposed 2012 Board of Curators meeting calendar be approved as follows:

PROPOSED 2012 BOARD OF CURATORS MEETING CALENDAR

DAYS	DATES	LOCATION
Thursday-Friday	February 2-3, 2012	UM-Kansas City
Thursday-Friday	April 5-6, 2012	Missouri S&T
Tuesday-Wednesday	June 26-27, 2012	Columbia, Missouri
Friday	July 27, 2012	1-hour Teleconf/presence

Thursday-Friday	September 13-14, 2012	UM-Columbia
Thursday-Friday	December 6-7, 2012	UM-St. Louis

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell was absent.
Curator Steward voted yes.
Curator VanMatre voted yes.

The motion carried.

Resolution for Executive Session of Board of Curators Meeting, June 16-17, 2011

It was moved by Curator Bradley and seconded by Curator Van Matre, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting, on June 16-17, 2011 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 or 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; and

Roll call vote:

Curator Bradley voted yes.
Curator Carnahan voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell was absent.
Curator Steward voted yes.
Curator VanMatre voted yes.

The motion carried.

Standing Committee meetings commenced at 12:10 P.M., on Thursday, June 16, 2011, and concluded at 5:00 P.M., on Thursday, June 16, 2011.

The public session of the Board of Curators meeting was recessed.

BOARD OF CURATORS MEETING – EXECUTIVE SESSION

A meeting of the University of Missouri Board of Curators was convened in executive session at 5:10 P.M., on Thursday, June 16, 2011, in the T.O. Wright Room, Reynolds Alumni Center on the University of Missouri-Columbia Campus, pursuant to public notice given of said meeting. Curator Warren K. Erdman, Chairman of the Board of Curators, presided over the meeting.

Present
The Honorable David R. Bradley
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Warren K. Erdman
The Honorable Wayne Goode
The Honorable Judith G. Haggard
The Honorable David L. Steward
The Honorable Craig A. Van Matre

The Honorable Doug Russell was absent for the meeting.

Also Present
Mr. Stephen J. Owens, Interim President, University of Missouri System
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Miss Laura A. Confer, Student Representative to the Board of Curators
Dr. Steven Graham, Senior Associate Vice President for Academic Affairs
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration
Dr. Michael F. Nichols, Vice President for Research and Economic Development

General Business

Curator's Professor Emeritus: Professor Bassem F. Armaly, Missouri S & T – presented by Senior Associate Vice President Graham

It was recommended by Chancellor John F. Carney, III, endorsed by Interim President Stephen J. Owens, recommended by the Academic, Student and External Affairs Committee, moved by Curator Cupps, and seconded by Curator Steward, that the following action be approved:

> that upon the recommendation of Chancellor Carney, the Provost and Executive Vice Chancellor for Academic Affairs, and the Department of Mechanical Engineering, it is recommended that Professor Bassam F. Armaly be named to the position University of Missouri Curators' Professor Emeritus, effective July 1, 2011.

Roll call vote:

Curator Bradley voted yes.
Curator Carnahan voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell was absent.
Curator Steward voted yes.
Curator VanMatre voted yes.

The motion carried.

Curator's Distinguished Teaching Professorship: Professor Richard Meadows, MU – presented by Senior Associate Vice President Graham

It was recommended by Chancellor Brady Deaton, endorsed by Interim President Stephen J. Owens, recommended by the Academic, Student and External Affairs Committee, moved by Curator Cupps, and seconded by Curator Steward, that the following action be approved:

> that upon the recommendation of Chancellor Deaton, the Provost, and the Dean of the College of Veterinary Medicine, it is recommended that Professor Richard Meadows be named to the position University of Missouri Curators' Distinguished Teaching Professor, effective July 1, 2011. In accordance with Collected Rules and Regulations, 320.070, this appointment is for a period of five years which may be renewed at the discretion of the Chancellor.

Roll call vote:

Curator Bradley voted yes.
Curator Carnahan voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell was absent.
Curator Steward voted yes.
Curator VanMatre voted yes.

The motion carried.

Senior Associate Vice President Graham excused himself from the meeting.

[218]Ground Lease, UM – this item is excluded from the minutes and will be given public notice upon completion of the lease.

[219]Property Sale, MU – this item is excluded from the minutes and will be given public notice upon completion of the sale.

Vice Presidents Krawitz and Nichols excused themselves from the meeting.

The Board of Curators meeting-executive session recessed at 6:00 P.M. on Thursday, June 16, 2011.

University System Awards Reception, Dinner and Program
6:00 – 8:30 P.M.
Thursday, June 16, 2011
Hosted by the Board of Curators and Interim President Owens
Location: Christopher S. Bond Life Sciences Center, University of Missouri-Columbia campus

Present
The Honorable David R. Bradley
The Honorable Donald L. Cupps
The Honorable Don Downing
The Honorable Warren K. Erdman
The Honorable Wayne Goode
The Honorable Judith G. Haggard
The Honorable David L. Steward
The Honorable Craig A. Van Matre

The Honorable Doug Russell was absent.

Also Present
Mr. Stephen J. Owens, Interim President, University of Missouri System
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Miss Laura A. Confer, Student Representative to 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, Senior Associate 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 Research and Economic Development

Dr. Betsy Rodriguez, Vice President for Human Resources
Ms. Kathleen M. Miller, Chief of Staff
Ms. Cindy Pollard, Associate Vice President of Strategic Communications

System Honorees (program on file)

Curators' Award for Scholarly Excellence – Larry D. Gragg, Ph.D., Missouri University of Science and Technology

President's Award for Innovative Teaching – Klaus H. Woelk, Ph.D., Missouri University of Sciences and Technology

President's Award for Intercampus Collaboration – B. Sonny Bal, M.D., J.D., University of Missouri – Columbia and Mohamed Rahaman, Ph.D., Missouri University of Science and Technology

President's Award for Economic Development – Kattesh V. Katti, Ph.D., University of Missouri – Columbia

President's Award for Leadership – Gary L. Ebersole, Ph.D., University of Missouri – Kansas City

President's Award for Mentoring – Thomas W. Dougherty, Ph.D.

President's Award for Service – Timothy A. Farmer, Ph.D., University of Missouri – St. Louis

President's Award for Sustained Excellence – Nelson Cowan, Ph.D., University of Missouri – Columbia

President's Award for Early Career Excellence – Jay J. Thelen, Ph.D., University of Missouri – Columbia

President's Award for Community Engagement – Mary Kay Kisthardt, J.D., University of Missouri – Kansas City

President's Award for Cross-Cultural Engagement – Richard W. Stephenson, Ph.D., Missouri University of Sciences and Technology

Student Entrepreneur of the Year Award – Meghan M. Orbe, University of Missouri – Columbia

Thomas Jefferson Award – Marvin W. Berkowitz, Ph.D., University of Missouri – St. Louis

C. Brice Ratchford Memorial Fellowship Award – Robert L. Kallenbach, Ph.D., University of Missouri – Columbia

BOARD OF CURATORS MEETING – PUBLIC SESSION

Breakfast and Open House Tour
7:30 – 8:30 AM
Friday, June 17, 2011
Room 215 Lee H. Tate Hall
University of Missouri – Columbia campus
Columbia, Missouri
Program: Stewardship Renovation Model

A meeting of the University of Missouri Board of Curators was reconvened in public session at 8:45 A.M., on Friday, June 17, 2011, in Columns Ballroom C, D & E of the Reynolds Alumni Center on the University of Missouri-Columbia campus, pursuant to public notice given of said meeting. Curator Warren K. Erdman, Chairman of the Board of Curators, presided over the meeting.

Present
The Honorable David R. Bradley
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Warren K. Erdman
The Honorable Wayne Goode
The Honorable Judith G. Haggard
The Honorable Doug Russell was absent
The Honorable David L. Steward
The Honorable Craig A. Van Matre

Also Present
Mr. Stephen J. Owens, Interim President, University of Missouri System
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Miss Laura A. Confer, Student Representative to 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, Senior Associate 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 Research and Economic Development
Dr. Betsy Rodriguez, Vice President for Human Resources
Ms. Kathleen M. Miller, Chief of Staff
Ms. Cindy Pollard, Associate Vice President of Strategic Communications
Media Representatives

Board Chairman's Report – presented by Chairman Erdman (slides and recording on file)

Chairman Erdman recognized the following individuals for their work toward advancing Missouri through quality undergraduate education:

- Nelson DeSouza, University of Missouri - Columbia
- Teng-Kee Tan, University of Missouri – Kansas City
- Robert Bliss, University of Missouri – St. Louis
- Rick Stephenson and Katie Fritts, Missouri University of Science and Technology

Rick Stephenson, Robert Bliss and Nelson Desouza were present at the meeting for presentation of certificates and recognition for their work.

University Interim President's Report – presented by Interim President Owens (recording and slides on file)

- University's unique statewide service mission
    - Disaster assistance in Joplin, Missouri
- University's economic impact on the State

Chancellors' Panel Discussion – Advancing Missouri Through Quality Undergraduate Education (slides and recording on file)

- Missouri S & T – presented by Chancellor Carney
- University of Missouri – Kansas City – presented by Chancellor Morton
- University of Missouri – St. Louis – presented by Chancellor George
- University of Missouri – Columbia – presented by Chancellor Deaton

Information Technology Annual Report – presented by Vice President Allen (slides and recording on file)

Major Initiatives:

- Operational Excellence Initiative (OEI) approach to projects
- Streamlining unnecessarily redundant services
- Enhanced support for research and teaching
- Enhancement of reporting capabilities
- Mobility
- Disaster recovery and business continuity
- Security, compliance and risk mitigation
- Demand management

MU Health Care Update – presented by Vice Chancellor Harold A. Williamson, Jr., MD (slides and recording on file)

Dr. Williamson presented an update to his original presentation at the March 2011 Board meeting regarding regulatory surveys 2008-2011 from the following:

- FDA
- The Joint Commission
- Centers for Medicare and Medicaid Services (CMS)

Dr. Williamson also presented financial performance through April 2011.

The Honorable Doug Russell joined the meeting by conference call at 11:00 AM.

Consent Agenda

It was endorsed by Interim President Owens, moved by Curator E and seconded by Curator Downing, that the following items be approved by consent agenda:

1. Minutes, March 21-22, 2011 Board of Curators Meeting - as provided to the curators for review and approval
2. Minutes, March 21, 2011 Board of Curators Committee Meetings - as provided to the curators for review and approval
3. Minutes, April 4, 2011 Board of Curators Special Meeting - as provided to the curators for review and approval

4. Minutes, April 26, 2011 Board of Curators Executive Committee Meeting - as provided to the curators for review and approval
5. Minutes, May 19-20, 2011 Board of Curators Special Meeting and Presidential Search Committee Meeting - as provided to the curators for review and approval
6. Amendment to Collected Rules and Regulations 20.140, Academic Calendar, Spring 2012 Schedule, Missouri S & T

Collected Rules and Regulations

Programs, Courses and Student Affairs

Chapter 20.140: Academic Calendar

Bd. Min. 4/8/05; Revised 10/23/09, 6/17/11.

A. The academic calendar will conform to the following timetable:

1. The fall semester will begin the first Monday after August 18.

2. The spring semester will begin on the Monday before Martin Luther King Day for UM-Kansas City, and will begin on the Tuesday after Martin Luther King Day for UM-Columbia, UM-St. Louis, and Missouri University of Science and Technology.

3. There will be no classes during the week of Thanksgiving.

4. Spring break will be the week containing the last Wednesday in March.

5. The last day of class, study day schedules, and final exam schedules will be set by each campus. Each campus should set the last day of class to allow for at least 43 Monday, Wednesday, and Friday classes for each class scheduled to meet on those days of the week, and 29 Tuesday and Thursday classes for classes scheduled to meet on those days.

6. The campus will set the dates for commencement, the schedules for intersession, the various schedules for the summer semester, the dates for any off-schedule course meetings, and the schedules for professional schools.

B. Any variations to the above academic calendar must be recommended by the faculty and Chancellor of the campus, recommended by the President, and approved by the Board of Curators.

7. Amendment to Collected Rules and Regulations 300.010, Faculty Bylaw of the University of Missouri-Columbia, MU

Collected Rules and Regulations

Chapter 300: Faculty Bylaws

300.010 Faculty Bylaws of the University of Missouri-Columbia
Bd. Min. 11-22-74; Amended Bd. Min. 2-15-80 and 4-25-80; Amended Bd. Min. 1-31-91; 6-6-08.; Amended 06-17-11.

A. **The Faculty Bylaws** for the University of Missouri-Columbia as approved by the Faculty on November 14, 1974, (a copy of which is on file with the Secretary), be approved, subject to the following:

1. That the Bylaws are subject to all rules and regulations of the Board of Curators.
2. That any amendment of the Bylaws shall be submitted to the Board of Curators for approval before becoming effective.
3. This action be printed as part of the printed Bylaws.

B. **Membership** -- The University of Missouri-Columbia* Faculty shall consist of the President, Chancellor, and all persons with regular academic appointments, and persons with regular, full-time appointment at the rank of instructor or above. Others may be elected to membership by this designated group.

*(Hereafter referred to as UMC. Also, when "Faculty" is used alone, it is meant to refer to the UMC Faculty, unless otherwise specified.)

C. **Faculty Rights, Ethics, Responsibilities and Authority**

1. **Rights**

a. **Academic Rights** -- Faculty members have the right to freedom of inquiry, discourse, research, publication and teaching. These rights are accompanied by their correlative

responsibilities as noted in 300.010 C.1 and C.2 in this section (Also Ref: Sections 310.010-310.070).

b. **Civil Rights** -- Faculty members do not relinquish any of their constitutional rights by virtue of employment with the University of Missouri. (Ref: Sections 330.020, 330.030 and 90.050).

c. **Employment Rights** -- Faculty members have rights consistent with their continuous appointment or term appointment. These include the right to be notified as early as possible of their appointments and conditions of contract renewal. (Ref: Sections 310.010-310.070).

*(Hereafter referred to as UMC. Also, when "Faculty" is used alone, it is meant to refer to the UMC Faculty, unless otherwise specified.)

d. **Right to be Kept Informed** -- The Faculty has the right to be informed of actions and activities of committees and executive officers of the campus and of the University-wide system, including those related to budget matters, as well as decisions of other bodies which affect UMC. Where possible, this information shall be made available to the Faculty before being made available to the general public.

2. **Professional Ethics and Academic Responsibilities** -- The Professor, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special responsibilities placed upon him/her. His/her primary responsibility to his/her subject is to seek and to state the truth as he/she sees it. To this end he/she devotes his/her energies to developing and improving his/her scholarly competence. He/she accepts the obligation to exercise critical self-discipline and judgment in using, extending and transmitting knowledge. He/she practices intellectual honesty. Although he/she may follow subsidiary interests, these interests must never seriously hamper or compromise his/her freedom of inquiry.

a. **As a teacher**, the Professor encourages the free pursuit of learning in his/her students. He/she holds before them the

best scholarly standards of his/her discipline. He/she demonstrates respect for the student as an individual, and adheres to his/her proper role as intellectual guide and counselor. He/she makes every reasonable effort to foster honest academic conduct and to assure that his/her evaluation of students reflects their true merit. He/she respects the confidential nature of the relationship between professor and student. He/she avoids any exploitation of students for his/her private advantage and acknowledges significant assistance from them. He/she protects their academic freedom.

b. **As a colleague**, the Professor has obligations that derive from common membership in the community for scholars. He/she respects and defends the free inquiry of his/her associates. In the exchange of criticism and ideas he/she shows due respect for the opinions of others. He/she acknowledges his/her academic debts and strives to be objective in his/her professional judgment of colleagues. He/she accepts his/her share of Faculty responsibilities for the governance of his/her institution.

c. **As a member of his/her institution**, the Professor seeks above all to be an effective teacher and scholar. Although he/she observes the stated regulations of the institution, provided they do not contravene academic freedom, he/she maintains his/her right to criticize and seek revision. He/she determines the amount and character of the work he/she does outside his/her institution with due regard to his/her paramount responsibilities within it. When considering the interruption or termination of his/her service he/she recognizes the effect of his/her decision upon the program of the institution and gives due notice of his/her intentions.

d. **As a member of his/her community**, the Professor has the rights and the obligations of any citizen. He/she measures the urgency of those obligations in the light of his/her responsibilities to his/her subject, to his/her students, to his/her profession, and to his/her institution. When he/she

speaks or acts as a private person he/she avoids creating the impression that he/she speaks or acts for his/her college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation for promoting conditions of free inquiry and to further public understanding of academic freedom. Further, the Faculty accepts the responsibility of monitoring its own members if accepted standards of professional responsibility are abrogated. (Section 300.010 L of these Bylaws)

3. **Authority** -- The Faculty's authority, as delegated by the Board of Curators, is of three types: direct and primary, in which the Faculty has essential decision-making authority; shared, in which the Faculty participates with others; and advisory, in which the Faculty counsels with the person or offices with ultimate decision-making authority. (On those matters requiring multi-campus coordination, the Faculty shall act through its appropriate bodies, Section 300.010 F).

    a. **Primary and Direct Authority** -- The UMC Faculty has essential decision-making authority in matters directly affecting the educational program of UMC, including but not limited to:

    (1) Articulation and maintenance of standards of academic performance -- this includes but is not limited to guidelines for appropriate research, service, and scholarships; requirements for graduation; and related matters.
    (2) Construction and approval of courses of instruction and of curricula.
    (3) Construction and approval of procedures governing educational support programs on the UMC campus.
    (4) Formulation of criteria determining professional standing of Faculty -- including but not limited to such matters as tenure, promotion, termination, guidelines for responsibility, Faculty standing with regard to Graduate Faculty membership and doctoral dissertation supervision.

(5) Determination of an appropriate Faculty committee structure.
(6) Determination of minimum admission requirements.
(7) Selection of awardees for academic scholarships.

b. **Shared Authority** -- The UMC Faculty has shared authority by which it participates cooperatively with other persons or offices in matters such as:
(1) Development and articulation of students' rights and responsibilities.
(2) Determination of an appropriate academic calendar.
(3) Selection of awardees for honorary degrees.
(4) Application of criteria affecting professional standing of Faculty.

c. **Advisory Authority** -- The UMC Faculty has advisory authority and responsibility with other persons or offices in matters such as:
(1) Budget and resource allocation.
(2) Planning, including capital expenditures and physical facilities.
(3) Selection of departmental, divisional, campus, and university-level administrators.
(4) Determination of the campus standing committee structure.
(5) Development and implementation of general business procedures which facilitate academic program excellence.
(6) Use of facilities for program activities.
(7) Application of criteria affecting promotion, tenure and termination.

d. **Faculty Delegation of Authority** -- The Faculty, recognizing that handling matters through meetings of the Faculty is cumbersome, that attendance at such meetings varies, and that it is often difficult to have complete discussion of issues at such meetings, may delegate its authority to the Faculty Council. Such delegation, if made, shall be in accord with and subject to the following provisions:

(1) The delegation shall be made by majority vote of the Faculty by mail ballot or at a regular meeting of the Faculty. The delegation may be for a specific period (not less than one

academic year) or for an indefinite period. However, the delegation may be withdrawn at any time by specific action of the Faculty.

(2) The delegation shall not prevent the calling of meetings of the Faculty under the provisions of Section 300.010 C. Regular meetings of the Faculty shall be held at least once a semester.

(3) The delegation shall give the Faculty Council authority to act for the Faculty and, except as provided below, to take such actions as the Faculty could take.

(a) This authority shall include but not be limited to:

- Proposing revisions of the Bylaws to be submitted to the Faculty for adoption.
- Referring any matter to the Faculty either by calling a meeting of the Faculty or by mail ballot.
- Appointing special committees (whose members need not be members of the Faculty Council) to report to the Faculty Council

(b) The authority to amend these Bylaws is not delegated.

(c) The delegation shall not affect the prerogatives of individual Faculty members nor of individual faculties.

(4) Any member of the Faculty may request any matter to be placed on the agenda of the Faculty Council and may request to be allowed to appear before the Faculty Council. Such requests may be made either through his representatives or the Chairperson of the Faculty Council.

(5) Meetings of the Faculty Council shall be open to members of the Faculty

(6) The actions of the council, in those areas in which it has delegated authority, shall be deemed final unless challenged within 10 days. Such challenge shall require a petition signed by 25 Faculty members from at least three divisions calling for a review by the Faculty of a particular council action.

(7) The Faculty Council shall report its actions to the Faculty either at a meeting of the Faculty or in the Faculty Bulletin.

D. **Meetings**

1. The Faculty shall meet at times determined by it or when called by the Chancellor. Upon written request of twenty (20) members of the Faculty addressed to the Chancellor, a meeting shall be called within fifteen (15) days of receipt by the Chancellor.

2. Reasonable notice (preferably one week minimum) shall be given by the Chancellor to all members of the Faculty of the time and place of all Faculty meetings.

3. Fifty (50) members of the Faculty representing at least three (3) academic divisions shall constitute a quorum.

4. The agenda for Faculty meetings shall be determined jointly by the Chairperson of the Faculty Council on UMC Policy and the Chancellor.

5. Any item of new business not included on the distributed agenda of a Faculty meeting will require either a 50 percent vote of approval of those present to be considered at the next Faculty meeting or, to be enacted at the meeting at which it is introduced, two-thirds vote of approval of those present.

E. **Faculty Organization**

1. The authority of the Faculty as delegated by the Board of Curators shall include the responsibilities set forth in Section 300.010 C. In order to perform these functions, the Faculty takes cognizance of the consequences of its size and complexity and therefore delegates specific policy making and coordinating functions to representative bodies. The main representative body shall be a Faculty Council.

2. The Faculty Council is established as the elected representative body of the Faculty. It shall act for the General Faculty on all matters within the framework of the policies expressed in these Bylaws and shall function in accordance with the specifications formulated in Section

300.010 C. The Faculty Council shall have the right to delegate some of its operation tasks to an executive committee and/or its officers.

3. The Faculty as a whole shall approve all policies which involve a modification or change of the principles set forth in these Bylaws. The Faculty further may review decisions and actions by the Faculty Council provided that a petition requesting such action has been signed by at least 25 Faculty members representing at least three divisions of the campus.

4. There shall be a Graduate Faculty organization. It shall develop its own criteria for membership, organizational structure, its own obligations and rights providing they are consonant with the philosophy and principles of the General Faculty Bylaws. The Graduate Faculty shall determine the functions of the Graduate Faculty Senate. The Graduate Faculty shall set standards for graduate education on the campus, provided they meet at least the minimum standards established by the General Faculty.

5. Divisional faculties are established in the various academic divisions. They shall develop policies adapted to their specific needs, but standards of performance must not be set below those established by the General Faculty.

6. Establishment of new divisions shall entitle them to representation where divisional representation is designated in these Bylaws or otherwise deemed appropriate.

F. **Faculty Participatory Authority and Functions in Campus Governance**

1. Participatory authority and functions of the Faculty are expressed through Faculty involvement in the campus committee structure including those committees which govern academic and administrative matters affecting the campus, Faculty and students. The Faculty participates in the selection of administrative officers. The Faculty participates in the monitoring of administrative and academic operating procedures. These participatory functions of the Faculty are articulated as follows:

a. The Faculty, through its elected representative structure, the Faculty Council, nominate Faculty members to participate in a specially designated body currently called the University Assembly which is charged with advising the Chancellor on matters mutually affecting all constituencies of the University (Faculty, students, administration, and non-academic employees), and nominating members to campus-wide standing committees. The participation of the UMC Faculty in this Assembly will represent Faculty participation to the extent that the domains of Faculty primary and direct authority are not infringed upon.

b. An Academic Regulations Committee shall be established consisting of representatives of the Faculty Council (which may be the Executive Committee) and campus administration. This committee will assume responsibility for the development and monitoring of campus standard operating guidelines which, after approval by the Faculty Council, administration, and students where appropriate, shall be published as "Academic Regulations Manual." These guidelines will cover the academic schedule of studies and examinations, calendar, academic procedures and policies and campus governance and shall be consonant with these Bylaws. This committee will meet regularly to monitor these guidelines and to coordinate the need for modification and changes.

c. The Faculty Council will nominate Faculty members to participate in ad hoc committees, including Search and Screening Committees for campus administrators and academic officers.

2. The Faculty representatives to the University Assembly and the Academic Regulations Committee will report to the Faculty Council at appropriate intervals.

G. **Faculty Participation in University-wide Governance**

1. The Faculty shall participate in education policy determination about those matters which are University-wide; some of these will be

parallel to those issues in which the Faculty exercises shared authority at the campus level (Section 300.010 C.3.a). The Faculty's responsibility in these matters shall be exercised through mechanisms such as:

a. The Intercampus Faculty Council on which the UMC Faculty shall have representatives designated by the UMC Faculty Council.
b. The University Doctoral Council to which the UMC Graduate Faculty shall elect its members.
c. Ad hoc and standing University-wide committees to which the Faculty (often acting through its elected campus body, the Faculty Council) shall designate its members.
d. Intercampus committees concerned with cooperation in educational and research activities within the respective disciplines.

H. **Faculty Council on UMC Policy**

1. A Faculty Council shall be composed of Faculty members who shall be elected by the several divisional faculties as hereinafter provided. The Faculty Council shall have certain delegated authority to act on behalf of the General Faculty (Section 310.010 C.3.c of these Bylaws). In addition, the Council, as a representative Faculty voice, shall advise the Chancellor and the UMC Faculty on questions of UMC policy submitted by either to the Council, and may initiate recommendations concerning changes in the UMC policy for consideration and appropriate action by the Chancellor or UMC Faculty.

2. All colleges and schools that are headed by a Dean who reports to the Provost for academic affairs shall be entitled to voting representation.

3. The minimum number of representatives on the council shall be 25 and the maximum shall be 30.

4. Representatives shall be allocated to divisions on the basis of the total number of members of the UMC Faculty in each division of Professors, Associate Professors, and Assistant Professors (including Research Professors) on full-time appointment to regular academic staff

positions (hereinafter referred to as qualified academic staff members) in each division. The determination of the number of qualified academic staff members shall be made on November 1 of each academic year, and the number so determined shall govern representation for the next academic year. A qualified academic staff member who has a joint appointment in two or more divisions shall be assigned to the division in which he devotes the largest percentage of his time. If the assignment cannot be made on this basis, the council shall make the assignment, first having consulted with the qualified academic staff member to the extent feasible. Representation of the various divisions shall be based upon persons holding the three eligible ranks listed in the most recent UMC general catalog. Research Emeritus Professors and any academic titles other than Professors, Associate Professors, Assistant Professors, (including Research Professors) will not be included in the computations, with the exception that retired professors on continued service will be counted.

Each division shall be entitled to representation at a basic ratio of one representative for each fifty qualified academic staff members or majority fraction thereof (26-49), and in particular as follows: one (1) representative for 1-75; two (2) representatives for 76-125; and so on for each additional fifty (50) qualified academic staff members or major fraction thereof.

In the event the number of qualified academic staff members changes to the point where the basic ratio of one to 50 would give less than 25 or more than 30 representatives, the council by a finding recorded in its minutes shall adjust the ratio to produce not less than 25 and not more than 30 representatives.

5. Members of the Council must be elected from among the qualified academic staff members of the UMC Faculty.

Every qualified academic staff member of the UMC Faculty is eligible for election to and service on the Council: Provided, however, that members of the UMC Faculty who hold administrative positions with the rank of Assistant Dean or higher, or equivalent positions regardless of the title, are ineligible for election or service. Only those eligible to serve on the Faculty Council are eligible to vote for representatives on the Council.

The regular term of office for a member shall be three years beginning on the first day of the Fall semester. No member shall serve more than two terms in succession, but a member may serve any number of discontinued terms, and even though he has served two terms in succession may from time to time serve two more terms in succession after a break in service. Terms of less than three years, whether of one or two years duration or fraction thereof shall count the same as a three-year term.

The Faculty of each division shall determine the election procedures for the election of its representative or representatives and shall report these to the council. Election shall be by secret ballot. In those divisions that have two or more representatives, terms shall be staggered.

I. Officers of the Faculty

1. The Chairperson of the General Faculty shall be the Chancellor. The Vice Chairperson of the Faculty shall be the Chairperson of the Faculty Council.
   Ordinarily, the Chairperson shall preside at Faculty meetings, but determination of who shall preside will be guided by the nature of the business at hand. The Vice Chairperson shall preside at meetings of the General Faculty in the absence of the Chairperson, or at other times when so designated by the Chairperson.

2. The Secretary of the Faculty shall be a member of the General Faculty and shall be appointed by the Faculty Council. The Secretary shall keep minutes of all faculty meetings and shall distribute copies of the same to all members of the General Faculty, and shall provide copies of the agenda of all faculty meetings to all members of the Faculty prior to any Faculty meeting. (By Faculty Council action October 21, 1982, the Recorder of Faculty Council shall be Secretary of the Faculty, with the technical assistance of the Registrar; the Minutes of the General Faculty meetings shall be reviewed, approved and distributed to all Faculty in the same manner as the Minutes of the Faculty Council meetings.)

3. A Parliamentarian shall be appointed by the Chairperson from among members of the Faculty.

J. **Designation of Faculty Representatives**

1. The Faculty Council shall monitor Faculty representation on all committees where such representation is required by the Bylaws and on other committees where Faculty representation is appropriate.

2. Faculty-originated appointments to campus and university committees may be challenged by a signed petition calling for a campus-wide election from at least 25 members of the Faculty representing at least three divisions of UMC. The Faculty Council shall vote on such petition, and if approved, shall initiate a campus-wide election.

K. **Faculty Tenure Committee**

1. The University of Missouri-Columbia Faculty Committee on Tenure shall be composed of members elected by the Faculty of colleges and schools that are headed by Deans who report to the Provost for Academic Affairs. The faculty of each such college or school shall be entitled to have one single elected member of the University of Missouri-Columbia Faculty Committee on Tenure at any given time.

2. Faculty of each college or school shall, at a regular meeting during the second semester in each academic year, elect one of its members to membership on the University of Missouri-Columbia Faculty Committee on Tenure to serve for the following academic year, and also elect an alternative member, who shall serve in the event the regular committee member is unable to serve. If a Faculty fails to elect during the second semester, or a vacancy in its representation occurs after it has elected, a later election may be conducted. Elections of members and alternate members shall be reported to the Provost of Academic Affairs who shall cause the names of the members, alternate members and officers of the committee to be published in the same manner as the membership of the Faculty Council on University Policy.

3. At the inception of a hearing before the committee, the respondent and the relator may challenge members present (including alternate members and the Chairperson and Secretary) for cause. A member challenged for cause is entitled to be present during the hearing on the challenge but he/she, the relator and respondent, shall withdraw from the meeting during the vote on the challenge. If a challenge for cause of the Chairperson is sustained, the Secretary shall act as Chairperson. If neither the Chairperson nor the Secretary is present after action on challenges for cause, the Committee shall elect a Chairperson pro tempore to preside at the hearing.

4. As prescribed by Sections 310.010-310.070, University of Missouri Collected Rules and Regulations, at least ten members of the Committee or their alternates must be present to constitute a quorum at a meeting to elect a permanent Chairperson or Secretary and at the inception of a hearing. For the purposes of acting on challenges and conducting a hearing after the disposition of challenges, seven members of the Committee, or their alternates, shall constitute a quorum. If, during the course of a hearing, the number of members, or their alternates, not previously removed by challenge, are present. The relator and the respondent shall be given opportunities to challenge for cause members or their alternates who were not present from the inception of the hearing and to request that such members or alternates listen to or read the taped or stenographic record of any portion of the hearing at which they were not present.

L. **Procedures Governing the Disposition of Charges of Faculty Irresponsibility**

1. **Basis for the Article** -- This Faculty has affirmed its commitment to the principles of academic freedom repeatedly, and has recognized that academic freedom implies also academic and professional responsibility and obligations. In support of this recognition the Faculty has accepted the American Association of University Professors' statement of ethical standards (1966) and other standards pertaining to specific duties. (Ref: Section 300.010 C of these Bylaws; Section 420.010 Research Dishonesty) Following the principle that a Faculty should monitor its own members, Section 300.010 L

establishes appropriate procedures for dealing with cases of alleged violation of professional responsibility.

2. **Definition of Faculty Member and Teacher**

    a. The term "Faculty member" as used in this article means a person holding a regular or non-regular academic staff position at the rank of instructor or above.

    b. The term "teacher" as used in this article means a person other than a "Faculty member" who holds an academic staff position.

3. **Purpose and Limits of the Article** -- This article shall govern the filing and disposition of charges alleging breaches of professional ethics or commission of irresponsible acts made against UMC Faculty members and teachers. No portion of this article shall be deemed to amend or affect Section 10 of the Academic Tenure Regulations, March 10, 1950, or any revision thereof; nor shall this article be construed to affect adversely the rights which any person may have under the University Tenure Regulations.

4. **Initiation and Transmission of a Charge** -- A charge of unethical or irresponsible action may be brought against a Faculty member or teacher by a person or group of persons associated with the University, such as a student, Faculty member, teacher, administrator, or Board member.

    a. The charge must be submitted in writing and signed by the person or persons making the charge. The charge must specify the act or acts which allegedly constitute unethical or irresponsible action, and must be supported by pertinent details such as time(s), the act(s) was/were committed, specific place(s) where the act(s) occurred, names of witnesses who are able to support the charge, the conditions under which the alleged act(s) occurred, and any additional relevant information.
    b. The charge shall be transmitted promptly to the UMC Provost for Academic Affairs, whose office shall ascertain the extent to which the charge describes the act(s) that allegedly constitutes

unethical or irresponsible action, and determine that all necessary details have been supplied. The Provost shall discuss the substances of the charge with the accuser(s) to assure further that the facts and nature of the charge are understood clearly. Once the Provost has verified the procedural adequacy of the charge, he shall forward it promptly to the Dean of the Division in which the accused Faculty member or teacher has his/her academic appointment.

c. Upon receipt of the signed, written charge against a Faculty member or teacher employed within his/her division, the Dean shall consult with the accused's Department Chairman, in those divisions with more than one department. They shall review the charge for adequacy of procedural detail. If in their opinions, the charge is vague or insufficiently detailed, they shall so inform the Provost in writing and return the charge to him with a request for clarification, or addition of information, and resubmission.

d. If in the opinions of the Divisional Dean and the Department Chairperson the charge is properly described, the Department Chairperson, or Dean in those divisions without departments, as soon as possible, shall provide the accused with a full copy of the charge, including the name of the person, or persons, making the charge.

5. **Action by the Department Chairperson (or Divisional Dean)** -- The Department Chairperson shall discuss the alleged violation informally with the accused and with the accuser, meeting them either together or separately, or both, and shall attempt to reconcile differences and find a solution acceptable to all persons involved.

    a. If an acceptable solution is found, this shall be reported by the Chairperson in writing to the Divisional Dean along with any explanation and justification. A copy of the report shall be furnished the accused. If an acceptable solution is not found, the Department Chairperson shall report this fact in writing to the Divisional Dean along with such comments as he/she considers appropriate. A copy of this report shall be supplied

to the accused. In addition, the Chairperson shall provide the accused with a written statement of his/her recommendations for disposition of the charge and shall describe the rights of the accused to an informal hearing.

b. If the Divisional Dean agrees with the acceptable solution and the Provost for Academic Affairs concurs, this shall end the matter and the accused shall be so informed. If the Divisional Dean or the Provost for Academic Affairs does not agree with the acceptable solution or if no acceptable solution was reached, the matter may be referred back to the Department Chairperson for further negotiation, or the procedures under Section 300.010 L.6 shall be followed.
c. In those divisions having only one department, the Divisional Dean shall take the steps set out in Section 300.010 L.5 and shall report to the Provost for Academic Affairs.
d. The Department Chairperson or the Divisional Dean shall be disqualified from action under Section 300.010 L.5 if he/she is the accuser or the accused and in such case the respective department or division shall elect a Chairperson pro tem to act instead.

6. **Informal Hearing Before Peers at the Department or Divisional Level** -- If a resolution of the charge is not reached under the provisions of Section 300.010 L.5, the Divisional Dean shall inform the accused in writing of his/her recommendations for disposition of the charge, and shall describe the rights of the accused to an informal hearing. The accused may request in writing an informal hearing at either the department level (in divisions with more than one department) or the divisional level, but not both. If no written request is made by the accused within ten (10) school days, or if he/she waives in writing the informal hearing, the procedures of Section 300.010 L.7 shall be followed.

    a. After a written request for an informal hearing, such hearing shall be held by a committee designated for this function according to the following procedure:

(1) A Department Committee on Faculty Responsibility shall be established annually according to normal procedures in the structuring of committees in the department. If the accused or the accuser is a member of the committee, he/she is disqualified from the committee for that case. If the accused is a teacher, the department committee must be adjusted to include peers of the same academic rank, in proportion to the department roster. In small departments, same-level peers may be appointed from related departments by mutual consent of the accused and the department Chairperson. The Chairperson shall supply the accused with a written report of the membership of the Department Committee on Faculty Responsibility.

(2) For the Divisional Committee on Faculty Responsibility, a panel of 13 Faculty members and a special panel of five teachers shall be named annually by the Divisional Policy Committee. In any case where the accused or the accuser is a member of the panel, he/she shall be replaced by a substitute appointed by the Divisional Policy Committee.

(a) When the accused is a Faculty member, the Divisional Dean will strike three names and then the accused will strike three names from the panel of Faculty members and the remaining seven Faculty members will constitute the committee.

(b) When the accused is a teacher, five members of the panel of Faculty members will be removed by lot from the panel and replaced by the members of the special panel of teachers. From the resulting panel of 13 the Divisional Dean will strike three names and then the accused will strike three names and the remaining seven members will constitute the committee.

(c) The Divisional Committee on Faculty Responsibility, once constituted, shall organize itself. The Divisional Dean shall supply the accused with the names of the members of the Divisional Committee on Faculty Responsibility.

b. The Committee (department or division) shall investigate the charge and shall offer the accused and the accuser an opportunity to state their positions and to present testimony and other evidence relevant to the case. The accused shall have

access to all information considered by the committee and the names of all persons giving evidence against him/her. The hearing shall be informal and the accused and the accuser at their option may be present during the hearing. Other persons shall not be present except while giving testimony or other evidence.

c. After completion of the hearing the committee shall meet in closed session and after deliberation prepare a written report. This report (including a minority report, if any) shall be transmitted to the divisional dean and a copy transmitted promptly to the accused. This report shall be limited to one of the following:

(1) The charge is unfounded or there is insufficient reason to believe the accused has violated professional ethics or acted irresponsibly, and the matter should be dropped without prejudice to the accused. The justification for this conclusion must be included.
(2) There is sufficient reason to believe the accused has acted unethically or irresponsibly, and
(a) If the accused is a Faculty member, the matter should be referred for a formal hearing. No recommendation as to sanction should be made but an assessment of the seriousness of the alleged violation, including whether it is serious enough that termination of appointment should be considered, shall be made.
(b) If the accused is a teacher, a recommendation as to the appropriate sanction shall be made. The justification for this conclusion must be included.

7. **Action by the Divisional Dean and the Provost for Academic Affairs**

a. **If the accused is a Faculty member and no request for an informal hearing was made**, the Divisional Dean with the concurrence of the Provost for Academic Affairs shall either:

(1) Dismiss the charge, in which case the matter is closed without prejudice to the accused, or
(2) Refer the matter to the Campus Committee on Faculty Responsibility without any recommendation as to sanction, in

which case the procedures of Section 300.010 L.8 shall be followed. If the Provost for Academic Affairs does not concur, he may take either of the above actions on his/her own motion.

b. **If the accused is a Faculty member**, after receiving the recommendation of the Department or Divisional Committee on Faculty Responsibility, the Divisional Dean with the concurrence of the Provost for Academic Affairs shall either:

(1) Dismiss the charge, in which case the matter is closed without prejudice to the accused, or
(2) Refer the matter to the Campus Committee on Faculty Responsibility with or without a recommendation as to sanction, in which case the procedures of Section 300.010 L.8 shall be followed, or
(3) Recommend that the accused's appointment be terminated, in which case the matter shall be governed by the Academic Tenure Regulations and no further proceedings under this Article shall be taken.

If the Provost for Academic Affairs does not concur, he/she may take any of the above actions on his/her own motion. If the action of the Divisional Dean or the Provost for Academic Affairs differs from the conclusion reached by the Department or Divisional Committee on Faculty Responsibility, a statement of reasons shall be given. Notification of the action with the statement of reasons shall be transmitted promptly to the accused.

c. **If the accused is a teacher,** after receiving the report of the Department or Divisional Committee on Faculty Responsibility, or if the informal hearing was not requested, the Divisional Dean shall dispose of the case. Notification of his/her disposition with a statement of reasons shall be transmitted promptly to the accused. The Divisional Dean's decision is subject to review by the Provost for Academic Affairs who may accept an appeal from the teacher or review the case on his/her own motion.

8. **Formal Hearing before Campus Committee on Faculty Responsibility**

a. **If the matter is referred for a formal hearing** before the Campus Committee on Faculty Responsibility, the accused may, within seven school days after notification of the

referral, waive in writing the hearing before the Campus Committee. If the hearing is waived and no informal hearing under Section 300.010 L.6 has been held, the matter shall be returned to the Divisional Dean who may then recommend termination of appointment as under Section 300.010 L.7.b, or any other action he/she considers appropriate. If he/she does not recommend termination of appointment, or if the informal hearing has been held, the procedures of Section 300.010 L.9 shall be followed.

b. **For the Campus Committee** on Faculty Responsibility, the Faculty Council shall name annually a panel of thirteen (13) Faculty members. If the accuser of any person who has engaged in the investigation of the case is a member of the panel, he/she shall be disqualified and a replacement shall be appointed by the Faculty Council. When a case is referred to the Campus Committee on Faculty Responsibility, the Provost for Academic Affairs will strike three (3) names from the panel; then the accused will strike three (3) names from the panel; the remaining seven (7) members will constitute the committee. The formal hearing shall be conducted according to the following procedures:

(1) The Provost for Academic Affairs shall convene the committee. The committee shall elect a Chairperson who shall preside. The Provost for Academic Affairs shall present the case. Generally accepted principles and procedures of administrative due process shall govern the conduct of the hearing. The hearing shall not necessarily be limited by the rules of evidence applied in civil or criminal judicial proceedings. Both the committee and the Provost for Academic Affairs may receive the advice of counsel.

(2) The committee and the accused shall receive from the Provost for Academic Affairs prior to the hearing copies of all reports and recommendations in the case, the text of the original charge, the name(s) of the accuser(s) and the names of the witnesses.

(3) The accused shall have the right to be present at the hearing, to have counsel of his/her choice present with him/her at the hearing, to address the committee at any

reasonable time upon request, to offer and present evidence, to examine all documents offered at the hearing and challenge their validity or admissibility, to question all witnesses, and to have his/her counsel perform any and all of these acts in his/her behalf. After the termination of the proceedings and completion of the committee's report, the accused shall receive promptly a transcript of the proceedings at University expense.

c. **Following the hearing**, the Campus Committee on Faculty Responsibility shall meet in closed session and, after deliberation, shall prepare a written report which shall include findings of fact (including whether the accused committed the acts mentioned in the charge), a determination of whether the accused's acts constitute a significant violation of professional ethics or responsibility, and the recommendation of specific sanctions or actions to be taken in the case. If the committee's recommendations differ from those made by the Divisional Dean, the report shall include the reasons for the difference. The report (including a minority report, if any) shall be transmitted promptly to the accused.

(1) If the committee recommends termination of appointment and the Provost for Academic Affairs concurs; or if the Provost for Academic Affairs recommends termination of appointment, the matter shall be governed by the Academic Tenure Regulations and no further proceedings under this Article shall be taken.
(2) If termination of appointment is not recommended, the report shall be transmitted to the Chancellor and the procedures of Section 300.010 L.9 shall be followed.

9. **Review by the Chancellor** -- The Chancellor shall, on written request of the accused or of the Provost for Academic Affairs filed within seven days from the notification of the decision of the Campus Committee on Faculty Responsibility, or may, on his/her motion without the filing of an appeal, review the case and affirm, modify, or reverse the decision or remand it to the committee for rehearing. If the Chancellor accepts an appeal or otherwise formally reviews the

case, he/she shall notify the Provost for Academic Affairs and the accused, and shall afford them an opportunity to make written submissions or suggestions concerning the disposition of the appeal on review. If the Chancellor reverses or modifies the decision of the committee, he/she shall set forth in writing a statement of his/her decision and the reasons therefor, and shall furnish a copy of his/her statement to the accused and to have accepted the committee's decision as the final disposition of the case. If the Chancellor is absent from the campus or for any reason is unable to act throughout the review period, he/she may designate a deputy (not the Provost for Academic Affairs) to discharge this function for him/her, or in case of need the President may be requested by the Provost for Academic Affairs or the Chairperson of the Campus Committee on Faculty Responsibility to name a deputy to exercise the Chancellor's authority in the case. After action by the Chancellor, any further appeal by the accused shall be confined to the general right of all members of the University to petition the President and the Board of Curators.

10. **Charges Against Administrators** -- This Article shall cover charges of unethical or irresponsible actions against administrators in their teaching capacities. If a charge is filed against a divisional dean in his teaching capacity, the case shall be referred to the Provost for Academic Affairs and the Campus Committee on Faculty Responsibility without action or recommendation at the departmental or divisional level. If a charge is filed against the Provost for Academic Affairs in his/her teaching capacity, the charge shall be in the hands of the Chancellor and the Campus Committee on Faculty Responsibility. Charges of unethical or irresponsible actions against administrators in their capacity as administrators involve procedures beyond the scope of this Article. However, in such cases, the Chancellor may seek the assistance and advice of the department, divisional or Campus Committee on Faculty Responsibility.

11. **General Provisions** -- Successful operation of these procedures depends upon the integrity, good faith and cooperation of all persons involved. Circumvention of these procedures by the imposition of penal sanctions under the guise of purely administrative actions must

be avoided. Both Faculty and administrators in carrying out their duties should keep in mind the goal of dealing with cases promptly and fairly with due regard for the interests of the accused and the University. The following guidelines and principles will be expected to characterize the monitoring of Faculty responsibility through all formal and informal proceedings:

a. Preservation of academic freedom, tenure rights, and the integrity of the University community.
b. Protection of Faculty members and teachers against malicious and multiple charges, intimidation and harassment.
c. Protection of the accuser against recriminations when a charge is made in good faith.
d. Confidentiality of all aspects of responsibility hearings.
e. Caution in the dissemination of information concerning disposition of a case.
f. Promptness in conducting each step of the investigation, consistent with fairness in time allowed for preparation. Seven to fourteen days in which the University is in session are reasonable lower and upper limits for each action, with extensions possible for good cause.
g. Assurance to all parties involved of adequate notification of meetings and scheduling at times and places convenient to the persons involved.
h. Freedom of the accused against sanctions prior to completion of these procedures. In a serious case where the continuation of duties by an accused would disrupt the educational process or would create a serious threat to lives and property, the Chancellor may suspend the accused without loss of pay, on good cause shown and incorporated into written findings delivered to the accused.
i. The rights of the accused to waive any or all of the peer judgment steps in these procedures and to negotiate a settlement with appropriate administrative officers at any time.
j. The right and desirability of the Divisional Dean, after receiving a committee report (or in the absence of such a

report where a hearing has been waived), to request and receive from the department Chairperson communications concerning the disposition of the case prior to the Divisional Dean's taking action; and the similar right of the Provost for Academic Affairs to communicate with the Divisional Dean and the department Chairperson.

M. **Revision of Bylaws**. Revisions of these Bylaws may be proposed by Faculty Council. Proposed revisions shall be presented and discussed at a meeting of the General Faculty or a faculty forum. As soon as possible after the General Faculty meeting or faculty forum, all faculty members will be notified of the proposed revision and provided access to a ballot. Ballots will be tabulated by a committee of Faculty Council within two weeks following completion of voting. A simple majority of the votes submitted will be required for approval. Results of the vote will be reported to Faculty Council and then all faculty members as soon as feasible. Revisions become effective upon approval by the Board of Curators.

8. Amendment to Collected Rules and Regulations 320.090, Emeritus Designation, University of Missouri-Columbia

Collected Rules and Regulations
Chapter 320: Employment and Termination
320.090 Emeritus Designation
Bd. Min. 12-6-68, p. 34,190; Amended Bd. Min. 3-17-87; Amended 12-16-94, Amended 11-29-07, Amended 06-17-2011.

A. Rule—The procedure for granting the title of "Professor Emeritus/Emerita or "Associate Professor Emeritus/Emerita" shall originate with the retiring faculty member's department. The appropriate title shall be granted to any member of the Faculty on regular appointment in good standing at the time of his or her retirement, who

1. Holds the rank of full or associate professor and has been a member of the Faculty for at least fifteen years; or has held the rank of full professor in the Faculty for at least five years;
2. Has indicated the desire to receive emeritus status; and
3. Whose contributions to the department and the University are recognized as meritorious as determined by majority vote of the tenured members of the department, such determination then being transmitted by letter to the Chancellor.

B. Exceptions

1. A retiring member of the Faculty who is not covered by the above rule who has been recommended by majority vote of the tenured members of the faculty of the department and by the Dean of the faculty member's school or college, or on campuses with no schools or colleges, by the Provost may be awarded an emeritus designation by the Chancellor when the faculty member
    a. has retired in good standing;
    b. has indicated the desire to receive emeritus status; and
    c. his or her contributions to the department and the University are recognized as meritorious.
2. For purposes of this section, full-time members of the Medical Faculty may be considered to be on regular appointment and hence eligible under the above rules and exceptions for appointment to the emeritus designation.

C. Members of the Faculty who have received the title of emeritus shall continue as members (non-voting, "except with regard to votes on promotion and tenure recommendations by qualified professors emeriti who are serving on a special promotion and tenure committee under circumstances described in section 320.035A.1.c or section 320.035A.1.d of the Collected Rules and Regulations") of the campus Faculty; and their names shall appear in the list of Officers of Instruction and Administration in the University catalog. Persons retiring from the University who do not receive the title of emeritus shall receive no title designation.

9. Energy Leveraged Loan Program of the Missouri Department of Natural Resources, Missouri S & T

Approval of a resolution authorizing participation in the Energy Leveraged Loan Program of the State of Missouri's Department of Natural Resources and authorization for the Vice President for Finance and Administration to execute associated loan agreement and promissory note.

Loan Amount: $562,932.00
Interest Rate: 0%
Source of Funds for Debt Service Payments:
DeptID R3006034 Program Code R8799

WHEREAS, THE CURATORS OF THE UNIVERSITY OF MISSOURI ON BEHALF OF MISSOURI UNIVERSITY OF SCIENCE AND TECHNOLOGY, an authorized Borrower under the Energy Leveraged Loan Program (the "Public Entity"), through the preparation of engineering plans and reports, has identified certain energy conservation measures which would benefit the Public Entity by reducing future energy costs to the Public Entity and has applied to the Missouri Department of Natural Resources/Division of Energy ("DNR") for a loan to implement such energy conservation measures (the "Project") and

WHEREAS, at the Public Entity's request, MDNR has agreed to lend to the Public Entity certain funds pursuant to Sections 640.651 to 640.686 of the Missouri Revised Statues, as amended, ("Energy Act") up to the maximum amount authorized under the Energy Act based on engineering estimates of savings to be generated from the Project, provided that the Public Entity complies with the various terms and conditions set forth in the Energy Act and in 10 Code of State Regulations 140-2.101 *et seq.,* as amended (the "Regulations"); and

WHEREAS, MDNR may choose to fund this Loan pursuant to its Energy Efficiency Leveraged Loan Program (the "Program") from the proceeds of revenue bonds issued by the State Environmental Improvement and Energy Resources Authority (the "Authority") pursuant to a Bond Indenture authorizing the Authority bonds used to fund the Loan (the "Bond Indenture") among the Authority, MDNR, and the bond trustee named therein (the "Bond Trustee"); and

WHEREAS, in connection with its participation in the Program, the Public Entity will be required to execute certain documents in connection with the Loan;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Public Entity as follows:

Section 1: The Governing Body of the Public Entity hereby finds and determines that it is in the best interests of the Public Entity to enter into the Loan Agreement and execute the Promissory Note in order to obtain funds for the purpose of installing energy conservation measures within the Public Entity. The Governing Body has received approval as required by Section 640.653.2 Revised Statues of Missouri, as amended. The total Loan amount is hereby authorized in the amount of **$562,932**, which amount shall include (i) estimated maximum construction costs of **$557,302,** plus interest to accrue during the period from any draws on the loan by the Public Entity until completion of construction of the Project, (ii) interest on the Loan during the term of the Loan at a rate of **0%** and (iii) a loan origination fee of one percent (1%) of the principal amount of the Loan. Under the Loan Agreement, the Public Entity agrees to make semiannual payments equal to one half of the annual energy savings until the promissory note is retired.

Section 2: That the Public Entity hereby approves the form of the Loan Agreement, which is attached to this Resolution as Exhibit A, the blank form of Promissory Note, attached hereto as Exhibit B, which would reflect the total amount of Project Cost disbursements and one point origination fee and accrued interest as more fully described therein, and the form of Public Entity's Closing Certificate, attached hereto as Exhibit C.

Section 3: That the superintendent, city manager, chief administrative officer and/or chief financial officer of the Public Entity ("Public Entity Representative"), and each such person hereby is, authorized and empowered and directed to execute, enter into, deliver for and in the name of and on behalf of the Public Entity, under its corporate seal, the following documents (all of such documents, and such other documents, certificates and instruments as may be necessary to carry out the intent of this Resolution, together with any other documents and instruments contemplated thereby, or otherwise necessary or appropriate to effectuate the transaction contemplated thereby, being the "Program Documents"), the forms of which have been presented in draft to the Governing Body:

A. Loan Agreement;
B. Promissory Note;
C. Public Entity's Closing Certificate.

Section 4: That the governing Body of the Public Entity hereby approves the Project and authorizes the Public Entity Representative and such officers and employees as the Public Entity Representative may designate to proceed with arranging the financing for the Project, in furtherance of and subject to the requirements of this Resolution. The Public Entity Representative is hereby further authorized and empowered to execute the Program Documents with such additional modifications, corrections, amendments and deletions as shall, in the judgment of such Public Entity Representative, be necessary or appropriate, in the sole and absolute discretion of such officers, to effectuate the transactions contemplated by this Resolution, the execution of any such documents by any such Public Entity Representative constituting the conclusive evidence of his or her approval and the approval of the Public Entity to any changes.

Section 5: That the amounts due under the Loan Agreement and the Promissory Note shall be limited obligations of the Public Entity payable solely from energy costs savings derived from the Project. Amounts due under the Loan Agreement and the Promissory Note shall not constitute a debt or liability of the Public Entity or of the State of Missouri or of any political subdivision thereof and such amounts shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

Section 6: That the Public Entity recognizes that DNR may choose to fund the Loan under its Energy Leveraged Loan Program in cooperation with Authority through the issuance and sale of tax-exempt bonds by the Authority, and that a portion of the proceeds of the Bonds may be used to reimburse the Public Entity for any advances made by Public Entity in connection with the Project.

10. Energy Leveraged Loan Program of the Missouri Department of Natural Resources, University of Missouri – Kansas City

Participate in the Energy Leveraged Loan Program of the Missouri Department of Natural Resources and the State Environmental Improvement and Energy Resources Authority, Kansas City, Missouri, UMKC

WHEREAS, The Curators of the University of Missouri on behalf of the University of Missouri-Kansas City, an authorized Borrower under the Energy Leveraged Loan Program (the "Public Entity"), through the preparation of engineering plans and reports, has identified certain energy conservation measures which would benefit the Public Entity by reducing future energy costs to the Public Entity and has applied to the Missouri Department of Natural Resources' Division of Energy ("MDNR") for a loan to implement such energy conservation measures (the "Project"); and

WHEREAS,
At the Public Entity's request, MDNR has agreed to lend to the Public Entity certain funds pursuant to Sections 640.651 to 640.686 of the Missouri Revised Statues, as amended, ("Energy Act") up to the maximum amount authorized under the Energy Act based on engineering estimates of savings to be generated from the Project, provided that the Public Entity complies with the various terms and conditions set forth in the Energy Act and in 10 Code of State Regulations 140-2/101 *et seq.,* as amended (the "Regulations"); and

WHEREAS,
MDNR may fund this Loan pursuant to its Energy Leveraged Loan Program (the "Program") from the proceeds of revenue bonds issued by the State Environmental Improvement and Energy Resources Authority (The "Authority") pursuant to a Bond Indenture authorizing the Authority bonds used to fund the Loan (the "Bond Indenture") among the Authority, MDNR, and the bond trustee named therein (the "Bond Trustee"); and

WHEREAS,
In connection with its participation in the Program the Public Entity will be required to execute certain documents in connection with the Loan;

NOW, THEREFORE, BE IT RESOLVED
By the Governing Body of the Public Entity as follows:

Section 1: The Governing Body of the Public Entity hereby finds and determines that it is in the best interests of the Public Entity to enter into the Loan Agreement and execute the Promissory Note in order to obtain funds for the purpose of installing energy conservation measures within the Public Entity. The Governing Body has received approval as required by Section 640.653.2 Revised Statues of Missouri, as amended. The total amount of the Loan is hereby authorized in the amount of $473,414, which amount shall include (i) estimated maximum construction loan amount of $468,679, plus interest to accrue during the period from any draws on the loan by the Public Entity until completion of construction of the Project, (ii) interest on the Loan during the term of the Loan, at a rate of 0%, and (iii) a loan origination fee of one percent (1%) of the principal amount of the Loan. Under the Loan Agreement, the Public Entity agrees to make semiannual payments equal to one half of the annual energy savings until the promissory note is retired.

Section 2: That the Public Entity hereby approves the form of the Loan Agreement, which is attached to this Resolution as Exhibit A, the blank form of Promissory Note, attached hereto as Exhibit B, which would reflect the total amount of Project Cost disbursements, one point origination fee and accrued interest as more fully described therein, and the form of Public Entity's Closing Certificate, attached hereto as Exhibit C.

Section 3: That the superintendent, city manager, chief administrative officer and/or chief financial officer of the Public Entity ("Public Entity Representative"), and each such person hereby is, authorized and empowered and directed to execute, enter into, deliver for and in the name of and on behalf of the Public Entity, under its corporate seal, the following documents (all of such documents, and such other documents, certificates and instruments as may be necessary to carry out the intent of this Resolution, together with any other documents and instruments contemplated thereby, or otherwise necessary or appropriate to effectuate the transaction contemplated thereby, being the "Program Documents"), the forms of which have been presented in draft to the Governing Body:

A. Loan Agreement;
B. Promissory Note;
C. Public Entity's Closing Certificate.

Section 4: That the governing Body of the Public Entity hereby approves the Project and authorizes the Public Entity Representative and such officers and employees as the Public Entity Representative may designate to proceed with arranging the financing for the Project, in furtherance of and subject to the requirements of this Resolution. The Public Entity Representative is hereby further authorized and empowered to execute the Program Documents with such

additional modifications, corrections, amendments and deletions as shall, in the judgment of such Public Entity Representative, be necessary or appropriate, in the sole and absolute discretion of such officers, to effectuate the transactions contemplated by this Resolution, the execution of any such documents by any such Public Entity Representative constituting the conclusive evidence of his or her approval and the approval of the Public Entity to any such changes.

Section 5: That the amounts due under the Loan Agreement and the Promissory Note shall be limited obligations of the Public Entity payable solely from energy costs savings derived from the Project. Amounts due under the Loan Agreement and the Promissory Note shall not constitute a debt or liability of the Public Entity or of the State of Missouri or of any political subdivision thereof and such amounts shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

Section 6: That the Public Entity recognizes the intention of DNR to fund the Loan under its Energy Leveraged Loan Program in cooperation with Authority through the issuance and sale of tax-exempt bonds by the Authority, and that a portion of the proceeds of the Bonds may be used to reimburse the Public Entity for any advances made by Public Entity in connection with the Project.

11. Degrees, Summer Semester for all campuses

The President of the University of Missouri System is approved in awarding degrees and certificates to candidates recommended by the various faculties and committees of the four University of Missouri System campuses who fulfill the requirements for such degrees and certificates at the end of the Summer Semester 2011, and that the lists of said students who have been awarded degrees and certificates be included in the records of the meeting.

12. Spinal Cord Injuries and Congenital or Acquired Disease Processes Research Program Proposal

That the *Effect of Wheelchair Training for New Manual Wheelchair Users* research proposal approved by the Spinal Cord Injuries Research Program Advisory Board be approved as presented.

Effect of Wheelchair Training for New Manual Wheelchair Users

Kerri A. Morgan

Program in Occupational Therapy
Washington University School of Medicine

Total funding recommended $78,265

Roll call vote of Consent Agenda:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator VanMatre voted yes.

The motion carried.

Academic, Student and External Affairs

Committee Chairwoman Haggard provided a recap of the June 16, 2011, Academic, Student and External Affairs Committee meeting.

Information

1. Potentially Disruptive Forces in Higher Education
2. AAU Report
3. Government Relations Report

Action

1. Adoption of CRR 370.010 Grievance Procedures, UM

Adoption of CRR 370.010 Grievance Procedures, UM

It was recommended by Senior Associate Vice President Graham, endorsed by Interim President Owens, recommended by the Academic, Student and External

Affairs Committee, moved by Curator Van Matre, seconded by Curator Cupps, that the following action be approved:

that the Collected Rules and Regulations Grievance Procedure 370.010 be adopted as below.

370.010 Academic Grievance Procedure

Chapter 370: Academic Grievances

Bd. Min. 4-8-05; Extended Bd. Min. 4-4-08; Amended 12-12-08; 04-03-09; 06-17-11.

The Board of Curators, the faculty, and the administration of the University of Missouri recognize the importance of providing a prompt and efficient procedure for fair and equitable resolutions of grievances with the University without fear of prejudice or reprisal for initiating a grievance or participating in its settlement. To the extent possible, all grievances should be settled through informal discussions at the lowest administrative level, and disputed matters should be processed as formal grievances only when either party feels that a fair and equitable solution has not been reached in the informal discussions. Accordingly, the members of the faculty as defined in the rules and regulations, Section 310.020 A, including faculty who hold an administrative title or function, are encouraged to use this procedure for grievances relating to their status or activities as faculty members. Former faculty members may only use this process to grieve the non-renewal of their employment. This grievance procedure should not be used in connection with a matter relating to any administrative title or function which the faculty member currently holds or may also have had.

The success of this procedure is contingent upon the good faith effort of all participants. It is the responsibility of the Faculty Council/ Senate and Campus Administration, and the University President to encourage and sustain such efforts, and to ensure that the procedure is followed in its entirety in its spirit as well as letter. The Chancellors will be responsible for ensuring that the determination reached in a grievance is implemented. The Faculty Council/Senate Oversight Committee will monitor this process, as per 370 C.11.c.

A. **Definition:**

1. A grievance is defined as an allegation that one or more of the following has occurred:

    a. There has been a violation, a misinterpretation, an arbitrary or discriminatory application of written University rule, policy,

regulation, or procedure which applies personally to the faculty member, notwithstanding that it may apply to others within or without the grievant's unit, relating to the privileges, responsibilities, or terms and conditions of employment as a member of the faculty.

b. The faculty member has been discriminated against on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam era veteran, or sexual orientation.

c. There has been an infringement on the academic freedom of the faculty member.

2. This policy shall not be interpreted in such a manner as to violate the legal rights of religious organizations or military organizations associated with the Armed Forces of the United States of America.

B. **Termination and Non-Renewal of Regular Faculty**

1. The termination of regular faculty on continuous appointments, on whatever grounds, is governed by the Academic Tenure Regulations (Section 310.020) and the Procedures in Cases of Dismissal for Cause (Section 310.060) rather than this Grievance Procedure. Any matter related to the termination of regular faculty on continuous appointment cannot be grieved under Section 370.010.
2. The non-renewal of regular faculty on regular term appointments, on whatever grounds, is governed by the Academic Tenure Regulations (Section 310.020) rather than this Grievance Procedure. As laid out in Section 310.020.F.3., if a tenure-track faculty members' non-renewal has been unsuccessfully appealed to the Chancellor, the faculty member may use this grievance process only to allege that the decision resulted from inadequate consideration, or that the decision was based significantly on consideration violative of academic freedom, or that the decision was based significantly on considerations violative of governing policies on equal employment opportunity.

C. **Grievance Process:**

1. Grievance Resolution Panel (GRP):

Grievances shall be addressed by a standing GRP consisting of a senior administrator and two or four tenured faculty members:

i. Two models for the GRP are possible and the model employed by each campus, as well as the number of GRP

members, will be determined by the Chancellor in consultation with Faculty Council/Senate.

(a) Model A: Two or four GRP faculty members (plus 2 alternate faculty members) will be chosen by the Faculty Council (FC) or Faculty Senate (FS), after consultation with the Chancellor or Chancellor's designee, via an application process designed by the FC or FS.

(b) Model B: The GRP will consist of two panels, each with two or four tenured faculty members and 2 alternate faculty members. Faculty will be chosen by FC/FS as described in Model A. above.

ii. Faculty members may be granted release time to compensate for the effort devoted to the GRP. The amount of release time will be negotiated between the Chancellor/Chancellor's designee and the faculty member's dean/department chair.

iii. The senior administrator member of the GRP under either Model A or B will be appointed by the Chancellor/Chancellor's designee after consultation with the FC or FS.

a. GRP members will serve up to three-year renewable terms pending FC or FS and Chancellor /Chancellor's designee approval. In the interest of continuity and consistency, faculty terms on the GRP will be staggered.

b. A conflict of interest is a situation in which financial or other personal considerations have the potential to compromise or bias professional judgment and objectivity.

i. In the case of a conflict of interest of the senior administrative member of the GRP, the Chancellor/Chancellor's designee will appoint an alternate senior administrator after consultation with the FC/FS.

ii. In case of a conflict of interest of a faculty member of the GRP, the FC/FS will appoint alternate faculty members of the GRP. Release time, if any, for faculty alternates will be negotiated between the Chancellor/Chancellor's designee and the alternate's dean/department chair, as needed.

2. Faculty Council/Senate Oversight Committee (OC) :

   a. The OC will monitor the grievance process. (Additional details on OC committee are provided below in section 370.010 C.11.)

3. Filing a grievance:

   a. A faculty member files a grievance by the completion of the Grievance Filing Form (GFF) (See Attached form in Appendix A)and submission of the form to the GRP.

      i. The grievant may submit any relevant evidence/attachments that the grievant would like to be considered by the GRP as well as a list of additional sources of information, including persons with knowledge, subject to the limitations as to length specified in the GFF.

      ii. The grievant may also request that the GRP gather any additional relevant evidence that the grievant believes exists and that is not in the grievant's possession or to which the grievant does not have access. Taking into account considerations of FERPA, HIPAA, attorney/client privilege and impact on any party or university unit, the GRP will make reasonable attempts to obtain information that it deems relevant and central to the grieved matter(s).

   b. There are three requirements the grievant must meet when filing:

      i. The grieved act listed on the GFF must meet the definitional criteria in 370.010 A

      ii. The grievant must demonstrate that s/he attempted to informally resolve the complaint before filing the grievance.

      iii. The grievant must file the grievance within one hundred and eighty (180) calendar days after the grievant knew, or reasonably should have known, of the occurrence of the event or omission out of which the grievance has arisen. In situations where the grievance arises out of a

series of events or omissions, the filing period shall be measured from the last event or omission in the series.

(a) A faculty member who does not initiate a grievance in accordance with the 180-day calendar limit specified herein shall be deemed for purposes of these procedures to have accepted the last decision rendered by an appropriate administrative officer.

c. If the GRP determines that any of these three requirements (370.010 C.3.) are not met, they may reject the grievance. Rejections of grievances cannot be appealed.

4. Processing a grievance:

a. The GRP will meet with the grievant to discuss the complaint and gain a greater understanding of the issues.
b. The GRP will also name a university respondent, in consultation with both the Chancellor/Chancellor's designee and the Chair/President of Faculty Council/Senate or their designee.
c. Early in the process, the GRP may hold one face-to-face meeting simultaneously with both the grievant and the person against whom the grievance is directed.
d. Both the grievant and the respondent have the right to consult with an attorney of their choice, but that attorney may not be present at any meetings with the GRP. Both the grievant and the respondent may have an advisor present at meetings with the GRP but the advisor must be a current university employee and cannot act in the capacity of an attorney. The advisor may not make presentations or statements to the GRP, or any other parties present.
e. The university respondent will be provided with the original grievance filing form and any other information gathered that the GRP deems relevant, and will be required to write a rebuttal statement.

i. The respondent may include any relevant evidence/attachments that the respondent would like to be considered by the GRP, as well as a list of additional sources of information, including persons with knowledge.

ii. The respondent may request that the GRP gather any additional relevant evidence that the respondent believes exists and that is not in the respondent's possession or to

which the respondent does not have access. Taking into account considerations of FERPA, HIPPA, attorney/client privilege and impact on any party or university entity, the GRP will make reasonable attempts to obtain information that it deems relevant and central to the grieved matter(s).

iii. The respondent has 15 calendar days from the date that s/he is provided with the original grievance filing form to write this rebuttal statement. The respondent may submit a written request to the GRP for a time extension to prepare the rebuttal. Such extensions will be granted at the sole discretion of the GRP.

f. The GRP will investigate, gather evidence, meet individually or jointly with either or both parties, as well as other relevant individuals. There shall be no formal hearing in this process.
g. Based on its own investigation, the GRP may collect evidence that it deems as having relevance and centrality to the grieved matters.
h. The GRP shall receive the cooperation of campus administrators, the collegiate dean, the department chair, the grieving faculty member, other faculty members, other University employees, and students enrolled at the University. It will be the duty of all such individuals to provide, in a timely fashion, all requested non-testimonial evidence relevant to the case.
i. The GRP will consult with University Legal Counsel concerning legal issues of evidence, including but not limited to FERPA regulations, attorney/client privilege, and HIPPA-protected materials.
j. All University employees must be truthful in providing testimony to the GRP and all non-testimonial evidence must be genuine and accurate. False testimony, fraudulent evidence, refusal to cooperate with the GRP and breaches of confidentiality (see section 370.010 C.12) may be the basis for a personnel action against the uncooperative individual.
k. The grievant(s) and respondent(s) shall be promptly provided with a copy of all evidence collected by the GRP, or in the case of materials deemed confidential by the GRP, a summary of this evidence.
l. The GRP will have three months from the date of a correctly filed grievance (see 370.010 C.3.a) to conduct an investigation and render findings and recommendations, if any.

m. Prior to rendering its findings, the GRP will inform the parties in writing of their tentative findings and the basis for these findings, including documents collected and information received orally. The parties shall meet jointly with the GRP and each will have the opportunity to provide a 30 minute oral presentation to the GRP regarding their perspective on these tentative findings. Each party will be provided with the opportunity to make one ten minute rebuttal to the other party's presentation.

5. Potential GRP Actions
   a. The GRP has broad administrative latitude to address grievances.
   b. At any point in the process, the GRP may:
      i. Facilitate a settlement agreement between the grievant and the University of Missouri.
      ii. Make a determination that the grievance has no merit. This determination is not appealable.
      iii. Terminate a grievance if a lawsuit related to the substantive content of the grievance, as determined by the GRP, is initiated at any time. The grievant and the respondent are immediately released from requirements imposed by Section 370.010 C.12. This action is not appealable.

c. At the conclusion of their investigation, the GRP shall make findings and recommendations that may include, but are not limited to, the following, which will be provided to the Chancellor, Provost, the parties, and the Oversight Committee Representative:

i. A finding in favor of the grievant and the recommendation of remedies, if any, to resolve the grievance.

ii. A finding that both the grievant and the respondent have legitimate complaints and the recommendation of remedies, if any, to resolve both sets of complaints.

iii. A finding against the grievant with no recommendations for remedies to address the grievant's complaint.

iv. A finding that the respondent was subject to some adversity in connection with the aggrieved act and the recommendation of remedies, if any, to alleviate this adversity.

d. In the interest of solving problems, the GRP in unique position to view university functions from multiple viewpoints, may

occasionally identify areas of functioning of the University of Missouri that could be improved or changed to prevent future problems. These findings and recommendations can be provided periodically to the Provost, the Chancellor, and the Chair of Faculty Council/Senate.

6. Appeal of the GRP findings:
   a. Within 15 calendar days, either the grievant or the respondent may appeal the GRP findings and recommendations, if any, to the Chancellor using the Grievance Appeal Form (a copy of which is attached in Appendix B).
   b. The Chancellor will have 30 calendar days from the time it is received to act on the appeal. If the Chancellor needs more time, then the Chancellor shall provide reasons and a new estimated time via a letter to all parties (grievant, respondent, GRP, Oversight Committee representative). If the Chancellor does not act within 30 calendar days and does not provide such a letter, the decision of the GRP becomes final.
   c. If neither party appeals the GRP decision within 15 days, then the Chancellor will have an additional 30 days to accept or reject the findings of the GRP in whole or in part, and accept, reject or modify the recommendations of the GRP. If the Chancellor needs more time, then the Chancellor shall provide reasons and a new estimated time via a letter to all parties (grievant, respondent, GRP, Oversight Committee representative). If the Chancellor does not act within such additional 30 calendar days and does not provide such a letter, the decision of the GRP becomes final.

7. Chancellor's review of the GRP Decision:

   a. In reviewing the GRP decision:

      i. The Chancellor, or the Chancellor's designee, may speak to the grievant and the respondent. If the Chancellor, or the Chancellor's designee, meets with one party, however, then the Chancellor or the chancellor's designee must also meet with the other party as well, although not necessarily at the same time.

      ii. The Chancellor and Chancellor's designee will have access to all relevant documents.

iii. The Chancellor or the Chancellor's designee may seek additional information or input as needed. If the Chancellor or Chancellor's designee seeks additional information, however, then the Chancellor shall inform the GRP and the OC representative to the grievance under consideration what additional information or input the Chancellor or the Chancellor's designee has sought.

b. The Chancellor may accept or reject the findings of the GRP in whole or in part, and accept, reject or modify the recommendations of the GRP. If the Chancellor rejects or modifies, the Chancellor or the Chancellor's designee shall meet with the GRP and the OC representative prior to rendering the final decision.
c. The Chancellor's decision is final.
d. Upon rendering of the final decision, the Chancellor will notify the grievant, respondent, GRP and Oversight Committee representative regarding the final outcome and remedies, if any.

8. Grievant's acceptance of the final decision:
   a. Once a decision is final, the grievant has 15 calendar days to provide written acceptance or non-acceptance of the decision and any recommended remedies.
   b. The grievant uses the Grievance Acceptance Form (a copy which is attached in Appendix C) to file a response to the final decision.
9. If the grievant fails to provide a written acceptance of the final decision or submits a Grievance Acceptance Form that rejects the final decision, the grievant suffers the loss of all remedies favorable to the grievant.
10. Grievant's legal rights:

    a. Upon acceptance of the final decision, the grievant waives the right to bring a lawsuit concerning any matters that were a subject of the grievance.
    b. If a lawsuit related to the substantive content of the grievance is initiated at any time, then this grievance process will immediately end and the grievant and the respondent are immediately released from requirements imposed by Section 370.010C.12.
    c. Upon rejection of the final decision, the grievant and the respondent are released from the confidentiality requirements imposed by Section 370.010 C.12.

11. Oversight:

a. There will be a Faculty Council/Senate Oversight Committee (OC), whose purpose will be to monitor the Grievance process as neutral observers and provide feedback on the process to the Faculty Council or Faculty Senate, the faculty and the Provost's and Chancellor's Office.
    i. The OC will consist of 3-5 tenured faculty appointed by Faculty Council or Faculty Senate for up to three year staggered terms.
    ii. Chair of the OC will be a member of the Faculty Council or Faculty Senate.

b. OC monitoring of individual grievances:
    i. A member of the OC will be appointed to each grievance case following receipt of the Grievance Filing Form by the GRP. OC members will rotate grievance case membership unless a conflict of interest is identified.
    ii. The OC representative will sit in on all GRP deliberations and will be copied on all correspondence. If during deliberations, the OC member has process or procedural concerns, the member may raise the concerns with the GRP, without the grievant or respondent or any other parties present.
    iii. The OC representative is an observer: The OC representative may not participate in the deliberations or rendering of findings and recommendations by the GRP.
    iv. GRP requests for extensions of up to two weeks may be approved by the OC representative on that case. Any additional requests for extensions must be approved by the OC. The OC shall rule on such requests within five calendar days from the receipt of the request.
    v. The OC representative shall not discuss the ongoing grievance with anyone, including other OC members, except any information necessary to the OC committee decision regarding time extension requests from the GRP.
    vi. At the close of each grievance case, the OC representative shall present to the other OC members, and the GRP, a summative and evaluative report of the process as it relates to that particular case. These reports will not reveal any substantive information concerning grievances including but not limited to supporting materials, specific findings, and identifying information about any participant.

c. OC monitoring of the grievance process:

i. The OC will continually monitor the overall grievance process.

ii. On a yearly basis the OC shall present a summative and evaluative report to Faculty Council or Faculty Senate Executive Committee, the Provost and the Chancellor.

iii. The OC will monitor the implementation of remedies resulting from the final grievance decision by communication with relevant parties, and in cases in which remedies are not being implemented the Faculty Council/ Faculty Senate will be notified.

12. Confidentiality:

a. All parties involved (grievant, respondent, GRP and OC) must agree to maintain strict confidentiality regarding any substantive information concerning grievances including but not limited to supporting materials, specific findings, and identifying information about any participant. The substance of the cases shall not be discussed at any time, before or after a final decision is made, except as provided in Section 370.010 C.5.b.iii, and 370.010 C.10.c.

Appendix A

Case #: _____(To Be Assigned by GRP)

Grievance Filing Form
Date of Filing this Form: _____
Name: _____
Contact Information (address, phone, email):

Instructions for Questions Associated with Roman Numeral I - III:
The Collected Rules and Regulations list three categories of grievances and these are listed below in Italics (see I, II, and III). Check the box(es) associated with the category or categories of the grievance you are filing. For each relevant category, answer the questions that follow by attaching a separate word document or inserting pages at the end of this document. Please number your responses in accordance with the numbering system employed below (e.g. I-a; III-b, etc.).

☐ ***I. There has been a violation, a misinterpretation, an arbitrary or discriminatory application of written University rule, policy, regulation, or procedure which applies personally to the faculty member, notwithstanding that it may apply to others within or without the grievant's unit, relating to the privileges, responsibilities, or terms and conditions of employment as a member of the faculty.***

1) List the specific written University rule, policy, regulation or procedure that was violated, misinterpreted, or discriminatorily applied. Either cite the specific Collected Rules and Regulations number or attach relevant policies (e.g., department bylaws). If there is more than one alleged violation, list each separately.
    a) For each alleged violation, list the date of occurrence of the grieved act. Please note that the grievant must file the grievance within one hundred and eighty (180) calendar days after the grievant knew, or reasonably should have known, of the occurrence of the event or omission out of which the grievance has arisen. In situations where the grievance arises out of a series of events or omissions, the filing period shall be measured from the last event or omission in the series.
    b) For each alleged violation, describe the grieved act. Include in your description the harm that you perceive resulted and the remedy requested.
    c) The description of each grieved act is limited to three double-spaced pages (Times New Roman, 12 point).

☐ ***II. The faculty member has been discriminated against on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam era veteran, or sexual orientation***.

1) List <u>specific</u> type(s) of discrimination(s) that is (are) alleged to have been violated.
   a) For each alleged violation, list the date of occurrence of the grieved act. Please note that the grievant must file the grievance within one hundred and eighty (180) calendar days after the grievant knew, or reasonably should have known, of the occurrence of the event or omission out of which the grievance has arisen. In situations where the grievance arises out of a series of events or omissions, the filing period shall be measured from the last event or omission in the series.
   b) For each alleged violation, describe the grieved act. Include in your description the harm that you perceive resulted and the remedy requested.
   c) The description of each grieved act is limited to three double-spaced pages (Times New Roman, 12 point)

☐ ***III. There has been an infringement on the academic freedom of the faculty member.***

(For information on academic freedom, see the Collected Rules and Regulations, Section 310.010).

a) List the date of occurrence of the grieved act. Please note that the grievant must file the grievance within one hundred and eighty (180) calendar days after the grievant knew, or reasonably should have known, of the occurrence of the event or omission out of which the grievance has arisen. In situations where the grievance arises out of a series of events or omissions, the filing period shall be measured from the last event or omission in the series.
b) Describe the grieved act. Include in your description the harm that you perceive resulted and the remedy requested.
c) The description of each grieved act is limited to three double-spaced pages (Times New Roman, 12 point)

<u>Instructions for Roman Numeral IV - VIII:</u>
Answer the questions that follow by attaching a separate word document or inserting pages at the end of this document. Please number your responses in accordance with the numbering system employed below (e.g. IV, V, etc.).

IV. Please specify in detail any attempts made for informal resolution. The description of such attempts is limited to one double-spaced page (Times New Roman, 12 point). Please note the grievant must demonstrate that s/he attempted to informally resolve the complaint before filing the grievance.

V. If you have any relevant evidence/attachments that you would like the Grievance Resolution Panel (GRP) to consider, please include them. You must refer to any attachments in your replies to the questions above so that the relevance of each attachment is clear.

VI. If desired, please list any additional sources of information, including persons with knowledge. Please specify the type of information available through these additional sources and the relevance of this information to the alleged violations.

VII. The grievant may also request that the GRP gather any additional relevant evidence that the grievant believes exists and that is not in the grievant's possession or to which the grievant does not have access. Taking into account considerations of FERPA, HIPAA, attorney/client privilege and impact on any party or university entity, the *GRP* will make reasonable attempts to obtain information that it deems relevant and central to the grieved matter(s). Please list any such information and its relevance to the alleged violations.

VIII. Have you filed a lawsuit related to the substantive content of the grievance?

PLEASE NOTE THAT INCOMPLETE FILING FORMS OR FILING FORMS THAT DO NOT COMPLY WITH THE DIRECTIONS ABOVE WILL BE RETURNED.

Columbia Campus: Send form and responses to GRP@missouri.edu
UMKC Campus: Send form and responses to GRP@umkc.edu
MO S&T Campus: Send form and responses to GRP@mst.edu
UMSL Campus: Send form and responses to grievance@umsl.edu

Appendix B

Case #: _____ (Please list case # assigned by GRP)

University of Missouri
Grievance Appeal Form

Date of Filing this Form: _____
Name: _____
Signature_____
Contact Information (address, phone, email):

Instructions:
Chapter 370.010.C.6 of the Collected Rules and Regulations of the University of Missouri states that within 15 calendar days of the GRP rendering its findings and recommendations, "either the grievant or the respondent may appeal the GRP findings and recommendations, if any, to the Chancellor using the Grievance Appeal Form." Parties may thus appeal a finding, a recommendation or both.

To appeal, please check the appropriate boxes and then answer the questions below by attaching separate pages. Please number your responses in accordance with the numbering system employed below.

☐ A. Appeal of GRP Findings

1. Identify each finding that you are appealing, by quoting directly from the GRP report provided to you.
   a. For each finding that you are appealing, state specifically the basis for your appeal, using the list below (State for example. "*I am appealing on the basis of A-1-b-ii, "The finding is inconsistent with the evidence presented").*
   b. Basis for Appeal:
      i. The finding lacks factual support.
      ii. The finding is inconsistent with evidence presented.
      iii. The GRP failed to consider evidence presented.
      iv. The finding is based on factual errors or a misinterpretation of fact.

v. The finding is based on an erroneous interpretation of law, policy or rule.

c. For each basis that you list, clearly explain this basis, being as specific as possible.

i. If you are appealing on the basis that the GRP failed to consider evidence presented, describe the evidence that was refused or not considered and explain how it would have affected the finding.

ii. If you are appealing on the basis that the finding is based on an erroneous interpretation of law, policy or rule, identify the law, policy or rule and describe its proper interpretation.

2. The appeal of each finding is limited to two double-spaced pages (Times New Roman, 12 point).

☐ B. **Appeal of GRP Recommendations**

1. Identify each recommendation that you are appealing by quoting directly from the GRP report provided to you.

a. For each recommendation you are appealing, explain the basis for your appeal. In your explanation be sure to include an explanation of what you perceive to be the deficiencies in the recommendation.

b. For each recommendation you are appealing, identify what you consider to be an appropriate remedy and explain your rationale for the appropriateness of this remedy.

2. The appeal of each remedy is limited to two double-spaced pages (Times New Roman, 12 point).

PLEASE NOTE THAT INCOMPLETE APPEAL FORMS OR APPEAL FORMS THAT DO NOT COMPLY WITH THE DIRECTIONS ABOVE WILL BE RETURNED.

A HARD COPY of this form must be filed at the address below, but to expedite processing, a scanned version can be first emailed to the email address listed below:

Columbia Campus:
Deputy Chancellor Michael Middleton
105 Jesse Hall
Columbia, MO 65211
MiddletonM@missouri.edu

UMKC Campus:
UMKC Grievance Resolution Panel
5100 Rockhill Road, 358 AC
Kansas City, MO 64110
GRP@umkc.edu

MO S&T Campus:
Missouri S&T Grievance Resolution Panel
105 Norwood Hall
320 W. 12th St.
Rolla, MO 65409
GRP@mst.edu

UMSL
Vice Provost for Academic Affairs Judith Walker de Felix
One University Blvd, 421 Woods Hall
St. Louis, MO 63121
grievance@umsl.edu

Appendix C

Case #: _____ (Please list case # assigned by GRP)

University of Missouri

GRIEVANCE ACCEPTANCE FORM

Instructions for the grievant:

Section 370.010.C.8-10 of the Collected Rules and Regulations of the University of Missouri set forth the rights and responsibilities of the grievant concerning the final decision. Failure to file this form within 15 calendar days of notification of the final decision will cause the grievant to "…suffer the loss of all remedies favorable to the grievant."

Please review the options below and check the appropriate box, sign the form and mail or email to the appropriate campus address shown on this form.

☐ I accept the final decision. I understand I may not accept part of the decision and reject part of it, but must accept or reject it in its entirety. I understand that by accepting the final decision I waive my rights (if any) to bring a claim, demand, or cause of action in any court of law concerning any matters that were a subject of this grievance. I further understand and agree to abide by the confidentiality requirements of Section 370.010.C.12.

☐ I do not accept the final decision. I understand I may not accept part of the decision and reject part of it, but must accept or reject it in its entirety. I fully understand that by rejecting the final decision I will suffer the loss of any and all remedies contained in the final decision that are favorable to me. I also understand that if I reject the final decision neither I nor the respondent is bound by the confidentiality requirements of Section 370.010.C.12.

_____
Typed or printed name

_____
Signature

_____
Date of signature

Contact information (address, phone, email):

_____
_____

A HARD COPY of this form must be filed at the address below, but to expedite processing, a scanned version can be first emailed to the email address listed below:

Columbia Campus:
Deputy Chancellor Michael Middleton
105 Jesse Hall
Columbia, MO 65211 Rolla, MO 65409
middletonm@missouri.edu

MO S&T Campus:
Missouri S&T Grievance Resolution Panel
105 Norwood Hall
320 W. 12th St.
GRP@mst.edu

UMKC Campus:
UMKC Grievance Resolution Panel
Felix
5100 Rockhill Road, 358 AC
Kansas City, MO 64110
GRP@umkc..edu

UMSL Campus:
Vice Provost for Academic Affairs Judith Walker de

One University Blvd, 421 Woods Hall
St. Louis, MO 63121
grievance@umsl.edu

Roll call vote of the Board:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Audit

Committee Chairman Goode provided a recap of the June 16, 2011, Audit Committee meeting.

Information

1. Internal Audit Quarterly Report

Compensation and Human Resources

Committee Chairman Bradley provided a recap of the June 16, 2011, Compensation and Human Resources committee meeting.

Action

1. Retirement Plan Project
2. Merit Pool

Retirement Plan Project

It was recommended by Vice President Rodriguez, endorsed by Interim President Owens, recommended by the Compensation and Human Resources Committee, moved by Curator Bradley and seconded by Curator Steward, that the following action be approved:

A. The Board of Curators has reviewed preliminary information and recommendations at previous meetings and has considered the recommendations from Interim President Owens and Vice President Rodriguez, and the University of Missouri Ad Hoc Retirement Plan Advisory Committee (Advisory Committee) appointed by then President Gary Forsee and comprised of several current members of the University of Missouri System Retirement and Staff Benefits Committee, four members of the Intercampus Faculty Council (IFC), two members of the Intercampus Staff Advisory Council (ISAC) and a staff member from the UM Health Care System.

B. In its final report, the Advisory Committee reached consensus with respect to many of the issues it considered and felt compelled to acknowledge and emphasize the complexity of the issues and the difficulties inherent in attempting to weigh and balance numerous legitimate and competing interests. The Advisory Committee acknowledged that the health and wellbeing of the University is built upon the contributions of its employees and the Advisory Committee further acknowledged that it was fully aware that any decisions made by the University and the Board of Curators as a result of this project will have a significant and lasting impact on both the University and its employees for the foreseeable future.

C. The Advisory Committee indicated in its report dated March 11, 2011, that after careful consideration of all of the information presented (both formally and informally), identifying and analyzing a number of different options, and weighing and balancing objectives and needs, it is the Advisory Committee's final recommendation, that if it is determined by the Board of Curators that the Current Retirement Plan cannot continue to be offered for new University employees hired after an unspecified future date, then its recommendation is that **the University consider a new retirement plan for new hires after some future date that provides a „œmbination' of the defined benefit and defined contribution designs FOR NEW EMPLOYEES ONLY.**

D. Having considered all of the recommendations, the Board of Curators recognizes that it is important to reaffirm to retired University employees, as well as to current University employees participating in the Current Retirement Plan, that the University has every intention of honoring the

University's obligations under its Current Retirement Plan and that the Board of Curators is not considering making changes to its Current Retirement Plan that would change the amount of the retirement benefits payable under the Current Retirement Plan to retired University employees or to current University employees participating in the Current Retirement Plan.

E. In furtherance of the above reaffirmation by the Board of Curators, it needs to be stated that the Board, like all other institutions, organizations and individuals, is unable to predict with certainty future events and future pressures, economic and otherwise, which will face future Boards of Curators as they strive to govern the University of Missouri in the best interest of all their various constituencies including, not only the University's faculty, staff, students and retirees, but also all the people and taxpayers of the State of Missouri. Therefore, the statements contained herein are *not* intended and should *not* hereafter be construed or interpreted as binding contractual obligations on the University or future Boards of Curators.

F. In light of all the foregoing, the Board of Curators has determined that it **plans to close the Current Retirement Plan to new University employees who commence employment with the University after September 30, 2012,** and it hereby directs University administration to implement all steps necessary to accomplish this plan within the following parameters:

    1. That the University intends to honor its obligations under its Current Retirement Plan to former University employees receiving current or deferred retirement benefits under the Current Retirement Plan, to current University employees participating in the Current Retirement Plan and to new University employees hired prior to October 1, 2012;
    2. That the University will continue to fund the annual required contribution for the Current Retirement Plan, with the majority of the contribution from the University and as low as reasonably possible mandatory contribution from University employees participating in the Current Retirement Plan, to assure that the University's obligations under the Current Retirement Plan are met and to assure that any unfunded liability for the Current Retirement Plan is reduced or amortized in an actuarially sound manner and in a manner that does

not place a burden solely on Current Retirement Plan participants now or at a future date; and

3. That the Retirement Plan Stabilization Fund, established in 2008, has served the University well since its inception and should be continued in order to mitigate or minimize the risk, for the University and to University employees participating in the Current Retirement Plan, so that severe or repeated economic downturns in the future would not require substantial and undesired increases in mandatory employee contribution rates. Further, that the University Board of Curators recognizes that the primary use of the Stabilization Fund should be to minimize the risk of future increases in the Current Retirement Plan required contributions, and that other use of the Stabilization Fund requires action by the University Board of Curators.

G. The University's Retirement and Staff Benefits Committee (Committee) has reviewed and by majority vote, endorsed the Advisory Committee's recommendations.

H. The Board of Curators hereby directs the University President and the Vice President for Human Resources to utilize the Committee in developing a new retirement plan for new University employees who commence employment with the University system after September 30, 2012. The work of the Committee and a recommendation for a new retirement plan for such new University employees will be presented to the Board of Curators at its October 2011 meeting or as soon as possible thereafter, and the following guidelines should be applied in the development of the proposal for the new retirement plan design:

1. The work of the Committee should build on the findings and recommendations of the Advisory Committee, specifically the combination plan design as presented in the Advisory Committee's final recommendation which includes a combination of defined benefit and defined contribution plan features.

2. The annual cost of the new plan design should be no more than the current normal cost of the Current Retirement Plan which is 7.25% of payroll. However a slight increase in cost for the new plan design is

acceptable if the University's risk and volatility of annual funding are appropriately mitigated.

3. The new plan design should include a mandatory employee contribution approximately the same as the mandatory employee contribution required of University employees participating in the Current Retirement Plan.

4. It should include features intended to mitigate investment and other retirement plan risks for new employees participating in it.

I. The Vice President for Human Resources and the Vice President for Finance and Administration should propose a funding model which enables the two retirement plans to be managed as a single cost to the University, and in particular a model that considers the blending of the costs of each plan.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted no.
Curator Erdman voted yes.
Curator Goode voted no.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried by a vote of seven in favor and two opposed.

Merit Pool

It was recommended by Vice President Rodriguez, endorsed by Interim President Steve Owens, recommended by the Compensation and Human Resources Committee, moved by Curator Bradley and seconded by Curator Steward that the following action be approved:

Fiscal year 2011-12 faculty and staff salary increases should aggregate on each campus and the system office to at least 2 percent of the 2010-2011 salary and wage base. In addition, the University is encouraged within the campuses, hospital, and other administrative units, to increase the amount of funds above 2% to further respond to critical market considerations.

Salary increases awarded to individuals must be based on relative quality of performance, but may also take into consideration factors such as market and internal equity to ensure retention of quality faculty and staff.

The effective date for pay and rate changes will be August 21, 2011, for all biweekly employees and September 1, 2011, for monthly employees.

This action is approved based on the Committee's review of university human resources issues, and is subject to approval as part of the university's overall budget for FY12.
Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Finance

Committee Chairman Downing provided a recap of the June 16, 2011, Finance Committee meeting.

Action
1. Fiscal Year 2012 Operating Budget, UM

Information
1. Fiscal Year 2013 Preliminary Operating Appropriations Request, UM

2. Fiscal Year 2013 Preliminary State Capital Appropriations Request and Campus Capital Plans, UM

Action
2. Selection of Real Estate Investment Manager(s), UM
3. Selection of Private Equity Manager, UM
4. Revised Asset Allocation for Retirement Trust Fund and Endowment Fund, UM

Information
3. Short-term Investment Policy, UM

Action
5. Sale of System Facilities Revenue Bonds, UM
6. Commercial Paper Program, UM

Information
4. Physical Facilities Quarterly Report, UM

Action
7. Chemical and Biological Engineering Building – Debt Financing and the Use of Facilities and Administrative Cost Recovery for Debt Service, Missouri S&T
8. Project Approval, Animal Resources Center, MU
9. Purchase of GE Healthcare IITS, Sole Source, UMHC

Fiscal Year 2012 Operating Budget, UM

It was recommended by the respective Chancellors, endorsed by Interim President Owens, recommended by the Finance Committee, moved by Curator Downing and seconded by Curator Steward, that the following recommendations be approved:

- that the President of the University System be authorized to develop the FY2012 budgets in accordance with the attached planning assumptions and financial summaries which include the allocation of FY2012 recurring state appropriations less 3.0% statutory withholdings and spending restrictions imposed by the Governor as follows:

General Operations	$383,628,845
Missouri Rehabilitation Center	10,337,870
Missouri Kidney Program	1,500,000
MOREnet	0
Missouri Telehealth Network	437,640
Spinal Cord Injury Research	625,000
State Historical Society	1,227,605

- that the President of the University System be authorized to allocate one-time or recurring line-item state appropriations, net of anticipated withholdings;

- that the President of the University System be authorized to: (a) make required changes to working capital and reserve funds and (b) make supplemental allocations within the funds available to the several campuses and programs, such allocations to be made on the basis of priority and need. The President will report periodically to the Board of Curators any material changes in the sources and uses of current funds

- that the operating budget for FY2012 and allocation as stated herein can be modified as necessary by the President to bring the same into harmony with the state appropriation as finally approved by the governor and any withholdings in excess of those shown above.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

The Board delegated the final decision to the President to determine how to make up the extra 1.1% cut to state appropriations support.

Curator Erdman stated that a dedicated funding source for higher education will need to be found. The University can't continue on this same track. Other revenue sources are needed as expenses can only be cut so much.

Selection of Real Estate Investment Manager(s), UM

It was recommended by Vice President Krawitz, endorsed by Interim President Owens, recommended by the Finance Committee, moved by Curator Downing, and seconded by Curator Steward, that the following action be approved:

> that the Vice President for Finance and Administration be authorized to invest funds of the University of Missouri Retirement, Disability and Death Benefit Plan and the University of Missouri Balanced Pool in real estate investment partnership Contrarian Distressed Real Estate Debt Fund II in aggregate amounts not to exceed $20 million; in real estate investment partnerships CrossHarbor Institutional Partners II and Oaktree Real Estate Opportunity Fund V in aggregate amounts not to exceed $30 million for each partnership.
>
> Agreements entered into by the University are subject to review and approval by the Vice President for Finance and Administration and General Counsel.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Carnahan Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Selection of Private Equity Manager, UM

It was recommended by Vice President Krawitz, endorsed by Interim President Owens, recommended by the Finance Committee, moved by Curator Downing, and seconded by Curator Goode, that the following action be approved:

> that the Vice President for Finance and Administration be authorized to invest in private equity partnership Thompson Street Capital Partners Fund III for the University of Missouri Retirement, Disability and Death Benefit Plan and the University of Missouri Balanced Pool in aggregate amounts not to exceed $15 million.
>
> Agreements entered into by the University are subject to review and approval by the Vice President for Finance and Administration and General Counsel.
>
> Roll call vote:
>
> Curator Bradley voted yes.
> Curator Cupps voted yes.
> Carnahan Downing voted yes.
> Curator Erdman voted yes.
> Curator Goode voted yes.
> Curator Haggard voted yes.
> Curator Russell voted yes.
> Curator Steward voted yes.
> Curator Van Matre voted yes.
>
> The motion carried.

Revised Asset Allocation for Retirement Trust Fund and Endowment Fund, UM

It was recommended by Vice President Krawitz, endorsed by Interim President Owens, recommended by the Finance Committee, moved by Curator Downing, and seconded by Curator Bradley, that the following action be approved:

> that the Collected Rules and Regulations, Section 140.011, Investment Policy for Endowment Fund, and Section 140.012, Investment Policy for Retirement, Disability and Death Plan, be amended to modify and streamline the University's approach to equity investing by utilizing global equity mandates, as outlined in the attached documents.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Carnahan Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Sale of System Facilities Revenue Bonds, UM

It was recommended by Vice President Krawitz, endorsed by Interim President Owens, moved by Curator Downing and seconded by Curator Cupps, that the resolution declaring the intention of the Curators of the University of Missouri to issue certain revenue bonds be approved:

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Carnahan Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Commercial Paper Program, UM

It was recommended by Vice President Krawitz, endorsed by Interim President Owens, recommended by the Finance Committee, moved by Curator Downing and seconded by Curator Haggard, that preliminary actions in connection with establishing and implementing a commercial paper program, be approved. Formal approval would still be required by the Board once a specific program recommendation is presented to the Board:

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Carnahan Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Chemical and Biological Engineering Building – Debt Financing and the Use of Facilities and Administrative Cost Recovery for Debt Service, Missouri S & T

It was recommended by Chancellor Carney, endorsed by Interim President Owens, recommended by the Finance Committee, moved by Curator Downing and seconded by Curator Bradley, that the following action be approved:

> Debt Financing and the use of Facilities and Administrative Cost Recovery for Debt Service for the Chemical and Biological Engineering Building in the amount of $12,342,628.00 for Missouri University of Science and Technology.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Project Approval, Animal Resources Center, MU

It was recommended by Chancellor Deaton, endorsed by Interim President Owens, recommended by the Finance Committee, moved by Curator Downing and seconded by Curator Goode, that the following action be approved:

the project approval for the Animal Resources Center, for the University of Missouri-Columbia.

Funding of the project budget is from:

NIH ARRA Grant	$ 5,350,000
Campus Reserves	2,038,156
Total Funding	$7,388,156

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Carnahan Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Purchase of GE Healthcare IITS, Sole Source, UMHC

It was recommended by Chancellor Deaton, endorsed by President Owens, recommended by the Finance Committee, moved by Curator Downing and seconded by Curator Goode, that the following action be approved:

> that the University of Missouri Health Care (UMHC) be authorized to purchase GE Centricity Revenue Cycle Systems – hardware migration and required system software (Cache database) licenses, plus one year of software maintenance at a total cost of $555,369.

Funding is as follows:	University of Missouri Health Care		
ITS Equipment Infrastructure	H1714-777200		$313,861
ITS Business Applications	H1904-739800		$241,508
		Total	$555,369

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Carnahan Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator VanMatre voted yes.

The motion carried.

Governance, Resources and Planning Committee

Committee Chairwoman Haggard provided a recap of the June 16, 2011 Governance, Resources and Planning Committee

Information

1. Review of Strategic Directions and Accountability Measures Dashboard

The Committee recommended no changes to the vision, mission or values statements of the University of Missouri System.

Dashboard measures for each campus were provided as a roll up of the eighty accountability measures for the Board of Curators' review.

General Business

Good and Welfare

Draft July 2011 Board of Curators meeting agenda – no discussion (on file)

Resolution for Retiring Missouri University of Science and Technology Chancellor John F. Carney III, Ph.D.

It was endorsed by Interim President Owens, recommended by Chairman Erdman, moved by Curator Erdman and seconded by Curator Bradley, that the resolution recognizing the dedicated service of John F. Carney III, Ph.D., chancellor of Missouri University of Science and Technology, be approved as follows:

RESOLUTION

WHEREAS, John F. "Jack" Carney III has served with distinction as Chancellor of Missouri University of Science and Technology since September 1, 2005; and

WHEREAS, Chancellor Carney was a tireless advocate for Missouri S&T's technological prowess, which led to remarkable achievements in student success, fundraising, research productivity and economic impact, and sharing the national stage with America's finest technological institutions; and

WHEREAS, during his tenure in Rolla, Chancellor Carney led Missouri S&T, the first technological university west of the Mississippi River, through a series of important changes, including a name change to strengthen the university's national reputation, a renewed emphasis on energy and environmental research and education, a flatter academic administration, and an emphasis on private support during a time of decline in state funding; and

WHEREAS, Chancellor Carney saw student enrollment increase nearly 30 percent, to 7,206 students, including increases in out-of-state and international undergraduate applications; and

WHEREAS, Chancellor Carney presided over Missouri S&T's Advancing Excellence fundraising campaign, which resulted in $211.8 million in private funds for scholarships, faculty and program support, facilities and equipment, and corporate funding for research; and

WHEREAS, Chancellor Carney secured the largest gift ever received by the campus for a faculty position, a $3.4 million gift from alumnus Wayne Laufer and his wife Gayle to establish the first endowed faculty position for energy education and research; and

WHEREAS, under Chancellor Carney's leadership, the Rolla campus experienced the initiation or completion of several important facilities, including construction and renovation of Toomey Hall, the campus's mechanical and aerospace engineering complex; completion of the first building at Innovation Park; construction of the Miner Dome Indoor Practice Facility for athletics; and construction of the Kummer Student Design Center; and

WHEREAS, Chancellor Carney holds 10 patents and has authored more than 140 technical publications, and is widely recognized in the research community for his work in impact mechanics; and

WHEREAS, his research has led to the development and extensive implementation of reusable, maintenance-free impact attenuation devices for transportation safety applications constructed with "smart" materials that restore themselves to their original shapes following an impact, thereby eliminating the need for costly repair operations and associated liability concerns across the U.S. and around the world; and

WHEREAS, his research has led the railroad community in Great Britain to new concepts for improving the crashworthiness of trains; and

WHEREAS, in addition to his research, he has served as Chair of the Transportation Research Board Committee-Roadside Safety Features, as a longtime member of the Executive Committee of the Highway Division of the American Society of Civil Engineers, as a fellow of the American Society of Civil Engineers, and is active on numerous National Research Council committees; and

WHEREAS, in 2007, the National Academy of Sciences' Transportation Research Board recognized Chancellor Carney's life-long contributions to the field of roadside safety; and

WHEREAS, Chancellor Carney led the University of Missouri's successful statewide Energy Summit in 2009; and

WHEREAS, Jack has a distinctive accent and can "double-pock his caw" and enjoy "chowdah" with the best of Bostonians; and

WHEREAS, he is an avid Red Sox fan who knows what *all* devoted Red Sox fans know: Neil Diamond's "Sweet Caroline" is played at the bottom of the 8th; The Pesky Pole is named for the player who hit homers on the edge of the right field pole line; the ballpark is called the Green Monster because all the seats are green, except the one painted red to commemorate a Ted Williams homer; where he was when the Red Sox won the series; and when Babe Ruth was sold to the Yankees to finance the Broadway play, *No, No, Nanette*, it was hence viewed as The Curse that kept the Sox from winning the series for so many years:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Curators on behalf of the students, faculty, staff, and alumni of the University of Missouri, and on behalf of the citizens of the State of Missouri, does hereby adopt this resolution in sincere appreciation of the dedicated and devoted service of Chancellor Jack Carney; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of the June 16-17, 2011 meeting and that a duly inscribed copy thereof be furnished to Dr. John F. Carney III.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

Resolution for David R. Russell, Ph.D., former Senior Associate Vice President and Chief of Staff

It was endorsed by Interim President Owens, recommended by Chairman Erdman, moved by Curator Erdman and seconded by Curator Bradley, that the resolution recognizing the devoted service of David R. Russell, Ph.D., Senior Associate Vice President and Chief of Staff for the University of Missouri System, be approved as follows:

RESOLUTION

WHEREAS, David R. Russell joined the University of Missouri System in 1991 as Associate Director of University Relations, and served as Director of University Relations from 2000 to 2004; and

WHEREAS, he served in the Office of the President from 2004 to 2010, first as the Chief of Staff and later adding the duties of Custodian of Records, filling hundreds of Sunshine Law requests from 2005 to 2010, and in 2009 was promoted to Senior Associate Vice President; and

WHEREAS, a man of many hats, David Russell served six presidents and two interim presidents, exhibiting diplomacy and excellence in communications, public relations and administration;

WHEREAS, he served as the presidential liaison between the UM System and state higher education agencies, and coordinated the system's participation in the Missouri Council on Public Higher Education (COPHE); and

WHEREAS, David influenced the development and growth of the University of Missouri-St. Louis. Over the course of nearly 20 years, he served as liaison between UM-St. Louis and UM system central administration. Often visiting the campus, David took care to learn of UMSL's aspirations and limitations and used that knowledge to help the campus implement system policies and initiatives in a manner uniquely suited for a developing metropolitan university; and

WHEREAS, while working in a demanding position with university relations and ultimately the office of the president, David endeavored to attain a personal goal by completing his dissertation, *Missouri Higher Education Reform: Moving Up on the Public Policy Agenda,* and in 2008 earned a doctoral degree in Educational Leadership and Policy Analysis from the University of Missouri-Columbia; and

WHEREAS, David was a great listener, a trusted confidante, and a valuable sounding-board and interpreter for his colleagues. He often provided reliable advice and could readily return a stormy work environment to a sea of calm; and

WHEREAS, perhaps due to his military training, David tended to wake with the chickens and would quite frequently arrive at the office by 6 a.m.; and

WHEREAS, David has been known to be in such demand that colleagues have actually had to take a number to get in to see him; and

WHEREAS, David was the "go-to" guy, known for his willingness to do whatever needed to be done, ranging from program emcee to working on big policy issues to getting the president a glass of water during a town hall meeting; and

WHEREAS, always a gentleman, he possessed an amazing but quiet sense of humor; and

WHEREAS, an avid Mizzou Tiger athletics fan, David willingly worked in the system suite to advance the mission of the university with an eye and ear ever-bent toward the competition at hand; and in spite of his position with the university, it should be noted that upon leaving the University he had his first opportunity to attend an MU-KU men's home basketball game; and

WHEREAS, David will remain highly regarded by the many individuals whose lives he touched in UM System departments, on the four campuses, within the health system and throughout the Columbia and higher education communities, for his professionalism, collegiality and camaraderie; and

WHEREAS, a trusted collaborator and leader, Dr. Russell will undoubtedly serve our state and the Coordinating Board for Higher Education well in his role as Commissioner of Higher Education:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Curators on behalf of the students, faculty, staff and alumni of the University of Missouri,

and on behalf of the citizens of the State of Missouri, does hereby adopt this resolution in sincere appreciation of the dedicated and devoted service of David R. Russell, Ph.D.; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of the June 16-17, 2011 meeting, and that a duly inscribed copy thereof be furnished to David R. Russell, Ph.D.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

It was moved by Curator Erdman and seconded by Curator Downing, that the public session of the Board of Curators meeting, June 16-17, 2011, be adjourned.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Steward voted yes.
Curator Van Matre voted yes.

The motion carried.

The public session adjourned at 12:00 P.M. on Friday, June 17, 2011.

BOARD OF CURATORS MEETING – EXECUTIVE SESSION

A meeting of the University of Missouri Board of Curators was reconvened in executive session at 12:10 P.M., on Friday, June 17, 2011, in the Donrey Media Room, Reynolds Alumni Center on the University of Missouri – Columbia Campus, pursuant to public notice given of said meeting. Curator Warren K. Erdman, Chairman of the Board of Curators, presided over the meeting.

Present
The Honorable David R. Bradley
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Warren K. Erdman
The Honorable Wayne Goode
The Honorable Judith G. Haggard
The Honorable David L. Steward
The Honorable Craig A Van Matre

The Honorable Doug Russell was absent for the meeting.

Also Present
Mr. Stephen J. Owens, Interim President, University of Missouri System
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Miss Laura A. Confer, Student Representative to the Board of Curators

COMPENSATION AND HUMAN RESOURCES COMMITTEE MEETING – EXECUTIVE SESSION

Personnel Matter - Committee Chairman Bradley reported on a personnel matter. No action taken by the Board.

The Compensation and Human Resources Committee meeting adjourned at 12:20 PM.

General Business

University President's Report to the Board of Curators on personnel – presented by Interim President Owens

General Counsel's Report – presented by Acting General Counsel Hoskins

Litigation Report – presented by Acting General Counsel Hoskins (on file with the Office of General Counsel).

No action was taken by the Board of Curators.

It was moved by Curator Goode and seconded by Curator Bradley, that the meeting of the Board of Curators, June 16-17, 2011, shall be adjourned.

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing was absent.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Haggard was absent.
Curator Russell was absent.
Curator Steward was absent.
Curator Van Matre voted yes.

The motion carried.

There being no further business to come before the Board of Curators, the meeting was adjourned at 1:45 P.M., on Friday, June 17, 2011.

Respectfully submitted,

Cindy S. Harmon

Cindy S. Harmon
Secretary of the Board of Curators

Approved by the Board of Curators on July 22, 2011