UNIVERSITY OF MISSOURI
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BOARD OF CURATORS

Minutes of the Board of Curators Meeting
Thursday, September 24, 2020

Board Committee meetings were held September 15 and 16, 2020 in conjunction with the September 24, 2020 Board meeting.

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the Board of Curators was convened in public session at 8:30 A.M. on Thursday, September 24, 2020, via Zoom webinar and at remote locations via conference telephone pursuant to public notice given of said meeting. Curator Julia G. Brncic, Chair of the Board of Curators, presided over the meeting.

Present
The Honorable Julia G. Brncic
The Honorable Darryl M. Chatman
The Honorable Maurice B. Graham
The Honorable Gregory E. Hoberock
The Honorable Jeffrey L. Layman
The Honorable Phillip H. Snowden
The Honorable David L. Steelman
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present
Dr. Mun Y. Choi, President, University of Missouri System
Mr. Stephen J. Owens, General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Mr. Remington Williams, Student Representative to the Board of Curators
Dr. C. Mauli Agrawal, Chancellor, University of Missouri – Kansas City
Dr. Richard Barohn, Executive Vice Chancellor for Health Affairs

Dr. Beth Chancellor, Vice President for Information Technology and MU Chief Information Officer
Dr. Mohammad Dehghani, Chancellor, Missouri University of Science and Technology
Ms. Kamrhan Farwell, Chief Marketing and Communications Officer
Ms. Marsha Fischer, Associate Vice President for Human Resources and Chief Human Resources Officer
Dr. Steven W. Graham, Senior Associate Vice President for Academic Affairs
Ms. Christine Holt, Chief of Staff, UM System
Ms. Michelle M. Piranio, Chief Audit and Compliance Officer
Mr. Ryan D. Rapp, Vice President for Finance and Chief Financial Officer
Dr. Kristin Sobolik, Chancellor for University of Missouri-St. Louis
Dr. Marshall Stewart, Vice Chancellor, Extension and Engagement
Mr. Christian Basi, Director of Media Relations
Media representatives

General Business

University of Missouri Board Chair's Report – presented by Chair Brncic

Chair Brncic thanked all for their hard work during the pandemic. The University continues to make progress and move forward; however, there is still work to do in moving towards operational efficiencies and accomplishing strategic goals.

University of Missouri System President's Report – presented by President Choi (slides on file)

President Choi recognized 2020 Presidential awardees Richard Delaware for Innovative Teaching and Sarah Pilgrim for Intercampus Collaboration.

The President also presented an update for student success and research and creative works compacts as well as national rankings.

Strategic Theme Discussion – University of Missouri System Renewal Amid COVID-19 – presented by President Choi, Chancellor Agrawal, Chancellor Dehghani and Chancellor Sobolik (slides on file)

The President and Chancellors presented each university's approach to opening campuses, safety protocols and the path forward.

Student Representative to the Board of Curators Report – presented by Remington Williams

Student Representative Williams discussed initiatives of the Intercampus Student Council and the student's response to reopening the campuses.

Review of Consent Agenda – No discussion.

Consent Agenda

It was endorsed by President Choi, moved by Curator Graham and seconded by Curator Williams, that the following items be approved by consent agenda:

CONSENT AGENDA

Action

1. Minutes, July 28, 2020 Special Board of Curators Meeting
2. Degrees, Fall Semester 2020 for all Campuses
3. Amendment, Collected Rules and Regulations 300.040, Faculty Bylaws of University of Missouri – St. Louis
4. Amendment, UMKC School of Medicine Standards of Professional Conduct and Honor Council Procedures
5. Investment Consultant Annual Approval – UM
6. Amendments, Collected Rules and Regulations in Relation to New Title IX References:
    a. 200.010 Standard of Conduct
    b. 200.020 Rules of Procedures in Student or Student Organization Conduct Matters
    c. 310.020 Regulations Governing Application of Tenure
    d. 310.060 Procedures in Case of Dismissal for Cause
    e. 330.110 Standards of Faculty Conduct
    f. 370.010 Academic Grievance Procedure
    g. 380.010 Grievance Procedure for Administrative, Service and Support Staff
    h. 600.070 Policy Related to Students with Disabilities
    i. 600.080 Policy Related to Employees with Disabilities
7. Revision, Collected Rules and Regulations 140.012, Investment Policy for General Pool, UM
8. Energy Loan Program of the Missouri Department of Natural Resources/Division of Energy, UMKC
9. Naming Opportunity, MU

1. Minutes, July 28, 2020 Board of Curators Meeting – as provided to the curators for review and approval.

2. Degrees, Fall Semester 2020 for all Campuses

   that the action of the President of the University of Missouri System in awarding degrees and certificates to candidates recommended by the various faculties and committees of the four University of Missouri System campuses who fulfill the requirements for such degrees and certificates at the end of the Fall Semester 2020, shall be approved, and that the lists of said students who have been awarded degrees and certificates be included in the records of the meeting.

3. Amendment, Collected Rules and Regulations 300.040, Faculty Bylaws of University of Missouri – St. Louis

   that Collected Rules and Regulations, Section 300.040, Faculty Bylaws of the University of Missouri – St. Louis, be revised as attached.

300.040 Faculty Bylaws of the University of Missouri - St. Louis

Bd. Min 3-19-71; Amended 10-12-73; 2-18-77; 12-15-78; 6-18-82; 2-11-83; 6-24-83; 5-4-84; 5-3-85; 7-29-88; 3-10-89; 6-22-90; 5-3-91; 1-29-92; 5-8-92, 5-6-93; 3-29-94; 3-24-95; 4-25-96; 5-29-97; 10-16-98; 5-27-99; 3-23-00; 9-28-01; 12-01-05; 12-15-06; 06-06-08, 12-10-10; 11-21-13; 4-10-15; 6-26-15; 10-7-16; 6-21-18; 9-24-2020.

A. **PURPOSE OF GOVERNING PRACTICES -** The purpose of these Bylaws is to establish a body that represents the voice of the Faculty and to establish an effective vehicle for the needs and concerns of the Faculty to be presented for discussion and debate. These Bylaws assume that Faculty may participate in academic decision processes. The right of the Faculty to organize and to carry out the responsibilities and functions delegated to them by the Board of Curators (Board) is recognized in Section 10.030.D.2 of the Collected Rules and Regulations of the University of Missouri.

B. **FACULTY**

   1. **Membership** - The Faculty of the University of Missouri-St. Louis shall consist of the President, the Chancellor, tenured and tenure-track faculty,

and all full-time, ranked, non-tenure track (NTT) faculty with professorial designation, and others elected by the Faculty. Elected members so designated by the Faculty shall be non-voting members of the Faculty. Campus-wide faculty votes on issues specific to tenure or tenured/tenure track (T/TT) faculty will be restricted to T/TT faculty.

2. **Faculty Rights -**

    a. **Academic Rights** - Each faculty member has the right to freedom of inquiry, discourse, teaching, research and publication, as well as the responsibilities correlative with this right.
    b. **Civil Rights -** The constitutional rights of the Faculty members shall be preserved.
    c. **Employment Rights -** Faculty members shall have rights consistent with their continuous appointment or term appointment (during the term), except for cause, retirement or financial exigencies.
    d. **Notification for Appointment or Changes Thereto -** Faculty members shall be notified of their appointments and workload, or any changes thereto, as much in advance of the beginning of institutional responsibilities as possible (as stated in the Board's Rules and Regulations).
    e. **Right to be Kept Informed** - The Faculty shall be kept informed of actions and activities of committees and executive officers, and of other occurrences that pertain to the University of Missouri-St. Louis. When possible, such information shall be made available to the Faculty before being made available to the general public.

3. **Responsibilities** - The Faculty of the University of Missouri-St. Louis shall bear primary responsibility for recommending and implementing educational policy, particularly in areas of curriculum, degree requirements, methods of instruction, research, requirements for admission, student affairs, and faculty status. The Faculty may also make recommendations to the Chancellor and other persons or offices concerning general policy matters affecting the University.
4. **Authority -** The faculty's authority, as delegated by the Board of Curators, is of three types: primary and direct, 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, UM System 300.040.B.5.)

    a. **Primary and Direct Authority -** The UMSL faculty has essential decision-making authority in matters directly affecting the

educational program of UMSL, 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) Development and approval of courses of instruction and curricula.

(3) Development and approval of procedures governing educational support programs on the UMSL 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 UMSL 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, such as required professional licensure.

c. **Advisory Authority** - The UMSL 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 that facilitate academic program excellence.

(6) Use of facilities for program activities.

(7) Application of criteria affecting promotion, tenure and termination.

(8) Structure of academic departments and units.

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 separate schools, colleges, or such other parallel units as may be created from time to time, and to the Faculty Senate within the University of Missouri-St. Louis. The actions of the Senate, in those areas in which they have delegated authority, shall be deemed final unless challenged within 10 days. Such challenge shall require a petition signed by at least twenty-five (25) faculty members from at least two parallel units calling for a review by the Faculty of a particular Senate action.

5. **Meetings** - The Faculty of the University of Missouri-St. Louis shall meet at least twice each year and at such additional times as the President, Chancellor, or the Faculty itself may determine. Upon written request of at least twenty-five (25) members of the Faculty, the Chancellor shall call a meeting within two weeks.

   a. The President, or in the President's absence, the Chancellor, or in the Chancellor's absence, a member of the Faculty designated by the Chancellor shall preside at each faculty meeting.
   b. A quorum shall consist of at least ten (10) percent of the voting members of the Faculty representing at least two parallel units when business described in the published agenda is being considered. When other items of business not described in the published agenda are being considered, a quorum shall consist of at least fifty (50)

percent of the voting members representing at least two parallel units.

c. Notice of all meetings of the Faculty shall be sent to each member of the Faculty at least five school days prior to the meeting. Such notice includes the agenda for the meeting.
d. Proceedings in Faculty meetings shall be in accordance with the rules set forth in the most recent edition of Robert's Rules of Order except where otherwise provided for in these Bylaws or the regulations of the University of Missouri-St. Louis.
e. Official minutes shall be kept and made available to each member of the Faculty within a week of the meeting.

6. **The Intercampus Faculty Council** - Three campus representatives will serve on the Intercampus Faculty Council. Two of the three shall be elected by the University of Missouri-St. Louis Faculty to serve three-year staggered terms so that no more than one of the two elected members will be replaced or reelected in any year. The Senate Chairperson shall serve as the third member of the Intercampus Faculty Council.
7. **Campus Standing Committees** -

a. **Grievance Resolution Panel (GRP)** - The Panel shall perform the responsibilities prescribed by the Collected Rules and Regulations of the University of Missouri (370.010.C.1), "Academic Grievance Procedure." The role of the GRP is to address grievances brought by faculty members. The panel should consist of a senior administrator appointed by the Chancellor and two tenured faculty members, and two alternate faculty members. The faculty members will be chosen by the Faculty Senate after consultation with the Chancellor or the Chancellor's designee. Members shall serve two-year staggered renewable terms.
b. **Degree Revocation Committee** - In accordance with 220.025, this committee shall have jurisdiction to consider any case in which revocation of a degree, diploma and/or certificate is proposed. The Committee shall be called the Campus Degree Revocation Committee. Four (4) members of the Campus Degree Revocation Committee and an alternate to serve in the event one of the four (4) members cannot serve, shall be appointed annually by the Chancellor after consultation with the Faculty Council or Faculty Senate. Each of the members of the Committee and the alternate shall be a faculty member on continuous appointment at the rank of Professor or Associate Professor. In the event that the Chancellor approves the initiation of the procedures for revocation of a degree, diploma and/or certificate, the Chancellor shall appoint a fifth member of the Campus Degree Revocation Committee, who shall

also be a faculty member at one of the campuses of the University of Missouri System on continuous appointment at the rank of Associate Professor or Professor and who shall be from the same discipline or a related discipline as the department faculty who recommended the award of the degree, diploma and/or certificate, but who shall not be a faculty member in such department. The Campus Degree Revocation Committee shall elect a Chair from among its five (5) members.

C. **STUDENT BODY**

1. **Membership** - The student body of the University of Missouri-St. Louis shall consist of all persons who are officially enrolled as regular full-time or part-time students in the University of Missouri-St. Louis.
2. **Responsibilities**- The student body shall have the responsibility to participate in the recommending and implementing of educational policy, particularly in the areas of academic and student affairs. The student body may, through its official representatives, make recommendation to the Vice Provost for Student Affairs or the Chancellor concerning general policy matters affecting the University of Missouri-St. Louis.

D. **STAFF**

1. **Membership -** Non-academic staff members participate in shared governance through The UMSL Staff Association, whose membership includes all benefits eligible administrative, service and support staff of the University of Missouri-St. Louis.
2. **Responsibilities -** The staff of the University of Missouri-St. Louis, through its official representatives, shall have the responsibility of considering methods and means by which employment conditions may be improved and the operating efficiency of the University of Missouri-St. Louis increased; receiving and considering matters concerning working conditions; making such recommendations that it deems appropriate, and communicating problems of mutual concern to the University of Missouri-St. Louis administration.

E. **FACULTY SENATE OF THE UNIVERSITY OF MISSOURI-ST. LOUIS** (Hereinafter referred to as Senate)

1. **Responsibilities** - The Faculty Senate is the legislative and policy-making body of the Faculty. It carries out the responsibilities of the Faculty (see Section 300.040 B.3) not reserved by the Faculty as a body or specifically delegated to the University Assembly (Section 300.040 E). The Senate, as a representative faculty voice, shall advise the chancellor and the UMSL faculty on questions of UMSL policy submitted by either to the Senate. It may also initiate recommendations concerning changes in UMSL

policy for consideration and appropriate action by the chancellor or UMSL faculty.

2. **Delegation of Authority**
    a. Since the authority of the Senate is delegated to it by the Faculty, it is subject to over-rule by the Faculty.
    b. All authority delegated by the Senate to committees or individuals is subject to revocation by the Senate.
3. **Committees of the Senate** - In their deliberations the committees shall, when appropriate, consult with the Chancellor or other administrative officers; with representatives of the separate schools, colleges, and other parallel units which may be created from time to time; with departments and concerned faculty; and with students and student organizations. Committee recommendations shall be made to the Senate or to the appropriate administrative officer.
   The Senate shall establish the following standing committees:

    a. **Committee on Committees** - The Committee on Committees shall be responsible for nominating for election all faculty members of the committees of the Senate and the University Assembly. The chair of the Committee shall be a faculty Senator.
    b. **Steering Committee of the Faculty Senate and University Assembly** (hereinafter referred to as the Steering Committee) - The Steering Committee shall consist of the Senate Chairperson, who shall serve as Chairperson of the Steering Committee, the Chancellor, the Secretary of the Senate, and three elected Senators. Chairs of Senate and Assembly Committees will be asked to attend Steering Committee meetings when their committees have items for the agenda of the next Senate or Assembly meeting. It shall be the responsibility of the Steering Committee:

       (1) To call regular and special meetings of the Senate and Assembly and to prepare the agenda prior to each meeting.
       (2) To coordinate the work and activities of the Senate and Assembly and of Senate and Assembly committees.
       (3) To meet regularly and frequently with the Chancellor to discuss matters of policy concerning the University of Missouri-St. Louis.
       (4) As an agency of the Senate and Assembly, to maintain avenues of communication with the Faculty and student body of the University of Missouri-St. Louis, with campus administrative officers and the governing board of the University.
       (5) To establish all guidelines for elections for membership in the Senate and Assembly and to supervise said elections.

c. **Committee on Curriculum and Instruction** - The Committee shall have general responsibility for recommending to the Senate policies and procedures in the area of curriculum and instruction. It shall also recommend policies regarding graduation requirements, special honors programs, and academic publications such as catalogs and schedules of courses.

(1) The Committee also shall regularly recommend to the Senate the calendar of the University. It shall recommend policies relating to schedules of classes and final examination schedules. Departures from calendars and examination schedules will be recommended by this Committee.
(2) New degrees and degree programs proposed by the separate schools, colleges, and such other parallel units as may be created from time to time, shall be submitted by the appropriate dean or equivalent to the Committee for recommendation to the Senate.
(3) Curricular additions and changes will be sent by the appropriate dean or equivalent to the Committee to be examined for overlap and duplication. In the absence of overlap and/or duplication, such proposals will be reported to the Senate.

d. **Committee on Appointments, Tenure, and Promotion** - The Committee shall consist of full professors holding a tenure appointment. There shall be one member on the Committee elected from each of the parallel units. There shall also be two members elected at large from the campus. The Committee shall elect a chairperson from among its members.

(1) Initial academic appointments to the University of Missouri-St. Louis recommended as tenure appointments shall be submitted by the Department or Division concerned through the Dean or equivalent of the appropriate school, college, or other parallel unit. The Dean or equivalent shall forward the Department's or Division's recommendations with the Dean's or equivalent's own recommendations for approval or disapproval. After consideration, the Committee on Appointments, Tenure, and Promotion shall submit its recommendations to the Chancellor.
(2) Tenure recommendations for Faculty holding term appointments, and recommendations for promotion above the rank of assistant professor, shall be made in accordance with the procedure outlined above.
(3) It shall be the responsibility of this Committee together with the

appropriate administrative officers, to establish, develop, and maintain in all areas of the University the highest standards of faculty quality.

e. **Committee on Promotion of Non-Tenure Track Faculty** – The Committee shall consist of eligible faculty holding the rank of Teaching Professor, Clinical Professor, Extension Professor, or Research Professor and at least one full professor. There shall be one member on the Committee elected from each of the parallel units. There shall also be two faculty members elected at large from the campus. The Committee shall elect a chairperson from among its members.

(1) The Dean or equivalent shall forward the Department's or Division's recommendations with the Dean's (or equivalent) own recommendation for approval or disapproval of promotion to the Committee. After consideration, the Committee shall submit its recommendation to the Chancellor.
(2) Promotion recommendations will be made in accordance with procedures determined by the Committee, consistent with the *Collected Rules and Regulations of the University of Missouri*.
(3) The committee shall use standards created by the academic units and shall not create additional campus-wide standards.
(4) It shall be the responsibility of this Committee, together with the appropriate administrative officers, to establish, develop, and maintain in all areas of the University the highest standards of faculty quality.

f. **Committee on Research** - The Committee shall consist of two panels, one meeting in the fall semester and the other meeting in the spring semester.

(1) The Fall and Spring panels shall meet in the fall to elect a committee chairperson for each panel, to clarify program objectives, to coordinate deadlines, and to set guidelines for research proposals and awards. Thereafter, the panels shall meet during their semester of service to advise and make recommendations on:

(a) Competitions for internal grant funds, including financial support during the summer and during research leaves, support for research assistants, grants for equipment and supplies, and funds for travel to research locations, and
(b) Nominations for campus, University, and external research awards that are available campus-wide.

(2) Each panel shall also meet after completing its work in order to review procedures and develop recommendations for the following year's committee to consider.
(3) The committee chairperson shall vote only as a member of the panel to which he/she has been elected.
(4) Panel members are ineligible to receive funding and awards under the jurisdiction of the panel on which they serve during the period of their service on the panel. The committee chairperson is ineligible to receive funding and awards under the Committee's jurisdiction during the entire year of his/her service as chairperson.

g. **Committee on Research and Libraries** - The Research and Libraries Committee shall be responsible for recommending and reviewing issues and policy in the areas of research, research administration, and libraries, including library budgetary issues. It shall advise the Vice Chancellor for Research and the Dean of Libraries, serve as a liaison between the libraries and the university research community via the Senate, and consider any matter referred by the Senate, the Dean of Libraries, the Vice Chancellor for Research, or any member of the campus community.
h. **Committee on Faculty Teaching and Service Awards** - The Committee shall formulate and publish guidelines for campus-wide teaching and service awards; solicit nominations for these awards as well as University and external teaching and service awards; and recommend candidates to the Chancellor.
Members of the Committee are ineligible to receive awards under the Committee's jurisdiction during the entire period of their service on the Committee.
i. **Committee on the Assessment of Educational Outcomes** - The Committee shall have the general responsibility of making recommendations concerning policies in the area of assessment of educational outcomes and related matters. The Committee shall also regularly review and advise on policies and procedures in this area and recommend changes when appropriate.
j. **Academic Advisory Committee** - The Committee shall have the general responsibility of making recommendations to the Vice Chancellor for Academic Affairs on academic issues affecting the University, including recommending general policies and procedures governing the evaluation of academic instruction and advisement.

k. **Committee on Bylaws and Rules for the Faculty Senate and University Assembly** - The Committee shall:
(1) Receive all proposals for changes to the Bylaws and the Collected Rules and Regulations, review proposed changes to the Bylaws and the Collected Rules and Regulations, and initiate the process of Bylaws changes as smoothly and infrequently as possible.
(2) Recommend interpretation of the Bylaws and Collected Rules and Regulations upon the written request of the Senate Chairperson, and report its conclusions to the Senate.
(3) Compile and maintain a current set of Senate and Assembly Operating Rules, consider changes in Operating Rules, and report recommendations regarding Operating Rules to the Senate.

l. **Committee on Research Misconduct** - The Committee shall perform the responsibilities prescribed by the Collected Rules and Regulations of the University of Missouri (420.010), "Research Misconduct."
m. **Committee on Issues of Tenure Removal** - The Committee shall conduct hearings in removal cases or in disputed cases involving tenure rights and status as provided for in the Academic Tenure Regulations of the University of Missouri. This committee is referred to as the Campus Faculty Committee on Tenure in the Academic Tenure Regulations (310.050). Grievances by faculty members shall be handled through the Academic Grievances Procedure.
n. **Oversight Committee** - The Committee shall perform the responsibilities prescribed by the Collected Rules and Regulations of the University of Missouri (370.010.C.11), "Academic Grievance Procedure." The role of the Oversight Committee is to monitor the grievance process as neutral observers and provide feedback on the process to the Faculty Senate, the Faculty, and the Provost's and Chancellor's offices.
o. **Ad hoc Committees** - As the need arises, the Senate shall establish or recommend to the Chancellor establishment of ad hoc committees.
Ad hoc Senate Committees shall be established through Senate approval of nominees selected by the Senate Committee on Committees or by nomination from the floor of the Senate. The faculty composition for each ad hoc committee shall be determined by the Senate.
p. **University-Wide and Statewide Committees** - Reports from University-wide and statewide committees may be presented to the Senate. Whenever possible, representatives of the University of

Missouri-St. Louis serving on University-wide and/or statewide committees should advise the Senate Steering Committee if a report to the Senate is necessary.

F. **UNIVERSITY ASSEMBLY OF THE UNIVERSITY OF MISSOURI-ST. LOUIS**

(Hereinafter referred to as Assembly)

1. **Membership** - The voting members of the Assembly shall consist of the elected members of the Senate; the President; the Chancellor; the Vice Chancellor for Academic Affairs; the Dean of the Graduate School; the Vice Provost for Student Affairs; student representatives equal in number to one-third of the Faculty members of the Assembly; two members of the adjunct faculty; and three staff members, including the President of the Staff Association. Non-voting members shall consist of vice chancellors and vice provosts not already included, deans of all colleges and schools (whether or not their faculties are represented), the Dean of Libraries, and the President of the Student Government Association.
2. **Responsibilities** - The Assembly provides a forum for many of the major stakeholders of the University, including administrators, faculty, staff and students, to work together. The Assembly may exercise those responsibilities of the Faculty (see Section 300.040 B.3) that are delegated by the Faculty as a body.
3. **Meetings and Officers** - The Assembly shall meet regularly every other month during the academic year or in special meetings as called by the Steering Committee of the Senate and the Assembly (hereinafter referred to as the Steering Committee). The Steering Committee shall call a special meeting of the Assembly on request of the Chancellor or of any five members of the Assembly. Proceedings in Assembly meetings shall be in accordance with the rules set forth in the most recent edition of Robert's Rules of Order. A quorum shall consist of a majority of elected representatives.

    a. The elected officers of the Assembly shall be the same as those for the Senate.
    b. The Chairperson, or in the Chairperson's absence a voting member of the Assembly designated by the Chairperson, shall be the presiding officer at each meeting of the Assembly.
4. **Committees of the Assembly** - All members of the eligible faculty, Administration, and Staff shall be eligible to serve on Assembly committees. Students who satisfy the eligibility requirements for service on the Assembly shall also be eligible to serve on Assembly committees. The standing committees of the Assembly shall be elected each year at the second organizational meeting of the Senate.
   The Assembly shall establish the following standing committees:

a. **Administrator Evaluation** - The Committee shall annually conduct an evaluation of administrators on the UM-St. Louis campus.
b. **Budget and Planning Committee** - This Committee makes recommendations to the Faculty Senate, the Chancellor and the Vice-Chancellor for Administration and Finance on matters concerning the long-range vision of the campus; plans to fulfill this vision; and budgetary matters as a consequence of the vision. This includes, but is not limited to, significant matters of a budgetary nature, and policies and priorities for strategic action plans. The Committee studies the Campus budget, keeps informed of its preparation and status, and consults with and advises the Chancellor on significant matters pertaining to budgetary affairs.
c. **Committee on Recruitment, Admissions, Retention, and Student Financial Aid** - The Committee shall:

(1) Monitor processes associated with recruitment, admissions, retention, and student financial aid and facilitate reporting to the Assembly.
(2) Recommend policies and procedures to the Assembly, the Dean of Enrollment, the Director of Student Retention Services, and the Director of Student Financial Aid regarding recruitment, admissions, retention, and student financial aid.
(3) Facilitate discussion with administrators and students on policies and procedures regarding scholarships, advisement and appeals.

d. Committee on Student Affairs - The Committee on Student Affairs shall be responsible for recommending and reviewing policy in the areas of non-academic regulations and student services, such as student organizations and student publications, advising administration on policies related to students, and recommending approval of new student organizations. The responsibilities of the committee may be exercised by subcommittees established in any of the above areas. Faculty and staff members with administrative responsibilities in these areas shall be members of the subcommittees dealing in those areas.
e. Committee on Physical Facilities, Space, and General Services - The Committee shall have the general responsibility for recommending to the Assembly policies and procedures in the areas of campus facilities and general services. It shall act in an advisory and fact-finding capacity for the planning of physical facilities, review and report priority matters relating to maintenance, construction, and support services to the Assembly, and review and process complaints and suggestions regarding physical facilities and services.
The Committee shall be responsible for formulating long-range space

recommendations including the type and amount of space needed, and priorities. Proposals for a long-term or campus-wide nature will be brought to the Assembly for discussion, debate, and ultimate recommendation to the Chancellor.
Allocation of existing unused space will be recommended to the Chancellor by the Committee and reported to the Assembly.
f. Committee on Information Technology – The Committee shall be responsible for general policy issues regarding campus information technology.
g. Ad hoc Committees - As the need arises, the Assembly shall establish or recommend to the Chancellor establishment of ad hoc committees. Ad hoc Assembly committees shall be established through Assembly approval of nominees selected by the Senate/Assembly Committee on Committees or by nomination from the floor of the Assembly. The composition for each ad hoc committee shall be determined by the University Assembly.

G. **AMENDMENTS**

1. Proposed changes to these Bylaws shall be submitted to, or initiated by, the Bylaws and Rules Committee, which will follow the relevant procedures outlined above (D.2.l) and then provide them in written form to the Senate or Assembly as appropriate. The appropriate body shall then recommend passage or rejection of the proposed amendment(s) by majority vote. Upon passage of an amendment by the Senate or Assembly, the Chancellor shall submit the proposed change to the Faculty of the University of Missouri-St. Louis for a vote at the Spring Faculty Meeting. Bylaw changes recommended by the Senate or Assembly shall be adopted by a majority of votes cast by the Faculty. Any amendments or modifications shall be presented by the Chancellor through the President to the Board of Curators for its approval before becoming effective.
2. Senate Operating Rules may be amended by majority vote of the Senate.
3. Assembly Operating Rules may be amended by majority vote of the Assembly.

4. Amendment, UMKC School of Medicine Standards of Professional Conduct and Honor Council Procedures

that the revisions to the UMKC School of Medicine Standards of Professional Conduct and Honor Council Procedures be approved as attached.

University of Missouri-Kansas City School of Medicine Standards of Professional Conduct and Honor Council Procedures

STANDARDS OF PROFESSIONAL CONDUCT

Approved by the University of Missouri Board of Curators: December 1994, revised January 31, 2013, updated December 2014, revised September 24, 2020.

I. Preamble

Health care professionals are characterized by: 1) a prolonged specialized training in a body of knowledge and skills;
2) ethical principles; 3) a service orientation; and 4) judgment. These professions determine their own standards of education, training, licensure, and practice, and have long subscribed to a body of ethical statements developed primarily for the benefit of the patient. As a potential future member of these professions, a student must recognize responsibility and an obligation not only to patients, but also to society, other health care professionals, and self to behave in a manner compatible with the health care profession's standards of conduct.

One of the goals of a medical school is to educate a student during the transition to a professional life. The University of Missouri-Kansas City ("UMKC") School of Medicine has an obligation to evaluate our students pursuing the M.D. and other health professions degrees administered by the School of Medicine as thoroughly as possible for their cognitive abilities, their academic and professional knowledge and skills, their integrity, and their suitability for the practice of their health care professions. Accordingly, the Standards of Professional Conduct detailed in this document have been developed to guide the pre-professional behavior of students in health professions degree programs of UMKC School of Medicine, and to prepare the students to meet the ethical standards of these professions.

All students in the UMKC School of Medicine, including students enrolled in either the M.D. or graduate health professions programs involving direct patient care, are subject to the jurisdiction of the Standards of Professional Conduct and Honor Council Procedures for Violations of the Standards of Professional Conduct upon enrollment. The presentation of these documents shall be an integral part of the orientation of newly accepted students at UMKC School of Medicine.

II. UMKC School of Medicine Standards of Professional Conduct

A. Professional Integrity

1. Honesty

A student shall deal honestly with people including, but not limited to, colleagues, instructors, representatives of the University, patients, attending

physicians, and other members of the health care team. Students are expected to demonstrate honesty and integrity in all aspects of their interactions with patients and staff — particularly in assuring accuracy and completeness of their documentation in medical records. The student shall be willing to admit errors and must not mislead others or promote himself/herself at the patient's expense. Students shall strive to report, by utilizing the Honor Council Procedures for Violations of the Standards of Professional Conduct, those students who violate these Standards of Professional Conduct ("Standards").

The basic principle underlying all research is *honesty.* Scientists and students who participate in research have a responsibility to provide research results of the highest quality; to gather facts meticulously; to keep impeccable records of work done; to interpret results realistically, not forcing them into preconceived molds or models; and to report new knowledge through appropriate channels. Co-authors of research reports must be sufficiently acquainted with the work of their co-workers so they can personally vouch for the integrity of the study and validity of the findings, and must have been active in the research itself.

In all cases of academic dishonesty, the instructor shall make an academic judgment about the student's grade on that work and in that course. The instructor shall also report the alleged academic dishonesty to the Chair of the Honor Council.

Examples of academic dishonesty include, but are not limited to, the following:

Cheating — 1) use of any unauthorized assistance including, but not limited to, notes, textbooks, unauthorized electronic devices or prohibited internet resources, in taking quizzes, tests, or examinations;
2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; 3) acquisition or possession without permission of tests or other academic material belonging to a member of the University faculty or staff; 4) in any way giving assistance to others who are participating in any of the three preceding types of behavior; 5) falsifying attendance records or other official documents; or 6) submitting the same paper, project, or document for a grade or credit in multiple courses.

Plagiarism — 1) use by paraphrase or direct quotation of the published or unpublished work of another person without fully and properly crediting the author with footnotes, citations or bibliographical reference; 2) unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or 3) unacknowledged use of original work/material that has been produced through collaboration with others without release in writing from collaborators. The detection may involve the use of commercially available software.

Sabotage — unauthorized interference with, modification of, or destruction of the work or intellectual property of another member of the University community.

Examples of dishonesty related to clinical practice include, but are not limited to, the following:

Falsification of Patient's Medical Record — writing progress notes regarding the patient's status that are false including, but not limited to, clinical observations or results in the patient's chart when the student has not seen or evaluated the patient, or using incorrect times of data entry.

Falsification of Patient's Medical Information — reporting medical information such as physical examination findings, lab values, test results, and any other relevant patient information to other students, residents, attending physicians, preceptor, the patient, the patient's family, or other relevant medical personnel that has been fabricated by the student.

2. **Responsibility**

A student must acquire competencies with the appropriate concepts, knowledge, and skills which the faculty determines to be essential. These competencies shall be utilized to care for the sick and to promote the health and welfare of society. A student shall recognize a responsibility to participate in activities contributing to an improved community.

Students in the care of patients must not be harmful, dangerous, or negligent to the mental or physical health of a patient or the public. Negligent means the failure to use that degree of skill and learning ordinarily used under the same or similar circumstances by other students.

Students must pay tuition and other University fees, such as the medical equipment or disability fees, on time. Students must complete required forms of evaluation, degree forms, examination applications, etc. on time.

Students must be familiar with and follow the rules and regulations of UMKC School of Medicine, the University, and the applicable health care professional organizations. Students shall be familiar with and comply with the policies and procedures of clinical sites where they are assigned.

While the University and UMKC School of Medicine are committed to the rights of students to free expression, they also have the right to restrict certain conduct which violates the law or University policy, or otherwise directly interferes with the functioning of the University or UMKC School of Medicine and/or its clinical affiliates. Students are expected to be knowledgeable of and comply with the limits on free expression as set forth in the University "Commitment to Free Expression," available at https://freespeech.missouri.edu/commitment-to-free-expression/ .

Students shall be responsible in their use of personal and professional social media accounts. "Social media" includes any electronic communication or networking using an online service, platform, or site to share information, ideas, personal messages, images, photographs, or other content including, but not limited to, emails, Facebook, Twitter, LinkedIn, YouTube, Snapchat, Instagram, GROUPME, TikTok, Reddit, Tumblr, and blogs. Students shall use appropriate judgment and be respectful and professional in all social media communications. Information shall be truthful and not misleading or deceptive. Content on social media is considered to be published material and therefore must comply with Federal copyright laws.

B. Professional Behavior

1. Prohibition Against Discrimination, Harassment, and Sexual Misconduct

A student shall be dedicated to providing supervised, competent health care services with compassion, respect for human dignity, and without discrimination.

It is against University regulations to discriminate on the basis of race, color, religion, pregnancy, sex, sexual orientation, gender identity, gender expression, ancestry, national origin, age, disability, protected veteran status, or any other status protected by applicable State or Federal law. The University has an AIDS policy statement consistent with Missouri law that

prohibits discrimination against persons with AIDS, AIDS Related Complex ("ARC"), or who are HIV positive.

Students shall not harass, discriminate against, or engage in sexual harassment, sexual discrimination, or sexual misconduct with any other individual, either in person or on social media.

2. **Representation**

A student shall accurately represent himself/herself to others including, but not limited to, colleagues, instructors, representatives of the University, patients, attending physicians, and other members of the health care team.

Examples of misrepresentation include, but are not limited to, the following:

a. A student shall never use the title of "Doctor" or M.D., as this clearly misrepresents the student's position, knowledge, and authority.
b. Use of fraud, deception, lies, or bribery in securing any certificate of registration or authority, diploma, permit or license issued, or in obtaining permission to take any examinations.
c. Impersonation of any person holding a certificate of registration or authority, permit, license or allowing any person to use his/her certificate of registration or authority, permit, license, or diploma from any school.
d. Forgery, alteration, or misuse of a patient's medical records or knowingly furnishing false information to the health care team and/or professional organizations.

Representations on social media shall accurately reflect that any opinions voiced are those of the student and the student is not speaking on behalf of the University, or UMKC School of Medicine and/or its clinical affiliates.

3. **Confidentiality and Privacy**

A student shall respect the rights of patients, colleagues, and other health care professionals, and shall safeguard the confidentiality and privacy of patient communications and protected health information within the constraints of the law. The patient's right to privacy in regard to his/her medical record, which includes privacy of personal and social history, is a fundamental tenet to health care.

The discussion in public of the problems of an identified patient, without the patient's permission, by students violates patient confidentiality and privacy laws and is unethical. Under no circumstances can any medical

record be removed from an institution. Copying of the entire medical record is never permitted for presentations or rounds; students are permitted to extract information, but not copy "wholesale" parts of a medical record. Names and any other identifiers of patients should be omitted from any documents used for these presentations.

Any protected health information of patients, or any patient identifiers, hospital room numbers, or photographs of patients or their hospital or clinic rooms shall not be posted on social media.

4. **Disclosures of Information**
While the student is a member of the health care team and under faculty supervision, a student shall continue to study, apply, and advance scientific knowledge, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health care professionals when indicated.

Sharing of health information appropriately with a patient and colleagues involved in the care of the patient is a fundamental ethical requirement. The patient must be well informed to make health care decisions and work intelligently in partnership with the health care team. Information that the patient needs for decision making shall be presented in terms the patient can understand. If, for some reason, the patient is unable to comprehend information, there shall be disclosure to the patient's authorized representative. Failure of a student to share health information relevant to a patient with the patient and colleagues involved in the care of the patient is unethical. Providing inaccurate health information with these individuals is also unacceptable.

Students are prohibited from communicating with patients and/or their authorized representatives or family members on social media. Any conversations regarding specific patient health care conditions, treatments, or particular processes in a clinical setting can be mutually beneficial for the professional community; however, these must only occur without identifying patients and when using professional social media sites that maintain the privacy and security of communications with registered users.

5. **Assessment of Personal Competence (Self-Evaluation)**
Students shall seek consultation and supervision whenever their ability to play their role in the care for a patient is inadequate because of lack of knowledge or experience.

Students are expected to respond to constructive criticism by appropriate modification of behavior.

It is unacceptable for a student to attempt procedures or to prescribe therapies without supervision.

6. **Professional Demeanor, Appearance, and Communications**
The student is expected to be thoughtful and professional when interacting with patients and their families, attending physicians, preceptors, supervising residents, and other students, and whenever his/her behavior may influence adversely the judgments of others about UMKC School of Medicine and/or its clinical affiliates, or the University. Students shall comply with the code of ethics for their applicable health care profession both on campus and at clinical affiliates, by conduct and speech, and when using social media.

Students shall maintain a neat and clean appearance, and dress in attire that is generally accepted as professional by the patient populations served and in compliance with any policies of clinical affiliates.

Inappropriate behaviors may include, but are not limited to, either in person or on social media: 1) the use of offensive, vulgar, lewd, obscene, profane, or unprofessional language, gestures, images, or videos; or 2) cyberbullying. Any conduct or speech that materially and substantially interferes with the educational process of other students or violates the rights of others is prohibited.

Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation is not appropriate.

7. **Informed Consent**
Students are to understand the obligations of health care professionals to obtain informed consent from patients, but students are **not** responsible for obtaining consent. It is the responsibility of health care professionals to ensure that the patient or his/her surrogate be appropriately informed as to the nature of the patient's medical condition, the objectives of proposed treatments, treatment alternatives, and risks involved. The patient's or surrogate's consent must be obtained without coercion.

8. **Avoidance of Conflicts of Interests**

If a conflict of interest arises, in which the student has competing interests or loyalties that could potentially undermine their ability to act in an impartial manner, the student will disclose this information as soon as possible through the appropriate channels. For example, gifts, hospitality, or subsidies offered by manufacturers and distributors of medical and pharmaceutical equipment/goods shall not be accepted if acceptance would influence the objectivity of clinical judgment.

9. **Appropriate Conduct with Patients**

The student will demonstrate respect for others, act without discrimination, treat patients politely and considerately, respect their views, respect their privacy and right to confidentiality. The student will communicate effectively and appropriately, and will understand, accept, and agree to be bound by the principle of confidentiality of patient data, and also of information concerning staff and fellow students. The student will not engage in romantic, sexual, or other non-professional behaviors with a patient — even upon the apparent request of a patient — while the student is involved with the patient's care. Any involvement or communications with former patients must meet the professional standards of conduct of the student, and shall not breach the patient's right of privacy of protected health information.

10. **Awareness of Impairments**

The student will not use alcohol or drugs or practice while under a physical or mental health condition if such impairs his/her ability to perform the work of the profession or results in compromised patient care. It is also the responsibility of every student to strive to protect the public from an impaired colleague and to assist that colleague whose capability is impaired because of alcohol or drug use, or a physical or mental health condition. Students are strongly encouraged to self-report and/or seek assistance if they are aware of any potential self-impairment. Additionally, any student who displays signs of impairment should be reported by a peer or UMKC School of Medicine faculty or staff member. Any retaliation against a student for good faith reporting of a peer suspected of impairment shall constitute a violation of professional conduct.

11. **Civility with Colleagues**

Professional relations among all members of the medical community shall be marked by civility. Scholarly contributions shall be acknowledged and each person shall recognize and facilitate the contributions of others to this community; slanderous comments and acts are not acceptable. Students shall

deal with professional, staff, and peer members of the health care team in a considerate manner and with a spirit of cooperation.

It is unethical and harmful for a student to disparage, in person or on social media, without sufficient evidence, the professional competence, knowledge, qualifications, or services of a colleague to anyone. It is also unethical to imply without reliable evidence — by word, gesture, or deed — that a patient has been poorly managed or mistreated by a colleague.

12. **Duty To Teach**
It is incumbent upon students entering health care professions to teach other students what they know of the science, art, and ethics of their professions. It also includes communicating clearly and teaching patients so that they are properly prepared to participate in their own care and in the maintenance of their health.

III. The University of Missouri Standard of Conduct for Students

In addition to the conduct detailed above, a student is subject to the University of Missouri Standard of Conduct for Students, as administered by the UMKC Office of Student Conduct and Civility in the Division of Student Affairs, in Section 200.010. of the Collected Rules and Regulations of the University (http://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.010_standard_of_conduct). Students in the UMKC School of Medicine may be subject to discipline by either the UMKC Office of Student Conduct and Civility or the Honor Council, or by the Title IX Coordinator in the Office of Affirmative Action for allegations related to sexual discrimination. A student will not be subject to discipline for the same violation by multiple entities. The Honor Council, the Office of Student Conduct and Civility, and the Office of Affirmative Action may share information about possible violations to determine which entity will handle the matter, and about violations that have been substantiated.

As of February 7, 2017, conduct for which students are subject to sanctions falls into the following categories:

1. **Academic dishonesty**, including, but not limited to, as cheating, plagiarism, or sabotage. The Board of Curators recognizes that academic honesty is essential for the intellectual life of the University. Faculty members have a special obligation to expect high standards of academic honesty in all student work. Students have a special obligation to adhere to such standards. In all cases of academic dishonesty, the instructor shall make an academic judgment about the student's grade on that work and in that course. The instructor shall report the alleged academic

dishonesty to the Primary Administrative Officer.

2. **Forgery, alteration, or misuse of University documents, records or identification, or knowingly furnishing false information to the University.**
3. **Obstruction or disruption of teaching, research, administration, conduct proceedings, or other University activities, including its public service functions on or off campus.**
4. **Physical abuse or other conduct which threatens or endangers the health or safety of any person.**
5. **Stalking** another by following or engaging in a course of conduct with no legitimate purpose that puts another person reasonably in fear for one's safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.
6. **Violation of the University's Equal Employment/Education Opportunity Policy and Statement of Nondiscrimination** in Section 600.010 of the Collected Rules and Regulations. Discrimination is prohibited on the basis of race, color, national origin, ancestry, religion, sex, pregnancy, sexual orientation, gender identity, gender expression, age, disability, protected veteran status, and any other status protected by applicable State or Federal law.
7. **Violation of the University's Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy in Section 600.0020 of the Collected Rules and Regulations**. These violations include:
    a. **Sex Discrimination**. Sex discrimination is conduct that is based upon an individual's sex, pregnancy, gender identity, or gender expression that adversely affects a term or condition of the individual's employment, education, living environment, or participation in a University activity. Sexual harassment, sexual misconduct, sexual exploitation, stalking on the basis of sex, and dating/intimate partner violence are forms of sex discrimination which are prohibited under this policy.
    b. **Sexual Harassment**. Sexual harassment is defined as:
        1. Unwelcome sexual advances or requests for sexual activity by a person or persons in a position of power or authority to another person, or
        2. Other unwelcome verbal or physical conduct of a sexual nature by a person to another person, when:
            a. Submission to or rejection of such conduct is used explicitly or implicitly as a condition for academic or employment decisions; or
            b. Such conduct creates a hostile environment by being

sufficiently severe or pervasive or objectively offensive that it interferes with, limits or denies the ability to participate in or benefit from the University's educational programs, activities, or employment.

c. **Sexual Misconduct**. Sexual misconduct includes: 1) Nonconsensual sexual intercourse; 2) Nonconsensual sexual contact involving the sexual touching of a body part (i.e., the lips, genitals, breast, anus, groin, or buttocks of another person) or the nonconsensual sexual touching of another with one's own genitals, whether directly or through the clothing; 3) Exposing one's genitals to another under circumstances in which one should reasonably know that the conduct is likely to cause affront or alarm; or
4) Sexual exploitation.
d. **Stalking on the Basis of Sex.** Stalking on the basis of sex is following or engaging in a course of conduct on the basis of sex with no legitimate purpose that puts another person reasonably concerned for his or her safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.
e. **Dating/Intimate Partner Violence**. Violence, threats of violence, intimidation, or act of coercion committed by a person who is or has been in a social relationship of a romantic or intimate nature with the recipient of the violent behavior.
f. **Sexual Exploitation.** Sexual exploitation occurs when one person takes nonconsensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited and which behavior does not constitute any other form of sexual misconduct. Examples of sexual exploitation include, but are not limited to, the following activities done without the consent of all participants:
    1. Invasion of sexual privacy;
    2. Prostituting another person;
    3. Taping or recording of sexual activity;
    4. Going beyond the boundaries of consent to sexual activity (letting your friends hide to watch you engaging in sexual activity);
    5. Engaging in voyeurism;
    6. Knowingly transmitting an STI, STD, venereal disease or HIV to another person;
    7. Inducing another to expose their genitals;
    8. Nonconsensual distribution of intimate images; or
    9. Use or distribution of drugs or alcohol with the intent to facilitate sexual contact without consent (i.e., predatory drugs or alcohol).
g. **Retaliation**. Retaliation is any adverse action taken against a person

because of that person's participation in protected activity. The University strictly prohibits retaliation against any person for making any good faith report to a Title IX Coordinator or for filing, testifying, assisting, or participating in any investigation or proceeding involving allegations of sex discrimination, sexual harassment or sexual misconduct.

h. **False Reporting**. False reporting is making an intentional false report or accusation in relation to this policy as opposed to a report or accusation, which, even if erroneous, is made in good faith.

8. **Threatening or Intimidating Behaviors**, defined as written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property or implied threats or acts that cause a reasonable fear of harm in another.
9. **Participating in attempted or actual taking of, damage to, or possession without permission of property of the University or of a member of the University community or of a campus visitor.**
10. **Unauthorized possession, duplication or use of keys to any University facilities or unauthorized entry to or use of University facilities.**
11. **Violation of University policies, rules or regulations or of campus regulations** including, but not limited to, those governing residence in University-provided housing, or the use of University facilities, or student organizations, or the time, place and manner of public expression.
12. **Manufacture, use, possession, sale or distribution of alcoholic beverages or any controlled substance without proper prescription or required license or as expressly permitted by law or University regulations**, including operating a vehicle on University property, or on streets or roadways adjacent to and abutting a campus, under the influence of alcohol or a controlled substance as prohibited by law of the state of Missouri.
13. **Disruptive conduct**. Conduct that creates a substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non- University activities that occur on campus.
14. **Failure to comply with directions of University officials acting in the performance of their duties.**
15. **The illegal or unauthorized possession or use of firearms, explosives, other weapons, or hazardous chemicals.**
16. **Hazing**, defined as an act that endangers the mental or physical health or safety of a student, or an act that is likely to cause physical or psychological harm to any person within the University community, or that destroys or removes public or private property, for the purpose of

initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent, failing to discourage, and/or failing to report those acts may also violate this policy.

17. **Misuse of computing resources in accordance with University policy** including, but not limited to:
    a. Actual or attempted theft or other abuse;
    b. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
    c. Unauthorized transfer of a file;
    d. Unauthorized use of another individual's identification and password;
    e. Use of computing facilities to interfere with the work of another student, faculty member, or University official;
    f. Use of computing facilities to interfere with normal operation of the University computing system; and
    g. Knowingly causing a computer virus to become installed in a computer system or file.

Details of current rules, sanctions, and due process for violations of the University of Missouri Standard of Conduct for Students are found at http://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.020_rules_of_procedures_in_student_conduct_ matters and in the University of Missouri-Kansas City General Catalogue. Students shall be familiar with these rules and procedures.

HONOR COUNCIL PROCEDURES FOR VIOLATIONS OF THE STANDARDS OF PROFESSIONAL CONDUCT

Approved by the University of Missouri Board of Curators: December 1994,
Revised January 31, 2013

I. Jurisdiction of the Honor Council

The Honor Council shall have the authority to address incidents of alleged violations by University of Missouri-Kansas City ("UMKC") School of Medicine students enrolled in either the M.D. or graduate health professions programs involving direct patient care of the UMKC School of Medicine Standards of Professional Conduct ("Standards"), whether such violations occur on the Volker campus or in classes or clinical experiences at affiliated hospitals and clinics through the UMKC School of Medicine. The Standards identify areas of conduct which are judged unacceptable for students either who are in or aspire to a health care profession. The Standards and Honor Council Procedures for Violations of the Standards of Professional Conduct ("Procedures") are published documents of UMKC School of Medicine and have been approved by the University of Missouri Board of Curators. When a student has been charged with one or more violations of these Standards ("Respondent"), the Honor Council shall adhere to the following Procedures. The

Honor Council shall have the authority to recommend sanctions upon a Respondent appearing before the Honor Council. The disciplinary proceedings described are not to be construed as judicial trials. Care shall be taken, however, to comply as fully as possible with the spirit and intent of these Procedures.

II. Organization of the Honor Council

A. Composition

The Honor Council voting members shall consist of the Chair, six faculty/staff members (1 Docent, 1 Basic Scientist, 2 Clinical Scientists, 1 Humanities/Social Sciences representative, and 1 Graduate faculty member), and two student members (1 Years 3-6 and 1 graduate student). Four members constitute a quorum. Nonvoting Honor Council staff who assist the Chair in investigations and generation of reports may be present at the hearings to take minutes or assist with the hearing.

B. Eligibility and Appointment

The Chair, faculty/staff, and student members shall be appointed to the Honor Council by the Dean of UMKC School of Medicine.

C. Chair

The Chair shall count as one member of the Honor Council and shall be entitled to vote on all matters before the Honor Council.

D. Time of Appointment and Term of Office

The Chair and faculty/staff members of the Honor Council shall serve for the duration of their appointments. The student members of the Honor Council shall serve for one year.

A student is ineligible to continue as a member of the Honor Council if he/she is placed on academic or disciplinary probation, or if for any other reason his/her continued membership on the Honor Council may not be in the best interest of UMKC School of Medicine as determined by the Dean of UMKC School of Medicine.

III. Procedures for Report of Violation, Investigation, Informal Disposition, and Notice

A. Report of Violation

An alleged violation of the Standards should be reported to the Chair of the Honor Council, or his/her designee, as soon as possible after discovery of the incident. Reports may be made in person or by webform or email.

B. Preliminary Procedures and Investigation

The Chair of the Honor Council or his/her designee shall investigate any reported student misconduct and determine whether any violation(s) of the Standards occurred. The reporter may be requested to meet with the Chair or his/her designee to discuss the alleged violation.

The Chair is responsible for notifying the Respondent by UMKC email of the alleged violation prior to the commencement of the investigation. In addition, the Respondent shall receive a copy of these Procedures as an attachment to the email notice. The Chair shall meet with the Respondent to allow the Respondent the opportunity to respond to the alleged violation.

After conducting an investigation, if the Chair determines that a violation of the Standards has occurred, the Chair or his/her designee shall provide notice by UMKC email to the Respondent of the Respondent's right to a hearing.

The Dean of UMKC School of Medicine or his/her designee may at any time temporarily suspend or deny readmission to a Respondent pending formal procedures when the Dean or his/her designee finds and believes from available information that the presence of the Respondent would seriously disrupt UMKC School of Medicine or constitute a danger to the health, safety, or welfare of members of the UMKC School of Medicine community.

C. Informal Disposition

The Chair shall have the authority to determine that a violation of the Standards did not occur and to impose an informal non-disciplinary disposition, and shall fix a reasonable time within which the Respondent shall accept or reject a proposed informal non-disciplinary disposition.

A failure of the Respondent either to accept or reject a proposed informal non-disciplinary disposition within the time fixed shall be deemed to be an acceptance of the informal non-disciplinary disposition and, in such event, the proposed informal non-disciplinary disposition shall become final upon expiration of such time.

If the Respondent rejects a proposed informal non-disciplinary disposition, it must be in writing and shall be forwarded to the Chair of the Honor Council.

The Chair may refer a matter to the Honor Council for formal investigation and hearing without first offering informal disposition.

D. Notice of Hearing

Upon completion of the investigation, when a violation of the Standards has been substantiated in the judgment of the Chair of the Honor Council, the Chair will schedule a formal hearing as soon as possible but no later than sixty (60) calendar days after receipt of the report of the alleged violation. A request for an extension may be made by the Chair to the Dean of UMKC SOM if there are extenuating circumstances that justify the delay of the hearing. The Dean of UMKC SOM shall determine whether an extension shall be granted and the length of any extension. Notice of an extension shall be provided to the Respondent by UMKC email.

The reporter of the violation, witnesses, and Respondent will be given written notice of the hearing by UMKC email. The Notice of Hearing shall describe the alleged violation and include the date, time, and place of the alleged violation. The Notice of Hearing shall also provide the date, time, and place of the hearing before the Honor Council, request for attendance of the parties involved, and a reference for the Respondent to the Rights of the Respondent which are outlined in these Procedures.

The Notice of Hearing shall be given at least seven (7) consecutive calendar days prior to the hearing, unless a shorter time is fixed by the Chair for good cause.

Any request for continuance shall be made in writing to the Chair who shall have the authority at his/her discretion to postpone the hearing if he/she determines the request is timely and made for good cause. The Chair shall notify the Honor Council members, the Respondent, the reporter, the witnesses, and any other relevant individuals of the new date, time, and location for the hearing.

If the Respondent fails to appear at the scheduled time, the Honor Council may hear and determine the matter in the Respondent's absence.

IV. Procedures for Honor Council Hearing

A. Rights of the Honor Council

The Honor Council shall have the right to:

1. hear together cases involving more than one Respondent which arise out of the same act of misconduct, but in that event shall make separate findings and recommendations for each Respondent;
2. permit a stipulation of facts by the Honor Council member who performed the investigation and by the Respondent;
3. permit the incorporation in the record by a reference of any document, affidavit, or other material produced and desired in the record by UMKC School of Medicine or the Respondent;
4. question witnesses or review other evidence introduced by either UMKC School of Medicine or the Respondent at any time;

5. hear from the Chair about dispositions made in similar cases and any dispositions offered to the Respondent;
6. call additional witnesses or require additional investigation;
7. dismiss any action at any time or permit informal disposition as otherwise provided;
8. permit or require at any time, within a reasonable time as determined by the Honor Council, amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the Honor Council before final determination of the case; provided, however, that in such event the Honor Council shall grant to the Respondent and/or UMKC School of Medicine such time as the Honor Council may determine reasonable under the circumstances to answer or explain such additional matters; and
9. dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Council Chair on any procedural question or request of the Chair for order.

B. Rights of the Respondent

The Respondent shall have the right to:

1. submit a written response to the alleged violation outlined in the Notice of Hearing before the scheduled hearing is to commence;
2. request in advance of the scheduled hearing a review of any materials contained in the Respondent's hearing file;
3. submit a written request for the identities of witnesses to be called to testify before the Honor Council;
4. be present at the hearing;
5. have an adviser or attorney appear with him/her and to consult with such an adviser or attorney during the hearing; however, the adviser/attorney will not be allowed to question witnesses and/or members of the Honor Council;
6. hear or examine evidence presented to the Honor Council;
7. question witnesses present who are testifying at the hearing;
8. present evidence by witness, affidavit, written report, other memoranda, photographs, drawings, and any other relevant evidence the Respondent desires;
9. make any statement to the Honor Council in mitigation or explanation of the conduct in question;
10. not respond to questions during the hearing;
11. be informed in writing of the findings and recommendations of the Honor Council; and
12. appeal the final decision to the UMKC Chancellor, as herein provided.

C. Rights of Witnesses

Witnesses shall be notified of the scheduled time, date, and location of the hearing. Witnesses shall bring with them whatever documentation is requested. Failure of a student witness to appear, without good cause, is a violation of the Standards.

D. Record of Hearing

All proceedings of the Honor Council are to be held in the strictest confidence by the members and all other persons involved. The hearings shall be recorded, either by audio, video, digitally, or stenographically as determined by the Chair of the Honor Council, and shall serve as the official hearing record. The Notice of Hearing, hearing record including exhibits, and Final Report of the Honor Council shall become the "Record ofthe Case." The Record of the Case shall be scanned and stored electronically with limited access. The Record of the Case shall be accessible at reasonable times and places to the University, UMKC School of Medicine, and the Respondent for the purposes of review or appeal. All requests for access to the Record of the Case shall be made to the Chair or Coordinator of the Honor Council.

E. Conduct of the Hearing

The Chair of the Honor Council shall preside at the hearing, call the hearing to order, call the roll of the Honor Council members in attendance, ascertain the presence or absence of the Respondent, read the Notice of Hearing, verify the receipt of the Notice of Hearing by the Respondent, report any continuances requested or granted, establish the presence of any adviser or attorney of the Respondent, call to the attention of the Respondent and the adviser/attorney any special or extraordinary procedures to be employed during the hearing, and permit the Respondent to make suggestions of or objections to any procedures for the Honor Council to consider.

The Respondent may also invite guests to the hearing. In advance of the hearing, the Respondent shall provide the Chair of the Honor Council with signed UMKC SOM Forms, "FERPA: Access to Student Records," for each adviser/attorney and guest who will be present at the hearing. Without such signed Form, the person will not be permitted to attend the hearing.

All requests to address the Honor Council shall be addressed to the Chair. The Chair will rule on all requests and points of order and may consult with Honor Council's legal adviser prior to any ruling. The Chair's ruling shall be final, and all participants shall abide thereby, unless the Chair shall present the question to the Honor Council at the request of a member of the Honor Council, in which event the ruling of the Honor Council by majority vote shall be final.

Rules of common courtesy and decency shall be observed at all times. An adviser or attorney may be permitted to address the Honor Council at the discretion of the Chair. An adviser or attorney may request clarification of a procedural matter or object on the basis of procedure at any time by addressing the Chair after recognition.
Written statements may be submitted by any person to the Chair of the Honor Council either prior to or at the hearing.

Witnesses may only be questioned by the Honor Council members and the Respondent.

Opening Statements: 1) The Chair of the Honor Council or his/her designee shall make opening remarks outlining the general nature of the case and testify to any facts the investigation has revealed. 2) The Respondent may make an opening statement to the Honor Council about the alleged violation at this time or at the conclusion of UMKC School of Medicine's presentation.

UMKC School of Medicine Evidence: 1) UMKC School of Medicine witnesses are to be called by the Chair of the Honor Council and identified or written reports of evidence are introduced as appropriate. 2) The Honor Council may question the Respondent. 3) The Respondent may question a witness or examine evidence at the conclusion of UMKC School of Medicine's questioning of the witness or introduction of such evidence.

Respondent Evidence: 1) The Respondent shall have the opportunity to make a statement to the Honor Council about the alleged violation. 2) The Respondent may present evidence through witnesses or written memoranda.
3) The Honor Council may question a witness after the witness is questioned by the Respondent.

Rebuttal Evidence: The Honor Council may permit UMKC School of Medicine or the Respondent to offer a rebuttal of the other's presentation.

If it appears that essential testimony is unavailable, or that for other good cause the hearing should be deferred, the Chair of the Honor Council may continue, recess, or discontinue the hearing without prejudice.

V. Determination of the Honor Council

Following the hearing, the Honor Council shall promptly deliberate in closed session out of the presence of the Respondent. Determinations are to be made regarding both the validity of the alleged violation(s) and, if any violations are substantiated, the sanction(s) to be imposed.

A. Violation of the Standards of Professional Conduct

The Honor Council shall determine if the evidence presented in the hearing supports substantiation of a violation(s) of the Standards. The Honor Council may consult with other persons or examine other evidence prior to making a decision. Minutes of any meetings or any additional evidence shall be included in the "Record of the Case." Each member of the Honor Council shall have a vote; however, the Chair shall only vote in the event of a tie vote. The Honor Council shall render a decision, by simple majority vote, of whether one or more violations has been committed by the Respondent. Each alleged violation, if there is more than one, shall be considered individually and/or collectively at the discretion of the Honor Council. The Honor Council shall recommend sanctions for any substantiated violations.

An oral presentation of the Honor Council's findings and recommendations is permitted following the hearing, but a written "Final Report of the Honor Council" that includes findings of fact and recommended sanctions shall be completed as soon as possible after the hearing. This Final Report of the Honor Council shall be submitted to the Respondent by UMKC email, the Coordinating Committee, the Dean of UMKC School of Medicine, and any UMKC School of Medicine faculty or staff involved in any required remediation.

B. Sanctions

The Honor Council shall determine the sanctions to be imposed, if any, based upon its deliberations. One of the following sanctions is to be recommended by means of simple majority vote of the Honor Council members.
Where there are multiple violations, there can be separate sanctions for each violation or one sanction for all violations. Requirements for education and/or training, or referral to a UMKC School of Medicine Committee or other resource may be imposed on a Respondent irrespective of whether a violation of the Standards of Professional Conduct has been substantiated. Any such requirements do not constitute a sanction**.**

The sanctions include the following:

No Sanction. Given when the Respondent is not found in violation of any of the Standards of Professional Conduct.

Warning. A written reprimand that the Respondent has violated one or more Standards of Professional Conduct. A copy is to be placed in the Respondent's file. There is no prohibition on a student receiving more than one (1) warning; however, that fact that a student has received one or more warnings may be

taken into account if there are any subsequent violations of the Standards. A warning is not a reportable action.

Probation. A written reprimand to the Respondent for one or more violations of the Standards of Professional Conduct that includes a designated period of time, the probability of more severe sanctions if the Respondent violates any other Standards of Professional Conduct during the probationary period, and subject to any appropriate terms or conditions, such as loss of privileges, restitution, and discretionary assignments. A disciplinary probation is a reportable action.

Suspension. An involuntary separation of the Respondent from UMKC School of Medicine for a specified period of time or until special conditions have been met, with a statement whether suspension should relate back to the date of the violation, begin at the time imposed, or begin at a date specified in the future. At the conclusion of the period of suspension, the Respondent is automatically returned to student status.
Conditions for readmission may be specified. A disciplinary suspension is a reportable action.

Dismissal. An involuntary separation from UMKC School of Medicine for an indefinite period of time. The order of dismissal may specify a date before which the faculty will not consider a petition for readmission from the Respondent. A disciplinary dismissal is a reportable action.

Expulsion. Permanent separation of the student from UMKC School of Medicine. A disciplinary expulsion is a reportable action.

The above sanctions only apply to the status of the Respondent at UMKC School of Medicine. Any of the above actions that are reportable will be included on a Respondent's MSPE. Additionally, this information will be reported by UMKC SOM as needed on any future licensure certifications and verifications for the Respondent, and/or any official requests for information made from other UMKC entities. Respondents may also have an obligation to report sanctions on licensure or other applications.

VI. Decision of the Coordinating Committee

The Coordinating Committee, chaired by the UMKC Vice Dean for Academic Affairs and composed of members as detailed in the *Bylaws of the Coordinating Committee*, shall review the Final Report of the Honor Council. Each member of the Coordinating Council shall have a vote; however, the Chair of the Coordinating Council shall only vote in the event of a tie vote. After deliberation and careful consideration, the Coordinating Committee shall approve, by simple majority vote,

one of the following actions: 1) to sustain the recommendations of the Honor Council; 2) to amend the recommendations of the Honor Council to another type of sanction; 3) to remand the Honor Council's recommendations for further consideration by the Honor Council; or 4) to reverse the Honor Council's recommendations.

The findings and determinations of the Honor Council and the Coordinating Committee shall be transmitted, to the Respondent by UMKC email and to the Dean of UMKC School of Medicine in writing, within seven (7) consecutive calendar days following the meeting of the Coordinating Committee where an action was approved.

VII. Decision of the Dean of UMKC School of Medicine

Upon receipt of the documents from the Honor Council and the Coordinating Committee, the Dean of UMKC School of Medicine shall review the Record of the Case and the approved action of the Coordinating Committee.

The Dean of UMKC School of Medicine will, within a reasonable amount of time, make a decision to affirm, amend, or reverse the Coordinating Committee's action, or remand the matter to the Coordinating Committee for further proceedings.

The Dean of UMKC School of Medicine shall notify the Respondent by UMKC email of his/her final decision. Copies of the notice to the Respondent will be sent to the Chair of the Honor Council and the Chair of the Coordinating Committee, and will be placed in the Respondent's file at UMKC School of Medicine and in the Record of the Case.

VIII. Right of Appeal

When a recommendation is made for a sanction(s) other than “none,” and this is upheld by the Dean of UMKC School of Medicine, or if a recommendation of "no sanction" is revised by the Dean to expulsion, dismissal, or suspension from UMKC School of Medicine, the Respondent may appeal such decision to the UMKC Chancellor or his/her designated representative by filing a written “Notice of Appeal” with the UMKC Chancellor within ten (10) consecutive calendar days after notification of the decision from the Dean. A copy of the Notice of Appeal will also be given by the Respondent to the Dean of UMKC School of Medicine at the time of filing with the UMKC Chancellor. The Respondent may file a written memorandum for consideration by the UMKC Chancellor with the Notice of Appeal. If the Respondent fails to timely file an appeal, the decision of the Dean of UMKC School of Medicine shall become final and effective on the eleventh calendar day after notice to the Respondent.

The UMKC Chancellor or his/her designated representative shall review the Record of the Case and the appeal documents and may affirm, reverse, or remand the case for further proceedings, and shall notify the Dean of UMKC School of Medicine and the Respondent in writing of the decision on the appeal. The action of the UMKC Chancellor shall be final unless it is to remand the matter for further proceedings. The decision of the Dean of UMKC School of Medicine shall be deemed effective on the eleventh calendar day after notice was given to the Respondent unless the matter is remanded by the UMKC Chancellor. Any final sanction will be forwarded to the UMKC Office of Student Conduct and Civility for information purposes.

In cases of suspension, dismissal, or expulsion where a Notice of Appeal is filed within the required time, a Respondent may petition the UMKC Chancellor in writing for permission to attend classes pending final determination of appeal. The Chancellor may permit a Respondent to continue in school under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not disrupt the University or constitute a danger to the health, safety, or welfare of the University community. In such event, however, any sanction imposed shall be effective from the date of the action of the Dean of UMKC School of Medicine.

VIII. Amendments to the Standards of Professional Conduct or Honor Council Procedures for Violations of the Standards of Professional Conduct

Amendments to the Standards of Professional Conduct and/or Honor Council Procedures for Violations of the Standards of Professional Conduct may be proposed by petition of any twenty-five members of the student body, the Honor Council on its own motion, or the UMKC SOM Faculty. Any proposed amendments must be approved by the Honor Council, the Coordinating Committee, the Dean of UMKC School of Medicine, the UMKC Chancellor, and the University of Missouri Board of Curators.

5. Investment Consultant Annual Approval – UM

that the investment consulting firm, Verus, be retained for one year.

6. Amendments, Collected Rules and Regulations in Relation to New Title IX References:
   a. 200.010 Standard of Conduct

200.010 Standard of Conduct

Amended Bd. Min. 3-20-81; Bd. Min. 8-3-90, Bd. Min 5-19-94; Bd. Min. 5-24-01, Bd. Min. 7-27-12; Bd. Min. 12-7-12; Bd. Min. 6-19-14; Revised 9-22-14 by Executive Order 41; Revised 11-3-15 by Executive Order 41; Amended 2-9-17; Amended 9-24-2020.

A student at the University assumes an obligation to behave in a manner compatible with the University's function as an educational institution and voluntarily enters into a community of high achieving scholars. A student organization recognized by the University of Missouri also assumes an obligation to behave in a manner compatible with the University's function as an educational institution. Consequently, students and student organizations must adhere to community standards in accordance with the University's mission and expectations.

These expectations have been established in order to protect a specialized environment conducive to learning which fosters integrity, academic success, personal and professional growth, and responsible citizenship.

A. **Jurisdiction of the University of Missouri** generally shall be limited to conduct which occurs on the University of Missouri premises or at University-sponsored or University-supervised functions. However, the University may take appropriate action, including, but not limited to the imposition of sanctions under Sections 200.020 and 600.040 of the Collected Rules and Regulations against students and student organizations for conduct occurring in other settings, including off campus, in order to protect the physical safety of students, faculty, staff, and visitors or if there are effects of the conduct that interfere with or limit students' ability to participate in or benefit from the University's educational programs and activities.
B. A **student organization** is a recognized student organization which has received official approval in accordance with Section 250.010 of the Collected Rules and Regulations. To determine whether a student organization is responsible for conduct outlined in Section 200.010.C, all circumstances will be considered, including but not limited to whether:

    1. The student organization approved, condoned, allowed, encouraged, assisted or promoted such conduct;
    2. The prohibited behavior in question was committed by one or more student organization officers or a significant number of student organization members;
    3. Student organization resources, such as funds, listservs, message boards or organization locations, are used for the prohibited conduct; and/or
    4. A policy or official practice of the student organization resulted in the prohibited conduct.

C. **Conduct** for which students and student organizations, when applicable, are subject to sanctions falls into the following categories:

1. **Academic dishonesty,** including but not limited to cheating, plagiarism, or sabotage. The Board of Curators recognizes that academic honesty is essential for the intellectual life of the University. Faculty members have a special obligation to expect high standards of academic honesty in all student work. Students have a special obligation to adhere to such standards. In all cases of academic dishonesty, the instructor shall make an academic judgment about the student's grade on that work and in that course. The instructor shall report the alleged academic dishonesty to the Primary Administrative Officer.

    a. The term **cheating** includes but is not limited to: (i) use of any unauthorized assistance in taking quizzes, tests, or examinations; (ii) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (iii) acquisition or possession without permission of tests or other academic material belonging to a member of the University faculty or staff; or (iv) knowingly providing any unauthorized assistance to another student on quizzes, tests, or examinations.
    b. The term **plagiarism** includes, but is not limited to: (i) use by paraphrase or direct quotation of author with footnotes, citations or bibliographical reference; (ii) unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or (iii) unacknowledged use of original work/material that has been produced through collaboration with others without release in writing from collaborators.
    c. The term **sabotage** includes, but is not limited to, the unauthorized interference with, modification of, or destruction of the work or intellectual property of another member of the University community.
2. **Forgery, alteration, or misuse of University documents, records or identification, or knowingly furnishing false information to the University.**
3. **Obstruction or disruption of teaching, research, administration, conduct proceedings, or other University activities, including its public service functions on or off campus.**
4. **Physical abuse or other conduct which threatens or endangers the health or safety of any person.**
5. **Stalking** another by following or engaging in a course of conduct with no legitimate purpose that puts another person reasonably in fear for one's

safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.

6. **Violation of the University's Equal Employment/Education Opportunity and Nondiscrimination Policy** located at Section 600.010 of the Collected Rules and Regulations.
7. **Violation of the University's Sexual Harassment under Title IX Policy located at Section 600.020 of the Collected Rules and Regulations.**
8. **Threatening or Intimidating Behaviors**, defined as written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property or implied threats or acts that cause a reasonable fear of harm in another.
9. **Participating in attempted or actual taking of, damage to, or possession without permission of property of the University or of a member of the University community or a campus visitor.**
10. **Unauthorized possession, duplication or use of keys to any University facilities or unauthorized entry to or use of University facilities.**
11. **Violation of University policies, rules or regulations, or of campus regulations** including, but not limited to, those governing residence in the University-provided housing, or the use of University facilities, or student organizations, or the time, place or manner of public expression.
12. **Manufacture, use, possession, sale or distribution of alcoholic beverages or any controlled substance without proper prescription or required license or as expressly permitted by law or University regulations**, including operating a vehicle on University property, or on streets or roadways adjacent to and abutting a campus, under the influence of alcohol or a controlled substance as prohibited by law of the state of Missouri.
13. **Disruptive conduct.** Conduct that creates a substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities that occur on campus.
14. **Failure to comply with directions of University officials acting in the performance of their duties.**
15. **The illegal or unauthorized possession or use of firearms, explosives, other weapons, or hazardous chemicals.**
16. **Hazing**, defined as an act that endangers the mental or physical health or safety of a student, or an act that is likely to cause physical or psychological harm to any person within the University community, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent,

failing to discourage, and/or failing to report those acts may also violate this policy.

17. **Misuse of computing resources in accordance with University policy**, including but not limited to:

    a. Actual or attempted theft or other abuse;
    b. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
    c. Unauthorized transfer of a file;
    d. Unauthorized use of another individual's identification and password;
    e. Use of computing facilities to interfere with the work of another student, faculty member, or University official;
    f. Use of computing facilities to interfere with normal operation of the University computing system; and
    g. Knowingly causing a computer virus to become installed in a computer system or file.

b. 200.020 Rules of Procedures in Student or Student Organization Conduct Matters

200.020 Rules of Procedures in Student or Student Organization Conduct Matters
Bd. Min. 11-8-68, Amended Bd. Min. 3-20-81; Bd. Min. 12-8-89; Amended 5-19-94; Bd. Min. 5-24-01; Bd. Min. 7-27-12, 6-19-14; Revised 9-22-14 by Executive Order 41; Revised 11-3-15 by Executive Order 41; Amended 2-9-17; Amended 9-24-2020.

A. **Preamble**. The following rules of procedure in student or student organization conduct matters are hereby adopted in order to ensure insofar as possible and practicable (a) that the requirements of procedural due process in student conduct proceedings will be fulfilled by the University, (b) that the immediate effectiveness of Section 10.030, which is Article V of the Bylaws of the Board of Curators relating to student conduct and sanctions may be secured for all students in the University of Missouri, and (c) that procedures shall be definite and determinable within the University of Missouri. Student or student organization conduct involving discrimination and harassment, including sexual harassment is governed by Section 600.030: *Resolution Process for Resolving Complaints of Sexual Harassment under Title IX*, and Section 600.040: *Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Faculty Member or Student or Student Organization.*
B. **Definitions**. As used in these rules, the following definitions shall apply:

    1. **Primary Administrative Officers**. As used in these procedures, the Chief Student Affairs Administrator on each campus is the Primary

Administrative Officer except in cases of academic dishonesty, where the Chief Academic Administrator is the Primary Administrative Officer. Each Primary Administrative Officer may appoint designee(s) who are responsible for the administration of these conduct procedures, provided all such appointments are made in writing and filed with the Chancellor of the campus and the Office of General Counsel. The Primary Administrator's Office will certify in writing that the given designee has been trained in the administration of student conduct matters.

2. **Student Panelist Pool**. The student panelist pool is a panel of students appointed by the Vice Chancellor for Student Affairs, who may participate on the Student Conduct Committee. Specifically, if requested by the accused student or student organization, the Chair of the Student Conduct Committee shall select not more than three students from the Student Panelist Pool to serve as members on the Student Conduct Committee, or not more than two students to serve as members on a Hearing Panel.
3. **Student**. A person having once been admitted to the University who has not completed a course of study and who intends to or does continue a course of study in or through one of the Universities of the University System. For the purpose of these rules, student status continues whether or not the University's academic programs are in session.
4. **Student Organization**. A recognized student organization which has received official approval in accordance with Section 250.010 of the Collected Rules and Regulations. Three members of the organization may represent the student organization in all proceedings, and the registered faculty/staff advisor may be present, though not act on behalf of the student organization. Each student organization shall designate, and such designation shall be on file with the University, the individual who will receive all notices, findings, determinations and decisions on behalf of the student organization. If the student organization fails to have a designation on file with the University, the President of the organization is the default designee. The registered faculty/staff advisor will also be sent a courtesy copy of all notices, findings, determinations and decisions.
5. **Student Conduct Committee**. As used in these procedures, "Student Conduct Committee," hereinafter referred to as the Committee, is that body on each campus which is authorized to conduct hearings and to make dispositions under these procedures or a Hearing Panel of such body as herein defined.
6. **Hearing Panel**. As used in these procedures, the term "hearing panel" refers to the part of the Student Conduct Committee described in Section 200.020.E.3(b) below.

C. **Sanctions**.

1. The following sanctions, when applicable, may be imposed upon any student or student organization found to have violated the Student Conduct Code. More than one of the sanctions may be imposed for any single violation. Sanctions include but are not limited to:

    a. Warning. A notice in writing to the student or student organization that there is or has been a violation of the institutional regulations.
    b. Probation. A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe sanctions if the student or student organization is found to be violating any institutional regulation(s) during the probationary period.
    c. Loss of Privileges. Denial of specified privileges of the student or student organization for a designated period of time.
    d. Restitution. Compensation by the student or student organization for loss, damage, or injury to the University or University property. This may take the form of appropriate service and/or monetary or material replacement.
    e. Discretionary Sanctions. Work assignments, service to the University or community, or other related discretionary assignments, or completion of educational programming or counseling.
    f. University Housing Suspension. Separation of the student or student organization from University owned or operated housing for a definite period of time, after which the student or student organization is eligible to return. Conditions for readmission may be specified.
    g. University Housing Expulsion. Permanent separation of the student or student organization from University owned or operated housing.
    h. University Dismissal. An involuntary separation of the student from the institution for misconduct. It is less than permanent in nature and does not imply or state a minimum separation time.
    i. University Suspension. Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
    j. University Expulsion. Permanent separation of the student from the University.
    k. Withdrawal of Recognition. Student organization loses its official approval as a recognized student organization. May be either temporary or permanent. Conditions for future approval may be specified.

2. **Temporary Suspension of a Student.** The Chancellor or Designee may at any time temporarily suspend or deny readmission to a student from the University pending formal procedures when the Chancellor or Designee finds and believes from available information that the presence of a student on campus would seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. The appropriate procedure to determine the future status of the student will be initiated within seven business days.
3. **Temporary Suspension of a Student Organization**. The Chancellor or Designee may at any time temporarily suspend the student organization's operations. University recognition, access to and use of the University campus/facilities/events and/or all other University activities or privileges for which the student organization might otherwise be eligible, pending formal procedures when the Chancellor or Designee finds and believes from available information that the presence of the student organization on campus would seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. The appropriate procedure to determine the future status of the student organization will be initiated within seven business days.

D. **Records Retention.** Student conduct records shall be maintained for seven years after University action is completed.
E. **Policy and Procedures.**

1. **Preliminary Procedures.** The Primary Administrative Officer or Designee (hereafter "Primary Administrative Officer") shall investigate any reported student or student organization misconduct before initiating formal conduct procedures and give the student or student organization the opportunity to present a personal or organizational version of the incident or occurrence. The Primary Administrative Officer shall utilize the preponderance of the evidence standard in deciding whether or not to initiate formal conduct procedures and in deciding whether or not to offer an informal disposition in accordance with Section 200.020.E.2 below. The Primary Administrative Officer may discuss with any student or student organization such alleged misconduct and the student or student organization shall attend such consultation as requested by the Primary Administrative Officer. The Primary Administrative Officer, in making an investigation and disposition, may utilize student courts and boards and/or divisional deans to make recommendations.
2. **Informal Dispositions.** The Primary Administrative Officer shall have the authority to make a determination and to impose appropriate sanctions and shall fix a reasonable time within which the student or student organization shall accept or reject a proposed informal disposition. A failure of the student or student organization either to accept or reject within the time

fixed may be deemed by the University to be an acceptance of the determination, provided the student or student organization has received written notice of the proposed determination and the result of the student or student organization's failure to formally reject and, in such event, the proposed disposition shall become final upon expiration of such time. If the student or student organization rejects informal disposition it must be in writing and shall be forwarded to the Committee. The Primary Administrative Officer may refer cases to the Committee without first offering informal disposition.

3. **Formal Procedure and Disposition.**

    a. **Student Conduct Committee:**
    (1) The Committee shall be appointed by the Vice Chancellor for Student Affairs and shall have the authority to impose appropriate sanctions upon any accused student or students or student organization appearing before it.
    (2) When deemed appropriate or convenient by the Chair of the Committee, the Chair may divide the Committee into Hearing Panels each consisting of no less than five (5) Committee members of which no more than two (2) shall be students. If the Chair creates such Hearing Panels, the Chair of the Committee shall designate a Hearing Panel Chair. A Hearing Panel has the authority of the whole Committee in those cases assigned to it. The Chair of the Committee or a Hearing Panel Chair shall count as one member of the Committee or Hearing Panel and have the same rights as other members.
    (3) The Vice Chancellor for Student Affairs shall appoint a panel of students, to be known as the Student Panelist Pool. Upon written request of an accused student or the student organization designee before the Committee made at least seventy-two (72) hours prior to the hearing, the Chair of the Committee shall appoint from the Student Panelist Pool not more than three students to sit with the Committee or the Hearing Panel Chair shall appoint two students to sit with the Hearing Panel for that particular case. When students from the Student Panelist Pool serve as members of the Committee or as members of the Hearing Panel, they shall have the same rights as other members of the Committee or Hearing Panel.

    b. **General Statement of Procedures.** A student or student organization accused of violating the Student Conduct Code is entitled to a written notice and a formal hearing unless the matter is disposed of under the rules for informal disposition. Student conduct proceedings are not to be construed as judicial trials and need not wait for legal action before proceeding; but care shall be taken to

comply as fully as possible with the spirit and intent of the procedural safeguards set forth herein. The Office of the General Counsel shall be legal adviser to the Committee and the Primary Administrative Officer, but the same attorney from the Office of the General Counsel shall not perform both roles with regard to the same case.

c. **Notice of Hearing.**
At least fourteen (14) business days prior to the Student Conduct Committee Hearing, or as far in advance as is reasonably possible if an accelerated resolution process is scheduled with the consent of the accused student or student organization, the Primary Administrative Officer will send a letter to the accused student or student organization with the following information:
(1) A description of the alleged violation(s) and applicable policies
(2) A description of the applicable procedures
(3) A statement of the potential sanctions/remedial actions that could result; and
(4) The time, date and location of the hearing. If any party does not appear at the hearing, the hearing will be held in their absence. For compelling reasons, the hearing may be rescheduled.

This Notice of Charges letter will be made in writing and will be delivered either: 1) in person, 2) by email only to the Party's University-issued email account if the Party has consented in writing to receipt of all notifications by email; or 3) mailed to the mailing address of the respective Party as indicated in the official University records and emailed to the Party's University-issued email account. If there is no local address on file, mail will be sent to the Party' permanent address.

Notice is presumptively deemed delivered, when: 1) provided in person or 2) emailed to the individual (when prior consent - whether electronically or in writing - has been given to receipt of all notifications by email or 3) when mailed and emailed.

Any request to reschedule the hearing shall be made in writing to the Chair, who shall have the authority to reschedule the hearing if the request is timely and made for good cause. The Chair shall notify the Primary Administrative Officer and the accused student or student organization of the new date for the hearing. If the accused student or student organization fails to appear at the scheduled time, the Committee may hear and determine the matter.

4. **Right to Petition for Review:** (other than University expulsion, University dismissal, or University suspension or Withdrawal of Recognition).

    a. In all cases where the sanction imposed by the Committee is other than University expulsion, University dismissal, University suspension or Withdrawal of Recognition, the Primary Administrative Officer or the accused student or student organization may petition the Chancellor or Designee in writing for a review of the decision within five (5) business days after written notification. A copy of the Petition for Review must also be served upon the non-appealing party or parties within such time. The Petition for Review must state the grounds or reasons for review in detail, and the non-appealing party or parties may answer the petition within five (5) business days.
    b. The Chancellor or Designee (hereafter "the Chancellor") may grant or refuse the right of review. In all cases where the Petition for Review is refused, the action of the Committee shall be final. If the Chancellor reviews the decision, the action of the Chancellor shall be final unless it is to remand the matter for further proceedings.
5. **Right of Appeal** (University expulsion, University dismissal, University suspension or Withdrawal of Recognition only).

    a. When an accused student is expelled, dismissed, or suspended from the University or when a student organization has its recognition withdrawn, either temporarily or permanently, by the Committee, the Primary Administrative Officer, the accused student or student organization may appeal such decision to the Chancellor by filing written notice of appeal stating the grounds or reasons for appeal in detail with the Chancellor within ten (10) business days after notification of the decision of the Committee. The appealing party may file a written memorandum for consideration by the Chancellor with the Notice of Appeal, and the Chancellor may request a reply to such memorandum by the appropriate party.
    b. The Chancellor shall review the record of the case and the appeal documents and may affirm, reverse, or remand the case for further proceedings. The Chancellor shall notify the accused student or student organization in writing of the decision on the appeal. The action of the Chancellor shall be final unless it is to remand the matter for further proceedings.
6. **Status During Appeal.**

    a. In cases of suspension, dismissal, or expulsion where a Notice of Appeal is filed within the required time, a student may petition the

Chancellor in writing for permission to attend classes pending final determination of appeal. The Chancellor may permit a student to continue in school under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. In such event, however, any final sanctions imposed shall be effective from the date of the action of the Committee.

b. In cases of withdrawal of recognition where a Notice of Appeal is filed within a required time, a student organization may petition the Chancellor in writing to stay the withdrawal of recognition while the appeal is pending. The Chancellor may stay the withdrawal of recognition under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community.

7. **Student Honor System.** Forums under the student honor systems established for investigating facts, holding hearings, and recommending and imposing sanctions are authorized when the student honor code or other regulations containing well defined jurisdictional statements and satisfying the requirements of Section 10.030, which is Article V of the Bylaws of the Board of Curators, have been reduced to writing and have been approved by the Chancellor and the Board of Curators and notice thereof in writing has been furnished to students subject thereto. Though the student honor system has jurisdiction, together with procedures set forth therein, instead of the Primary Administrative Officer, the standard of conduct called for in any such student honor system shall be deemed to contain at a minimum the same standards set forth in Section 200.010, entitled Standards of Conduct. Procedures shall satisfy the requirements of the Board of Curators' Bylaws, Section 10.030, which is Article V, and shall contain procedures herein before stated insofar as appropriate and adaptable to the particular situation and shall be approved by the Chancellor and the General Counsel. Students subject to student honor systems shall have the rights of appeal as set forth in Section 200.020.E.6 and 7.

F. **Hearing Procedures.**

1. **Pre-Hearing Witness List and Documentary Evidence.** At least seven (7) business days prior to the hearing, the student or representatives of the student organization will provide the Primary Administrative Officer a list of the names of the proposed witnesses and copies of all proposed documentary evidence. At least five (5) business days prior to the hearing, the Primary Administrative Officer will have the names of proposed

witnesses, copies of all pertinent documentary evidence and a copy of any investigative report available for the student or representatives of the student organization, and a copy of the same will be sent to the Hearing Panel Chair.

2. **Conduct of Hearing.** The Chair shall preside at the hearing, call the hearing to order, call the roll of the Committee in attendance, ascertain the presence or absence of the student or representatives of the student organization accused of misconduct, read the notice of hearing and charges, verify the receipt of notices of charges by the student or student organization, report any continuances requested or granted, establish the presence of any adviser or counselor of the student or student organization and the registered faculty/staff adviser of the student organization, and call to the attention of the accused student or student organization and the adviser any special or extraordinary procedures to be employed during the hearing and permit the student or student organization to make suggestions regarding or objections to any procedures for the Conduct Committee to consider.

    a. **Opening Statements.**
    (1) The Primary Administrative Officer shall make opening remarks outlining the general nature of the case and testify to any facts the investigation has revealed.
    (2) The accused student or student organization may make a statement to the Committee about the charge at this time or at the conclusion of the University's presentation.
    b. **University Evidence.**
    (1) University witnesses are to be called and identified or written reports of evidence introduced as appropriate.
    (2) The Committee may question witnesses at any time.
    (3) The accused student or student organization or, with permission of the Committee, the adviser or counselor may question witnesses or examine evidence at the conclusion of the University's presentation.
    c. **Accused Student or Student Organization Evidence.**
    (1) If the accused student or student organization has not elected to make a statement earlier under a.(2) above, the accused student or student organization shall have the opportunity to make a statement to the Committee about the charge.
    (2) The accused student or student organization may present evidence through witnesses or in the form of written memoranda.
    (3) The Committee or Hearing Panel may question the accused student or representatives of the accused student organization or

witnesses at any time. The Primary Administrative Officer may question the accused student or witnesses.

d. **Rebuttal Evidence.** The Committee may permit the University or the accused student or student organization to offer a rebuttal of the others' presentation(s).

e. **Rights of Student Conduct Committee.** The Committee shall have the right to:
(1) Hear together cases involving more than one student or more than one student organization which arise out of the same transaction or occurrence, but in that event shall make separate findings and determinations for each student or student organization;
(2) Permit a stipulation of facts by the Primary Administrative Officer and the student or student organization involved;
(3) Permit the incorporation in the record by reference of any documentation, produced and desired in the record by the University or the accused;
(4) Question witnesses or challenge other evidence introduced by either the University or the student or student organization at any time;
(5) Hear from the Primary Administrative Officer about dispositions made in similar cases and any dispositions offered to the accused student or student organization appearing before the Committee;
(6) Call additional witnesses or require additional investigation;
(7) Dismiss any action at any time or permit informal disposition as otherwise provided;
(8) Permit or require at any time amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the Committee before final determination of the case; provided, however, that in such event the Committee shall grant to the student or student organization or Primary Administrative Officer such time as the Committee may determine reasonable under the circumstances to answer or explain such additional matters;
(9) Dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair of the Committee;
(10) Suspend summarily students from the University who, during the hearing, obstruct or interfere with the course of the hearing or fail to abide by the ruling of the Chair of the Committee on any procedural question or request of the Chair for order.

3. **Rights of Accused Upon Hearing.** A student or student organization appearing before a Committee shall have the right to:

a. Be present at the hearing;

b. Have an adviser or counselor and to consult with such adviser or counselor during the hearing;
c. Hear or examine evidence presented to the Committee;
d. Question witnesses present and testifying;
e. Present evidence by witnesses or affidavit;
f. Make any statement to the Committee in mitigation or explanation of the conduct in question;
g. Be informed in writing of the findings of the Committee and any sanctions it imposes; and
h. Request review or appeal to the Chancellor as herein provided.

4. **Determination by the Student Conduct Committee.** The Committee shall make its findings and determinations based on the preponderance of the evidence in executive session out of the presence of the Primary Administrative Officer and the accused student or student organization. Separate findings are to be made:

    a. As to the conduct of the accused student or student organization, and
    b. On the sanctions, if any, to be imposed. No sanctions shall be imposed on the accused student or student organization unless a majority of the Committee present is convinced by the preponderance of the evidence that the student or student organization has committed the violation charged. In determining what sanction, if any, is appropriate, the Committee may take into consideration the previous disciplinary history of the accused student or student organization.

5. **Official Report of Findings and Determinations.** The Committee shall promptly consider the case on the merits and make its findings and determination and transmit them to the Primary Administrative Officer/Designee(s) and the accused student or student organization designee.
6. **Other Procedural Questions.** Procedural questions which arise during the hearing not covered by these general rules shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.
7. **General Rules of Decorum.** The following general rules of decorum shall be adhered to:

    a. All requests to address the Committee shall be addressed to the Chair.
    b. The Chair will rule on all requests and points of order and may consult with Committee's legal adviser prior to any ruling. The Chair's ruling shall be final and all participants shall abide thereby,

unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.

c. Rules of common courtesy and decency shall be observed at all times.

d. An adviser or counselor may be permitted to address the Committee at the discretion of the Committee. An adviser or counselor may request clarification of a procedural matter or object on the basis of procedure at any time by addressing the Chair after recognition.

8. **Record of Hearing.** An audio, video, digital or stenographic record of the hearing shall be maintained. The notice, exhibits, hearing record and the findings and determination of the Committee shall become the "Record of the Case" and shall be filed in the Office of the Primary Administrative Officer and for the purpose of review or appeal be accessible at reasonable times and places to the University, and the accused student(s) or student organization designee.

c. 310.020 Regulations Governing Application of Tenure

310.020 Regulations Governing Application of Tenure

Bd. Min. 3-17-72, p. 36,281; Revised Bd. Min. 6-27-80, p. 38,132; Amended Bd. Min. 9-12-80; Amended Bd. Min. 10-30-87, 6-19-92, 3-18-93, 9-28-01, 2-5-15; Amended 9-24-2020.

The following regulations, under which the Board intends to exercise the powers vested in it, govern the application of the principle of tenure at the University of Missouri, but these regulations shall not impair, or be taken to waive, any powers now or hereafter vested in the Board under the Constitution and laws of the State of Missouri. At the same time, the Board recognizes that matters relating to faculty status are primarily a faculty responsibility. Recommendations in matters of appointment, reappointment, nonreappointment, promotion, tenure, and dismissal shall be by the appropriate faculty through established procedures, followed by action by administrative officers, with final determination by the appointing authority. For allegations of harassment or discrimination, including sexual harassment, against a faculty member, the procedures are found in Section 600.030: Resolution Process for Resolving Complaints of Sexual Harassment under Title IX, and Section 600.040: Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Faculty Member or Student or Student Organization, and when applicable, Section 310.060: Procedures in Case of Dismissal for Cause.

A. **Classes of Academic Staff Appointments** -- Academic staff appointments are those in which the principal responsibilities are teaching, research, extension, academic service, or any combination thereof. There shall be only two classes of academic staff appointments, designated as such: regular and nonregular.

1. **Regular** -- A regular appointment requires full-time service by the holder thereof and must carry full-time pay from the University, except as provided in Section B.2.a. Special exception may be made for licensed physicians on the staff of the Harry S. Truman Veterans Administration Hospital who can be recommended for regular academic appointment in the University of Missouri-Columbia School of Medicine by the Dean of said School if endorsed by the Chancellor of the Columbia campus. In so doing the School of Medicine assumes full responsibility for the tenure status of the individual physician. There shall be only three titles of rank for regular appointments, designated as such: Professor, Associate Professor, and Assistant Professor. The holder of a regular appointment either is tenured or, unless notified of nonreappointment or terminal appointment, is considered to be working toward tenure.
2. **Nonregular** -- All other academic staff appointments are nonregular. Nonregular appointments are either temporary (not to exceed seven years), part-time, or involve duties substantially different from those of faculty members holding regular appointments. The following sections illustrate the class of nonregular appointments.

    a. Temporary appointments involving duties similar to those of regular appointees, such as Visiting Professor. The maximum number of consecutive annual appointments in this category shall be seven (7), unless funds for the position come from a project grant or contract.
    b. Unless explicitly exempted under the above paragraph, all part-time or summer appointments. This category includes appointments such as Adjunct Professor or Clinical Professor and others of like nature, where the holder does not have full-time responsibilities or pay associated with that title. This category also includes certain academic appointments for persons having primary appointments of an administrative nature.
    c. Appointments to positions involving duties substantially different from those of regular appointees, such as academic field staff appointments in Extension; Lecturer, Assistant Instructor, Instructor, Research Assistant, Research Associate, Graduate Research Assistant, Graduate Teaching Assistant, Extension Assistant, Extension Associate, Student Assistant, and others of like nature; coaches of intercollegiate athletics. Titles in this category shall not

include Professor, Associate Professor, and Assistant Professor, but may be modifications thereof.

B. **Types of Appointments**

1. Within the class of regular appointments, there shall be two types: regular term appointments and continuous appointments. Within the class of nonregular appointments, there shall be one type: nonregular term appointments.

    a. **Regular Term Appointments** -- Regular term appointments begin at a specified date and terminate at a specified date. Such appointments are usually for a period of one academic year, but may be for a longer or shorter period, except that no single term appointment shall be for a period longer than three years. Regular term appointments are subject to the maximum probationary period described in Section 310.020 C and D. Faculty members on regular term appointments are to be considered as reappointed for the succeeding year unless appropriately notified under Section 310.020 F.
    b. **Continuous Appointments** -- Continuous appointments are regular appointments that begin at a specified date but have no specified date of termination. Such appointments shall be deemed to exist in a given department or school on a specific campus. Unless a continuous appointment is subsequently acquired in another unit, no faculty member shall lose, by an approved change in duties or administrative unit, a continuous appointment already acquired. No faculty member shall lose a continuous appointment already acquired if granted a leave of absence with subsequent resumption of duties. In circumstances in which the interest of the University may be better served thereby, a continuous appointment already acquired may be changed, upon request of the faculty member, from full-time to part-time status.
    c. **Nonregular Term Appointments** -- Nonregular term appointments begin at a specified date and terminate at a specified date. Such appointments are usually for a period of one academic year but may be for a longer or shorter period, except that no single term appointment shall be for a period longer than three years. No number of nonregular term appointments shall create any presumption of a right to reappointment on term or continuous basis, subject to the limitations described in Section 310.020 A.2.
2. **Administrative Functions** -- The administrative functions and titles of administrators shall be distinct and severable from their functions, titles, and status, if any, as appointees to the academic staff. The academic

appointments of persons whose primary responsibilities are administrative may be regular or nonregular depending upon the particular circumstances, but the academic appointment must be made through established procedures for such appointments and its terms made explicit prior to the start of the appointment. An initial appointment may be made for both administrative functions and academic staff duties.

C. **Tenure**

1. Faculty members on continuous appointments shall have tenure, subject to dismissal only for cause, retirement for age in accordance with Board retirement regulations, or termination because of formal discontinuance of a program or department of instruction. Adequate cause for dismissal shall be related, directly and substantially, to the faculty member's fitness or performance in the professional capacity of teacher or researcher. Cause for dismissal may include but is not limited to the following:
    a. Conviction of a felony or other crime involving moral turpitude during the period of employment by the University of Missouri which is related, directly and substantially, to the faculty member's academic fitness or performance in the professional capacity of teacher or researcher.
    b. Professional incompetence in the performance of academic responsibilities.
    c. Intentional and habitual neglect of duty in the performance of academic responsibilities, provided that a written warning and a reasonable opportunity to correct the behavior have been given.
    d. Severe research misconduct, academic irresponsibility, or other default of academic integrity in the performance of academic responsibilities.
    e. Willful misrepresentation of material matters in applying to the University of Missouri for employment which are related, directly and substantially, to the faculty member's fitness or performance in the professional capacity of teacher or researcher.
    f. Harassment or discrimination, including sexual harassment, in violation of the University’s Anti-Discrimination Policies, as determined through the procedures in Sections 600.030, 600.040 and 310.060 of the Collected Rules and Regulations.
    g. Due consideration shall be given to seniority in terms of academic rank and length of service in the event that certain continuous appointments must be terminated because of financial exigencies. Where termination of an appointment with tenure, or of a nontenured appointment before the end of the specified term, is based upon bona fide financial exigency or discontinuance of a program or department of instruction, faculty members shall be able to have the issues

reviewed by the faculty, or by an appropriate faculty committee, with ultimate review of all controverted issues by the Board.

h. Before terminating an appointment for either of these reasons, the University will make every effort to place affected faculty members in other suitable positions. The faculty member whose appointment is terminated under the conditions of financial exigency or discontinuance of a program or department of instruction will be given notice not less than that prescribed in Section 310.020 F.2; and no position within the same administrative unit for which the released faculty member is qualified will be filled by a replacement within a period of three years, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

2. Appointees to the academic staff under term appointments, either regular or nonregular, are subject to termination prior to expiration of the stated term only for cause or under extraordinary circumstances because of financial exigencies or discontinuance of a program or department of instruction. Term appointments for Non-Regular and Regular, Untenured faculty may be terminated prior to expiration of the stated term pursuant to Sections 600.030: Resolution Process for Resolving Complaints of Sexual Harassment under Title IX or Section 600.040: Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Faculty Member or Student or Student Organization. An appointment with tenure may be terminated pursuant to Section 600.030 or Section 600.040 and Section 310.060: Procedures in Case of Dismissal for Cause.
3. Termination of an appointment with tenure, or of a probationary or special appointment before the end of the period of appointment, for medical reasons, will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment. The decision to terminate will be reached only after there has been appropriate consultation and after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. If the faculty member so requests, the evidence will be reviewed by the Faculty Committee on Tenure before a final decision is made. (See also University benefit programs--optional long-term disability income protection.)
4. The relieving of any person of administrative functions shall not impair any existing tenure status as an appointee to the academic staff.

D. **The Probationary Period** -- The purpose of a probationary period is to allow reasonable time for faculty members to establish their academic performance and for their departments to evaluate performance and potential performance in the long-range future in order to validate recommendations for continuous or terminal

appointments. The following rules and guidelines are applicable to determination of the probationary period and creditable previous service of persons with experience prior to the start of a regular appointment at this University.

1. Beginning with appointment to the rank of full-time Assistant Professor or higher rank, the total probationary period of term appointments will not exceed six years (including within this six-year period full-time creditable service in all institutions of higher education), except that if after a term of probationary service of more than three years in one or more institutions, a faculty member is appointed at a campus of the University of Missouri, it may be agreed in writing that there shall be a probationary period at that campus not to exceed three years. In no case will the conditions established in this section cause the probationary period at a campus of this University to be longer than prescribed in Section 310.020 E. In all cases the probationary period will be indicated on the appointment form.
   The probationary period will be followed either by continuous appointment or a one-year terminal appointment.

2. In general, credit will be allowed for previous experience on a full-time academic staff appointment at the rank of Assistant Professor or higher at this University or any other institution of higher education. Because some academic appointments at this and other institutions of higher education carry responsibilities substantially different from the prospective appointment at this University, there may be circumstances in which previous service should not be credited as a part of the maximum probationary period. If this is determined to be the case, it must be agreed to prior to this appointment and reflected in the probationary period indicated on the appointment form.
3. If the appointee has had a substantial period of previous service, the decision whether or not to recommend continuous appointment should be made as soon as reasonably feasible. The initial appointment may be a continuous appointment. A regular term appointment of a person who currently holds such an appointment in the same field at this University, or has held one during the preceding year, shall be deemed to be a reappointment, a change in appointment, or a connected appointment, and not a new or initial appointment.
4. In computing service to be credited within the probationary period, the following rules shall apply:

    a. Years of service shall be computed in terms of academic years. Not more than one academic year of credit shall be allowed for services during any consecutive twelve-month period. Service for less than one academic year shall be excluded unless the faculty member and

the appointing authority agree in writing to the inclusion at the time of the initial appointment.

b. Service on any nonregular appointment involving duties substantially different from duties on a regular appointment shall be excluded.
c. Service while on leave of absence without pay shall be excluded unless the faculty member and the appointing authority agree in writing to the inclusion at the time the leave is granted. Leaves of absence for scholarly purposes of one year or less generally should be included.
d. In allowing credit for service at this University or at another institution, fractions of an academic year shall be excluded where crediting such fraction would require decisions at times other than the normal period during the academic year when decisions are made as to recommendations or notices, even if such exclusion will have the effect of extending the probationary period beyond the normal maximum.

E. **Regular Term Appointments and Reappointments** -- The following provisions apply to initial regular term appointments and reappointments. The provisions apply to persons without previous service and are modified by Section 310.020 D for persons with creditable previous service.

1. **Assistant Professor** -- Initial regular appointment at the rank of Assistant Professor shall be a term appointment. The maximum period on term appointment shall not exceed seven years. During the appointee's initial term, and during each succeeding term through the sixth year of service, the appropriate Dean or other administrative officer shall, after receiving recommendations from the appropriate faculty bodies, make one of the following recommendations, except that the recommendations 1.a and 1.b shall not be made during the appointee's sixth year of service.

    a. To reappoint as Assistant Professor on a regular term appointment.
    b. In exceptional cases, to promote to Associate Professor on term appointment. If such recommendation is effected, by proper appointment, Section 310.020 E.2 controls thereafter, except that the maximum period on term appointments shall not exceed seven years, and all of the service as an Assistant Professor shall be credited toward the seven-year maximum period.
    c. To promote to Associate Professor on continuous appointment.
    d. To reappoint as Assistant Professor on continuous appointment.
    e. To reappoint as Assistant Professor on a terminal one-year term appointment, expressly stated to be such.

f. Not to reappoint, provided there has been due notice as stipulated in Section 310.020 F.2.

2. **Associate Professor** -- Initial regular appointment at the rank of Associate Professor normally shall be a term appointment but in exceptional cases may be a continuous appointment. The maximum period on term appointment shall not exceed five years. During the appointee's initial term, and during each succeeding term through the fourth year of service, the appropriate Dean or other administrative officer shall, after receiving recommendations from the appropriate faculty bodies, make one of the following recommendations, except that recommendation Section 310.020 E.2.a shall not be made during the appointee's fourth year of service:

    a. To reappoint as Associate Professor on continuous appointment.
    b. To promote to Professor on continuous appointment.
    c. To reappoint as Associate Professor on a terminal one-year appointment, expressly stated to be such.
    d. Not to reappoint, provided there has been due notice as stipulated in Section 310.020 F.

3. **Professor** -- Initial regular appointment at the rank of Professor normally shall be a term appointment but may be a continuous appointment. The maximum period on term appointment shall not exceed four years. During the appointee's initial term and during each succeeding term through the third year of service, the appropriate Dean or other administrative officer shall, after receiving recommendations from the appropriate faculty bodies, make one of the following recommendations, except that recommendation Section 310.020 E.3.a shall not be made during the appointee's third year of service.

    a. To reappoint as Professor on a regular term appointment.
    b. To reappoint as Professor on continuous appointment.
    c. To reappoint as Professor on a terminal one-year term appointment, expressly stated to be such.
    d. Not to reappoint, provided there has been due notice as stipulated in Section 310.020 F.

4. **Erroneous Term Appointments** -- Since the granting of tenure should be a deliberate act after considered evaluation of the appointee's past performance and potential performance in the long-range future, a good faith term appointment beyond the maximum permissible period on term appointments prescribed by Sections 310.020 D.1, 310.020 E.1,2, or 3 shall not confer tenure by default nor be considered a terminal appointment. Immediately upon the discovery of such an error the appointee or administrative officer shall notify the appointing authority and request that a determination be made as to the proper appointment.

F. **Nonrenewal of a Regular Term Appointment**

1. When an appointee on regular term appointment is not recommended for reappointment, notice to that effect shall be given in writing to such appointee by an appropriate administrative officer in accordance with Section 310.070 by the deadline dates specified in Section 310.020 F.2. A timely terminal appointment expressly stated to be such shall be sufficient notice that the appointee will not be recommended for reappointment at the end of the terminal period.
2. Notice shall be given as follows in the case of fiscal or academic year appointments. For appointments having other starting dates, comparable notice shall be given.

    a. Not later than March 1 of the first year of service at this University, if the appointment expires at the end of the first year. Not later than December 20 of the second year of service at this University, if the appointment expires at the end of second year.
    b. Thirty days prior to the first day of the terminal year of appointment where the terminal year is the third, or subsequent, year of service at this University.
3. At the time of initial appointment, a faculty member should be informed of expectations about performance and of procedures generally involved in decisions affecting renewal and tenure. There should be provision for annual review of the faculty member's performance to be made by the immediate supervisor and communicated in writing, during the probationary period, to the faculty member according to generally accepted criteria with reference to the expectations discussed in the initial conference. During the probationary period, information should be given as to the time when decisions affecting renewal and tenure are ordinarily made, and there should be an opportunity to submit material which will be helpful to an adequate consideration of the faculty member's circumstances. In the event of a recommendation at any level for nonrenewal of a regular appointment or for a terminal appointment, the faculty member shall be informed and, upon request, shall be furnished with an explanation of that decision. The faculty member shall have an opportunity to request a reconsideration of the decision and to appeal the decision to the Chancellor. If the result of that appeal is not satisfactory to the faculty member, the faculty member may file a grievance under the Faculty Grievance Procedures (Section 370.010) in the event it is alleged:

    a. That the decision resulted from inadequate consideration; or,
    b. That the decision was based significantly on consideration violative of academic freedom; or,

c. That the decision was based significantly on considerations violative of governing policies on equal employment opportunity. Notwithstanding any explanation given, the burden shall rest upon the faculty member to prove the allegations contained in the grievance. In the event that the grievance panel finds probable cause of a violation of academic freedom, the matter shall proceed under the provisions of Section 310.060 except that the burden of proof remains with the appellant.

G. An appointee to the academic staff on regular term appointment shall not subsequently be given a full-time nonregular term appointment to perform substantially the same type of duties in excess of a total period of service of seven years.

d. 310.060 Procedures in Case of Dismissal for Cause

310.060 Procedures in Case of Dismissal for Cause

Bd. Min. 3-17-72, p. 36,281; Revised Bd. Min. 6-27-80, p. 38,132; Amended Bd. Min. 9-12-80, 12-12-86, 10-30-87, 2-5-15, 9-24-2020.

In cases of dismissal of faculty for cause, the burden of demonstrating the existence of an adequate case for dismissal shall rest with the University. A faculty member who has been notified in writing of a proposed action for dismissal may request a preliminary informal conference before an appropriate faculty committee as specified in the Bylaws of the campus faculty. If so requested, the Committee or other body shall promptly inquire into the matter and shall schedule a conference, which the parties shall be entitled to attend, the purpose of which shall be to determine whether an amicable adjustment of the matter can be effected. If no such adjustment can be made, and the notice of proposed action is not withdrawn, the matter shall proceed in accordance with Section 310.060 B.

A. **Faculty Committees on Tenure**

1. Each Campus Faculty Committee on Tenure shall hold hearings within the jurisdiction of this regulation involving personnel in the several academic divisions of the campus it represents.
2. In any case where the Campus Committee determines prior to a hearing that the best interests of all concerned would be served better by a hearing by the University Faculty Committee on Tenure, the Campus Committee may transfer the case to the University Committee, in which case the University Committee shall serve in the place and stead of the Campus Committee.
3. In addition to serving in the place and stead of the Campus Committee where a case is transferred, the University Committee shall have original

jurisdiction to hold hearings involving personnel holding systemwide, rather than campus, academic staff appointments.

B. **Formal Proceedings**

1. **Definitions** -- In the procedures established under Section 310.060 the following definitions shall apply:

    a. Respondent shall refer to the faculty member against whom charges are filed.
    b. Relator shall refer either to the Chancellor or to such person or persons as may be designated from time to time by the Chancellor, to represent the Chancellor in the formal proceedings against a Respondent. This may be the Dean or other appropriate administrative officer recommending action against a Respondent, or other person specifically designated.
    c. The "Record of the Case in a Section 600.030 or 600.040 Process" includes, when applicable: all Notices to the Parties; investigative report; recordings of Party and witness interviews; exhibits used at a hearing; the hearing record (an audio or audiovisual record of the hearing); any determination of dismissal of all or part of a Complaint or Formal Complaint; the determination on each of the alleged policy violations and sanctions by either the Hearing Panel or decision-maker; and the decision on the appeal, if any, including the request for appeal, any additional evidence submitted for the appeal, and written arguments of the Parties pursuant to Section 600.030: *Resolution Process for Resolving Complaints of Sexual Harassment under Title IX*, and 600.040: *Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Faculty Member or Student or Student Organization*.
    d. Complainant is defined in Sections 600.030.C.6 and 600.040.C.3 of the Collected Rules and Regulations.

2. **Statement of Charges - Request for a Committee Hearing**

    a. When dismissal for cause is considered by or recommended to the Chancellor, the Respondent shall be notified in writing by the Relator of the proposed action for dismissal and the reasons therefor, stated with reasonable particularity and called the Charge, and of the right to a hearing by the appropriate Faculty Committee on Tenure together with a membership roster of the Committee. If the Respondent desires a hearing, the Respondent shall give written notice of this request to the Chancellor within thirty consecutive calendar days from the receipt of the formal notice. The Respondent shall also send copies of this request for hearing to the Relator and

to the Chairman of the Committee. The Relator shall thereupon file a copy of the Charge with the Chairman of the Committee. Failure by the Respondent to make a timely written request for a hearing shall constitute a waiver of the Respondent's right to a hearing before the Committee.

b. The Respondent shall file a written Answer to the Charge with the Chairman of the Committee at least three calendar days prior to the date set for hearing before the Committee. Such Answer shall specifically admit or deny the allegations of the reasons contained in the Charge. A failure to answer or to deny an allegation of fact in the Charge may be considered by the Committee as an admission of such fact.

c. The Relator shall notify the Complainant of the filing of the Charge and the request for hearing.

3. **Suspension from Duties** -- Pending a final decision by the Committee, the Respondent will be suspended (or assigned to other duties in lieu of suspension) if immediate harm to someone is threatened by continuance or if the Charge was initiated according to a finding and referral under Section 600.040. For allegations contained in the Charge not previously decided pursuant to the process in Sections 600.030 or 600.040, the Chancellor shall consult with an appropriate standing committee of the faculty before suspending the respondent or as soon as possible thereafter and salary will continue during any period of suspension, and an assignment to other duties shall not diminish salary. If the Charge was initiated according to a finding and referral under Section 600.030 or 600.040, Respondent shall be suspended without pay and removed from campus until the Chancellor makes a determination and all appeals have been exhausted under Section 310.060.

4. **Hearing by Committee**

a. If the Respondent makes a timely written request for a hearing by the Committee, the Chairman shall notify in writing the Respondent, the Complainant (when applicable) and the Relator of the date, time, and place of hearing before the Committee, which shall be within a reasonable time but not less than ten, or more than thirty, consecutive calendar days after the date of the receipt of the request for hearing. Not less than twenty days shall be allowed between the delivery of the Charge to the Respondent and the beginning of the hearing.

b. Any request for continuance shall be made by the Respondent, Complainant or Relator in writing to the Chairman, who shall have discretionary authority to continue the hearing within the time limits fixed under Section 310.060 B.4.a upon determining that the request

is timely and made for good cause. Any continuance beyond the time limit fixed must be by action of the Committee and approved by the Chancellor.

c. In accordance with standing University policy in personnel matters, such hearings shall not be open to the public.

d. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by the Relator, the Complainant, the Respondent, the Committee, or administrative officers will be avoided until the proceedings have been completed, including final appeal.

5. **Conduct of Hearing** -- The Chairman shall preside at the hearing, call the hearing to order, call the roll of the Committee in attendance, ascertain the presence or absence of the Respondent, the Complainant (when applicable) and the Relator, read the notice of hearing, read the Charge and Answer, verify the notice of the Charge to the Respondent, report any continuances requested or granted, establish the presence of any advisor or counselor of either party, call to the attention of the Respondent and Respondent's advisor any special or extraordinary procedures to be employed during the hearing, and permit the Respondent to suggest or object to procedures. Formal rules of evidence shall not be required.

   a. **Opening Statements**
   (1) The Relator shall make opening remarks outlining the general nature of the case. Such remarks shall not be considered as evidence. The Relator may give evidence, but only if called to testify as a witness.
   (2) The Respondent may also make an opening statement to the Committee about the charge, either at this time or at the conclusion of the Relator's presentation, at the Respondent's election. Such remarks shall not be considered as evidence. The Respondent may give evidence, but only if called to testify as a witness.
   (3) The Complainant may make an opening statement to the committee about the allegation(s) in the Charge which were previously decided pursuant to the process in Section 600.030 or 600.040. Such remarks shall not be considered as evidence.

   b. **Evidence for Matters Previously Decided in the Section 600.030 or 600.040 Process**
   (1) The Record of the Case in the Section 600.030 or 600.040 Process will be the evidence before the Committee and the findings will be adopted by the Committee. There will not be a rehearing of those issues previously decided in the Section 600.030 or 600.040 process and the Relator, the Complainant and the Respondent will

not be allowed to present additional evidence or rebuttal evidence regarding those matters.
(2) Any additional allegation(s) in the Charge which were not within the jurisdiction of and not previously decided in the Section 600.030 or 600.040 Process will follow the process in Section 310.060.
(3) If the Committee determines that there is good cause to believe that there is new evidence, unavailable during Section 600.030 or 600.040 Process and that could substantially impact the original finding, the Committee may refer the matter back to the applicable process in Section 600.030 or 600.040 for further proceedings. If the original decision maker is available, the matter will be heard by the original decision maker.

c. **Relator's Evidence**
(1) Relator's witnesses are to be called and identified and evidence or written statements or reports introduced as appropriate.
(2) The Committee may question witnesses or examine evidence at the conclusion of the Relator's presentation. Respondent may question the Relator or witnesses.

d. **Respondent's Evidence**
(1) Respondent's witnesses are to be called and identified and evidence or written statements or reports introduced as appropriate.
(2) The Committee may question witnesses or examine evidence at the conclusion of Respondent's presentation. Relator may question the Respondent or witnesses.

e. **Rebuttal Evidence** -- The Committee shall permit the Relator or the Respondent to offer any matter in rebuttal of the other's presentation.

6. **Rights of Committee** -- The Faculty Committee on Tenure shall have the right:

a. To determine the relevancy and admissibility of any evidence offered at the hearing, except that when the allegation(s) in the Charge was previously decided pursuant to the process in Section 600.030 or 600.040, the Record of the Case in the Section 600.030 or 600.040 Process will be the evidence before the Committee and the findings will be adopted by the Committee.
b. To permit a stipulation of agreed facts by the Relator and the Respondent.
c. To permit the incorporation in the record by a reference of any document, affidavit or other exhibit produced and desired to be incorporated in the record by the Relator or the Respondent.
d. To question witnesses or evidence introduced by either the Relator or the Respondent at any time.

e. To call additional witnesses for allegations contained in the Charge which were not within the jurisdiction of and not previously decided pursuant to the process in Section 600.030 or 600.040.
f. To have access to the Record of the Case in the Section 600.030 or 600.040 Process.
g. For allegations in the Charge previously decided pursuant to the process in Section 600.030 or 600.040, if the Committee determines that there is good cause to believe that there is new evidence, unavailable during the Section 600.030 or 600.040 Process and that could substantially impact the original finding, the Committee may refer the allegation(s) back to the applicable process in Section 600.030 or 600.040 for further proceedings. If the original decision maker is available, the matter will be heard by the original decision maker.
h. To dismiss any action or permit informal disposition at any stage of the proceeding if agreed to by Relator, Respondent, and appointing authority.
i. To permit at any time amendment of the Charge or Answer so as to include matters which may come to the attention of the Committee before final determination of the case, provided however, that in such event the Committee shall grant to the Respondent or the Relator such time as the Committee may determine reasonable under the circumstances to answer or explain such additional matters.
j. To dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chairman of the Committee.
k. To have present a legal advisor to the Committee, who shall be designated by the General Counsel of the Board of Curators.

7. **Parties' Rights Upon Hearing**

a. A Relator appearing before a Faculty Committee on Tenure for a hearing pursuant to formal notice of a Charge shall have the right:
(1) To be present at the hearing, which right may be waived by failure to appear.
(2) To have present any legal or other advisor or counselor and to consult with such advisor or counselor during the hearing.
(3) To present evidence by witnesses and by properly identified written statements or reports in support of the Charge for allegations contained in the Charge which were not within the jurisdiction of and not previously decided pursuant to the process in Section 600.030 or 600.040.
(4) To hear or examine evidence presented by the Respondent for

allegations contained in the Charge which were not within the jurisdiction of and not previously decided pursuant to the process in Section 600.030 or 600.040.
(5) To question witnesses present and testifying for Respondent for allegations contained in the Charge which were not within the jurisdiction of and not previously decided pursuant to the process in Section 600.030 or 600.040.
(6) To make any statement to the Committee in support of the Charge.
(7) To be informed in writing of the findings of the Committee and its recommendation on the Charge.

b. A Respondent appearing before a Faculty Committee on Tenure for a hearing pursuant to formal notice of a Charge shall have the right:
(1) To be present at the hearing, which right may be waived by failure to appear.
(2) To have present any legal or other advisor or counselor and to consult with such advisor or counselor during the hearing.
(3) To present evidence by witnesses and by properly identified written statements or reports for any defense the Respondent desires for allegations contained in the Charge which were not previously within the jurisdiction of and not previously decided pursuant to the process in Section 600.030 or 600.040.
(4) To hear or examine evidence presented to the Committee for allegations contained in the Charge which were not previously within the jurisdiction of and not previously decided pursuant to the process in Section 600.030 or 600.040.
(5) To question witnesses present and testifying at the hearing for allegations contained in the Charge which were not previously within the jurisdiction of and not previously decided pursuant to the process in Section 600.030 or 600.040.
(6) To make any statement to the Committee in mitigation or explanation of the conduct in question.
(7) To be informed in writing of the findings of the Committee and its recommendation on the Charge.

c. Complainant may elect to participate in the Section 310.060 process but there is no negative inference if Complainant elects not to participate. If Complainant elects not to participate in the Section 310.060 process, Complainant still has the right to be informed in writing of the findings of the Committee and its recommendation on the Charge, as it relates to the allegation(s) in the Charge previously decided pursuant to the process in Section 600.030 or 600.040. If Complainant elects to participate in the Section 310.060 process, Complainant shall have the right:

(1) To be present, which may be waived by failure to appear, at the portions of the hearing related to the allegation(s) in the Charge previously decided pursuant to the process in Section 600.030 or 600.040.
(2) To have present any legal or other advisor or counselor and to consult with such advisor or counselor during the hearing.
(3) To make an impact statement, either verbally or in writing, to the Committee.
(4) To be informed in writing of the findings of the Committee and its recommendation on the Charge, as it relates to the allegation(s) in the Charge previously decided pursuant to the process in Section 600.030 or 600.040.

8. **Other Procedural Questions**

   a. Procedural questions which arise during the hearing and which are not covered by these general rules shall be determined by the Chairman, whose ruling shall be final unless the Chairman shall present the question to the Committee at the request of a member of the Committee, in which event, the ruling of the Committee by majority vote shall be final.
   b. **General Rules of Decorum** -- The following general rules of decorum shall be adhered to:
   (1) All requests to address the Committee shall be made to the Chairman.
   (2) The Chairman shall rule on all requests and points of order and may consult with the Committee's legal advisor prior to any ruling. The Chairman's ruling shall be final and all participants shall abide thereby unless the Chairman shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.
   (3) An advisor or counselor shall be permitted to address the Committee and to question witnesses. An advisor or counselor may request clarification of a procedural matter or may object on the basis of procedure at any time by addressing the Chairman after recognition.

9. **Determination by Committee** -- The Committee shall then make its findings and determination by majority vote in executive session out of the presence of the Relator and Respondent. Separate findings of fact are to be made as to each count of the Charge, and a recommendation made based upon the findings on all charges. Before recommending dismissal of the Respondent, the Committee shall be convinced by the evidence in the record considered as a whole that one or more counts have been sustained

and that such count or counts warrant dismissal.

a. Official Report of Findings and Determination -- Promptly after the hearing and, in any event, within ten consecutive days after receipt of the record, the Committee shall make its findings of fact and recommendations in writing and transmit them to the Chancellor, to the Relator, to the Complainant (when applicable and as it relates to the allegation(s) in the Charge previously decided pursuant to the process in Section 600.030 or 600.040) and to the Respondent forthwith. If the Committee concludes that adequate cause for dismissal has not been established, and therefore tenure is not involved, but that some discipline or penalty less than dismissal may be appropriate, it may recommend that the Record of the Case be referred to the appropriate campus-level Committee for its recommendation to the Chancellor.

C. **Record of Case** -- A taped or stenographic record of the hearing shall be taken and shall be maintained for five (5) years. The notice, exhibits, hearing record, a copy of the Record of the Case in a Section 600.030 or 600.040 Process, when applicable, and the findings and determination of the Committee shall become the "Record of the Case," shall be filed in the Office of the President of the University, and shall be available only for official purposes, and for the purpose of appeal be accessible at reasonable times and places both to the Relator and the Respondent. In the event of an appeal, no new evidence shall be taken in the case, but the appellate authority may remand the matter for further evidence to the Committee. Either party may have any such record of the hearing reduced to writing for the purposes of appeal.

D. **Determination by Chancellor and Right of Appeal**

1. The Chancellor shall make a determination in the matter after giving due consideration to the findings and recommendations of the Committee and may remand the matter to the Committee or to the decision maker in the Section 600.030 or 600.040 Process, when applicable, for further proceedings. Upon reaching this determination, the Chancellor shall notify the Respondent, the Complainant (when applicable and as it relates to the allegation(s) in the Charge previously decided pursuant to the process in Section 600.030 or 600.040) and Relator in writing of the determination and disposition. The Respondent, Complainant or Relator shall be entitled to appeal to the President of the University as provided in Section 310.060 D.3. The Complainant’s right to appeal and have access to records related to the appeal in Section 310.060.D are limited to the allegation(s) in the Charge which were previously decided pursuant to the process in Section 600.030 or 600.040. When the allegation(s) in the Charge was previously decided pursuant to Section 600.030 or 600.040 and if the Chancellor

determines that adequate cause for termination has not been established, the Chancellor, in consultation with the Provost, shall determine sanctions less than termination for cause. The determination of sanctions less than termination for cause is stayed pending the appeals related to the Chancellor's decision as to termination and are not part of those appeals.

2. When permitted by these Regulations, the Respondent, Complainant or Relator may appeal a decision of the Chancellor by filing written notice of appeal within seven (7) consecutive calendar days after notice of the decision of the Chancellor with the President. A copy of the Notice of Appeal will simultaneously be given by the appealing party to all other parties. The appealing party may file a written argument confined to the issues and evidence previously submitted and contained in the Record of the Case for consideration by the President. Such memorandum must be filed with the Notice of Appeal, and the President may request a reply to such memorandum by the Respondent, Complainant or Relator. The President shall have the discretionary right to grant extensions of time.
3. The President shall review the full Record of the Case and the appeal documents and may affirm, reverse, remand the case for further proceedings or, upon concluding that adequate cause for termination has not been established, and therefore tenure is not involved, but that some discipline or penalty less than dismissal may be appropriate, may refer the Record of the Case to the appropriate campus final Committee on Faculty Responsibility for its recommendation to the Chancellor and the President shall notify the Respondent, Complainant (when applicable) and the Relator in writing of this decision on the appeal.

    a. The Relator, Complainant or the Respondent may thereafter appeal to The Board of Curators of the University of Missouri by filing a written Notice of Appeal with the President of the University and the Secretary of the Board of Curators and giving notice either to the Respondent or the Relator, as appropriate. Such Notice of Appeal must be filed within seven (7) consecutive calendar days of the notification of action by the President. Upon the filing of a Notice of Appeal to the Board, the President shall cause the record of the case, including any written memoranda received during its consideration, to be filed promptly with the Secretary of the Board of Curators.
    b. The appealing party shall have the privilege of filing written argument confined to the issues and evidence previously submitted and considered in the Record of the Case for consideration by the Board of Curators with the Notice of Appeal, and the other parties may file a written reply within seven consecutive calendar days. The President of the University may grant extensions of time for filing

written argument. The parties have the right of appearance before a committee of the Board.

4. The Board of Curators shall either sustain the decision of the Hearing Committee or return the proceedings to the Committee with specific objections. The Committee shall then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Board of Curators shall take such final action on the appeal as it deems appropriate after study of the Committee's reconsideration. The Secretary of the Board shall notify the Respondent and the Relator in writing of the decision of the Board.

   Notice -- If the appointment is terminated, a tenured faculty member shall normally receive salary to the end of the contract year in which final determination was made by the Chancellor under these procedures, as set forth in Section 310.060 D.1, except that no salary shall be paid beyond the date of termination if the cause of termination was conviction of a felony or if the cause of termination resulted from a Charge that was initiated pursuant to a finding and referral pursuant to Section 600.030 or 600.040. The Faculty Committee on Tenure may make recommendations if a shorter or longer period is deemed appropriate because of such considerations as the nature and gravity of the conduct which justified dismissal and the length and quality of service of the faculty member. Notice may also be extended by the President if, through no fault of the faculty member, inordinate delays occur in the appeal process.

e. 330.110 Standards of Faculty Conduct

330.110 Standards of Faculty Conduct

Bd. Min. 4-27-17; 9-24-2020.

A. **General**

A Faculty Member at the University of Missouri assumes an obligation to behave in a manner compatible with the University's function as an educational institution. These expectations are established in order to protect an environment conducive to research, teaching, learning and service that fosters integrity, personal and professional growth, a community of scholarship, academic success and responsible citizenship. Faculty Members are expected to adhere to community standards in accordance with the University's mission and expectations.

B. **Jurisdiction**

1. Jurisdiction of the University of Missouri generally shall be limited to conduct which occurs on the University of Missouri premises or at University-sponsored or University-supervised functions. However, the

University may take appropriate action, including, but not limited to, the imposition of sanctions under the Standards of Faculty Conduct against Faculty Members for conduct occurring in other settings, including off-campus, (1) in order to protect the physical safety of students, employees, visitors, patients or other members of the University community, (2) if there are effects of the conduct that interfere with or limit any person's ability to participate in or benefit from the University's educational programs, activities or employment, (3) if the conduct is related to the Faculty Member's fitness or performance in the professional capacity of teacher or researcher or (4) if the conduct occurs when the Faculty member is serving in the role of a University employee.

2. The Standards of Faculty Conduct applies to all Faculty Members, as defined in Section 330.110.D.1. below, at the University of Missouri. This process does not apply to conduct by academic administrators when they are acting in their administrative, at-will role. Except as noted in Section 330.110.C. below, the Standards of Faculty Conduct is in addition to and does not limit other processes and procedures for addressing conduct and employment issues, including but not limited to Research Misconduct (Section 420.010), Procedures in Case of Dismissal for Cause (Section 310.060), Resolution Process for Resolving Complaints of Sexual Harassment under Title IX (Section 600.030), and Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Faculty Member or Student or Student Organization (Section 600.040). A final decision on the merits in another disciplinary process precludes subsequent initiation of the Standards of Faculty Conduct process for the same allegations of inappropriate conduct.

C. **Statement of Nondiscrimination and Process for Alleged Violation of the University's Anti-Discrimination Policies**

The University of Missouri prohibits discrimination on the basis of race, color, national origin, ancestry, religion, sex, pregnancy, sexual orientation, gender identity, gender expression, age, disability, protected veteran status, and any other status protected by applicable state or federal law. The University's Anti-Discrimination Policies include the Equal Employment/Educational Opportunity Policy located at Section 600.010 of the Collected Rules and Regulations and the Sexual Harassment under Title IX Policy located at Section 600.020 of the Collected Rules and Regulations. Alleged violations of the University's Anti-Discrimination Polices are within the jurisdiction of the applicable Title IX and Equity Resolution Processes, including Sections 600.030 and 600.040 of the Collected Rules and Regulations, and not subject to enforcement through the Standards of Faculty Conduct.

D. **Statement of Professional Ethics**

(Excerpted with modification from the University of Missouri-Columbia Bylaws and the AAUP Redbook Statement of Professional Ethics)

1. Faculty Members recognize the special responsibilities placed upon them. Their primary responsibility as scholars is to state the truth as they see it. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although Faculty Members may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, Faculty Members encourage the free pursuit of learning in their students. They uphold the best scholarly and ethical standards of their disciplines. Faculty Members demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Faculty Members make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students accurately reflect the merit of each student's work. They avoid exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect academic freedom.
3. Faculty Members neither invidiously discriminate against nor harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Faculty Members acknowledge intellectual pluralism and strive to be objective in their professional judgment of colleagues. Faculty Members accept their share of responsibilities for the governance of their institutions.
4. As members of an academic institution, Faculty Members seek to be effective teachers and scholars. Faculty Members observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, and maintain their right to criticize and seek revision. Faculty Members give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering taking leaves of absence, permanently departing the university to pursue other opportunities, or other actions that could interrupt or end their service, Faculty Members recognize the effect of their decision upon the program of the institutions and give all due notice possible of their intentions out of respect for their colleagues.
5. As members of their community, Faculty Members have the rights and obligations of other citizens. Faculty Members measure the urgency of these obligations in light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their university. As citizens engaged in a profession that depends upon freedom for its health and integrity, Faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

E. **Definitions**

1. Faculty Member. For purposes of Section 330.110, Faculty Member includes all regular and non-regular academic staff appointments as defined in Sections 310.020 and 310.035 of the Collected Rules and Regulations.
2. Respondent. Respondent is the Faculty Member alleged to have committed Inappropriate Conduct.
3. Complainant. The Complainant is the University student, staff, administrator or faculty member who files a Complaint. Within five (5) business days from the final decision, Complainant will receive notice that the process has concluded and at what stage (Informal Resolution, Dean Decision, Provost Review and Decision or Appeal to the Chancellor).
4. Complaint. Complaints must be in writing and identify the alleged Inappropriate Conduct by the Respondent.
5. Informal Resolution. Informal Resolution is the preliminary efforts made to resolve the Complaint through discussions or facilitated dialogue in the unit where the Respondent has a primary academic appointment.
6. Investigator. The Provost selects the Investigator who will be the campus ombudsperson or other appropriate individual as determined by the Provost.
7. Dean. Dean as listed throughout the policy is the Dean where the Respondent has a primary academic appointment.
8. Faculty Panel. The Faculty Panel consists of three tenured professors appointed by the Faculty Council/Senate Chair from outside of the academic unit in which the Respondent has a primary academic appointment. The Faculty Panel members may be chosen from the standing Grievance Resolution Panel.

F. **Inappropriate Conduct**

Inappropriate Conduct for which Faculty Members could be subject to sanctions includes but is not limited to the actions below:

1. Violating University rules, regulations, policies or procedures, including but not limited to those related to conduct of academic duties and those governing the use of University funds and University facilities.
2. Violation of Professional Ethics, as set forth in Section 330.110.D above, and professional guidelines that apply to the field of the Faculty member. Faculty Members have a special obligation to adhere to such professional ethics and responsibilities as these form the basis for the academic reputation of the University.
3. Threats, intimidation, harassment, physical abuse, or any other conduct that endangers the health or safety of any person, or unreasonably interferes with a person's ability to perform University duties including teaching, research, administration, or other University activities, including public service functions on or off campus.

4. Neglecting or refusing to perform reasonable assigned teaching duties, or quitting duties without due notice in accordance with the Collected Rules and Regulations.
5. Intentional and habitual neglect of duty in the performance of academic responsibilities.
6. Willfully damaging or destroying, improperly taking, or misappropriating property owned by the University, a member of the University community, or a campus visitor, or any property used in connection with a University function or approved activity, or unauthorized use of University facilities, or the attempt to commit any such conduct.
7. Forgery, alteration, misuse of University documents, records, or identification, or knowingly furnishing false information to the University.
8. The illegal or unauthorized possession or use of firearms, explosives, other weapons or hazardous chemicals.
9. Conviction of a felony that is clearly related to performance of University duties or academic activities.

G. **Filing a Complaint**

1. The Complaint must be in writing and identify the alleged Inappropriate Conduct by the Respondent.
2. The Provost of each campus will maintain an easily accessible form for the submission of a Complaint of Inappropriate Conduct.
3. The Complaint is delivered to the Dean.
4. If a Dean is the Respondent because of conduct relating to the Faculty appointment, the Complaint is delivered to the Provost. The Provost shall then serve the role described for the Dean for all further actions described below, and the Provost's recommendations will be delivered to the Chancellor.

H. **Informal Resolution**

1. Informal Resolution is the preliminary efforts made to resolve the Complaint through discussions or facilitated dialogue in the unit where the Respondent has a primary academic appointment.
2. The Dean coordinates Informal Resolution.
3. Informal Resolution should typically be concluded within ten (10) business days of the Dean's receipt of the Complaint.
4. Any Informal Resolution should be documented in writing and filed with the Dean.

I. **Investigation**

1. If an Informal Resolution is not reached, the Dean will provide to the Respondent a copy of the Complaint and a written notice that an investigation will be conducted ("Notice of Investigation"). The Notice of

Investigation shall contain sufficient information to inform the Respondent of the alleged inappropriate conduct being investigated.

2. Within five (5) business days from receipt of the Notice of Investigation, the Respondent may provide a response to the Complaint ("Response") to the Dean.
3. The Dean will forward the Complaint, the Response if provided and any notes from the Informal Resolution Process to the Investigator.
4. The Provost selects the Investigator, who will be the campus ombudsperson or other appropriate individual as determined by the Provost.
5. The Investigator may interview the Complainant, the Respondent and witnesses and gather written documents or other relevant information.
6. The investigation shall typically be complete within ten (10) business days.
7. The Investigator prepares a written investigation report, which will provide a summary of the information gathered and attaches a copy of the Complaint and the Response. The investigation report and attachments are sent to the Dean and the Respondent.

J. **Dean Decision**

1. The Dean shall review the Complaint, any Response and the investigation report.
2. The Dean will meet with the Respondent typically within five (5) business days of receiving the investigation report unless the Respondent refuses to meet.
3. The Dean may but is not required to meet with Complainant.
4. The Dean will make a decision as to whether or not the Respondent is responsible for Inappropriate Conduct.
5. If the Dean finds that the Respondent is responsible for Inappropriate Conduct, the Dean will decide the appropriate sanctions.
6. The Dean will notify Respondent of the decision of responsibility and if applicable, sanctions, typically within ten (10) business days of receipt of the investigation report.
7. If the sanction is suspension, the Dean will forward a copy of the decision to the Faculty Panel and Provost.

K. **Faculty Panel Review**

1. The Faculty Panel consists of three tenured professors appointed by the Faculty Council/Senate Chair from outside of the academic unit in which the Respondent has a primary academic appointment. The Faculty Panel members may be chosen from the standing Grievance Resolution Panel.
2. Any sanction for suspension, paid or unpaid, will be reviewed by a Faculty Panel.
3. The Faculty Panel sends a recommendation to the Provost stating either the Panel's agreement or disagreement with the suspension and the grounds for

the Panel's recommendation within twenty (20) business days of receiving the Dean's decision.

L. **Provost Review and Decision**

1. All decisions by the Dean for suspension, paid or unpaid, will be automatically sent to the Provost for review and decision.
2. For all decisions for sanctions other than suspension, Respondent may request review and decision by the Provost by sending the request for reconsideration to the Provost within five (5) business days of receipt of the decision letter.
3. The Provost shall review the Complaint, the Response if any, the investigation report, the decision by the Dean and Faculty Panel recommendation, if applicable.
4. The Provost may but is not required to meet with the Respondent, the Complainant and the Dean.
5. The Provost may affirm, modify or reverse the Dean's decision of Inappropriate Conduct and/or Sanctions.
6. The decision by the Provost will be sent to the Respondent and the Dean typically within five (5) business days of receiving all applicable information.

M. **Sanctions**

The following sanctions may be imposed upon Respondent found to have committed Inappropriate Conduct. Multiple sanctions maybe imposed for any single violation. Sanctions include but are not limited to:

1. Warning. A notice in writing to the Respondent and included in the Respondent's personnel file indicating that there is a finding of Inappropriate Conduct.
2. Loss of Privileges. Denial of specified privileges of Respondent for a designated period of time. This may include but is not limited to suspending travel privileges and/or payment of travel or conference expenses, restricting use of laboratories or offices, limiting contact with students, or suspending access to teaching or research assistance or grant accounts, service on University committees or representation of the University on official business. The loss of privileges sanction may not be applied in manner to create a constructive suspension.
3. Education or Training. Respondent may be required to complete education or training.
4. Restitution. Compensation by Respondent for loss, damage or injury to the University or University property. This may take the form of appropriate service and/or monetary or material replacement.
5. Suspension. Separation of the Respondent from the University for a definite period of time, after which the Respondent is eligible to return. Conditions for return should be specified. Suspension may be with or

without salary (full or partial) for a period not to exceed one-half of the individual's normal appointment period. During the suspension period, health and retirement benefits shall be maintained.

6. Referral to the Chancellor to consider/initiate dismissal for cause as detailed in Section 310.060 of the Collected Rules and Regulations.

N. **Appeal to the Chancellor**

1. Respondent may appeal the decision by the Provost to the Chancellor, by filing an appeal stating the grounds or reasons for appeal in detail within five (5) business days after receipt of notification of the decision. The appeal shall be limited to the following grounds:

    a. A procedural error occurred that significantly impacted the outcome of the finding or sanctions, e.g., substantiated bias or material deviation from established procedures.
    b. To consider new evidence, unavailable during the original resolution process or investigation that could substantially impact the original findings or sanction.
    c. The sanction falls outside the range typically imposed for this offense, or for the cumulative disciplinary record of Respondent.
2. Within five (5) business days of receipt of the appeal from Respondent, the Chancellor shall provide a copy of the appeal to the Provost.
3. Within five (5) business days of receiving a copy of the appeal, the Provost may file a response to the appeal.
4. Within ten (10) business days of receiving the Provost's response to the appeal, the Chancellor shall provide a determination in writing to Provost and Respondent. The Chancellor can affirm, modify or reverse the decision of the Provost.
5. The determination of the Chancellor is final and not subject to further review under the Academic Grievance Procedure in Section 370.010 of the Collected Rules and Regulations.
6. Status during appeal – The Respondent may petition the Chancellor in writing for permission to stay the imposed sanction pending final determination of the appeal. The Chancellor may permit the stay of sanctions under such conditions as may be designated pending completion of the appeal, provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety or welfare of members of the University community. If a stay is granted, any final sanctions imposed shall be effective from the date of the final decision.

O. **Complainant**

Within five (5) business days from the final decision, Complainant will receive notice that the process has concluded and at what stage (Information Resolution, Dean Decision, Provost Decision or Appeal).

P. **Notice**
Except for the decisions by the Dean and Provost and the determination by the Chancellor, all communication including notices, request for reconsideration and appeal may be sent via University e-mail only. The Dean's decision and when applicable the Provost's Decision and the Chancellor's determination shall be sent to the Respondent via both e-mail and registered mail.

Q. **Extensions of Time**
For good cause, the Chancellor or Provost may grant reasonable extensions of time for any of the proposed time deadlines in the Standard Faculty of Conduct.

R. **Behavior during Process**

1. All individuals involved in the Standards of Faculty Conduct process should keep the matters confidential and only share the information with those who have legitimate educational or business need to know. This rule shall not preclude the placement of notes in the record of a Respondent that may be used for subsequent action in determining ongoing professional misconduct, grievances, or other University proceedings.
2. Nothing in this rule shall be construed as interfering with the ability of any University member to contact law enforcement when necessary.
3. All University employees must be truthful in providing testimony during this process, and all non-testimonial evidence must be genuine and accurate.
4. All participants, including the Complainant and Respondent, are expected to conduct themselves in a professional manner.
5. False reporting is making an intentional false Complaint as opposed to a report or accusation, which, even if erroneous, is made in good faith. False reporting is a serious offense that would be a breach of professional ethics and subject to appropriate disciplinary action.

S. **Reporting Data**
Campus level statistical data, including the types and numbers of complaints and findings of Inappropriate Conduct, as well as sanctions imposed, shall be reported annually to the Intercampus Faculty Council for transmission to each campus Faculty Senate/Council.

T. **Records**
Records of complaints and decision will be kept by the Unit in which the Respondent has a primary academic appointment. The "Record of the Case in the Section 330.110 Process" will include, if applicable, the Complaint, the Response, the investigation report, the decision by the Dean, the recommendation by the Faculty Panel, the decision by the Provost and the determination by the Chancellor. The Record of the Case in the Section 330.110 Process will be kept for a minimum of seven (7) years following final solution.

f. 370.010 Academic Grievance Procedure

370.010 Academic Grievance Procedure

Bd. Min. 4-8-05; Extended Bd. Min. 4-4-08; Amended 12-12-08; 04-03-09; Bd. Min. 6-17-11. [The 6-17-11 version replaces 370.015 (Pilot Academic Grievance Procedure), and the prior version of 370.010.] Amended 6-19-14; Revised 2-5-15; Amended 2-9-17; Amended 9-24-2020.

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 grievance procedure should not be used in connection with a matter relating to a complaint of discrimination or harassment, including sexual harassment. Such complaints should be addressed in accordance with the applicable Title IX or Equity Resolution Process:

Section 600.030 Resolution Process for Resolving Complaints of Sexual Harassment under Title IX

Section 600.040 Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Faculty Member or Student or Student Organization

Section 600.050 Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Staff Member or the University of Missouri

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 Section 370.010.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, misinterpretation, or arbitrary 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. 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 the recruiting rights of military organizations associated with the Armed Forces or the Department of Homeland Security 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 member's 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.

C. **Grievance Process:**

1. Grievance Resolution Panel (GRP):

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

    (1) 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 (hereafter "Chancellor"), 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 two alternate faculty members. Faculty will be chosen by FC/FS as described in Model A above.

(2) 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 and the faculty member's dean/department chair.
(3) The senior administrator member of the GRP under either Model A or B will be appointed by the Chancellor after consultation with the FC or FS.

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

(1) In the case of a conflict of interest of the senior administrative member of the GRP, the Chancellor will appoint an alternate senior administrator after consultation with the FC/FS.
(2) 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 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.

(1) 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.
(2) 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:

(1) The grieved act listed on the GFF must meet the definitional criteria in Section 370.010.A.
(2) The grievant must demonstrate that s/he attempted to informally resolve the complaint before filing the grievance.
(3) 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 neither of these requirements (Section 370.010.C.3.) are 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 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.

   (1) 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.
   (2) 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, 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).
   (3) 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 HIPAA-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 disciplinary 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 Section 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:

(1) Facilitate a settlement agreement between the grievant and the University of Missouri.
(2) Make a determination that the grievance has no merit. This determination is not appealable.
(3) 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:

(1) A finding in favor of the grievant and the recommendation of remedies, if any, to resolve the grievance.
(2) 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.
(3) A finding against the grievant with no recommendations for remedies to address the grievant's complaint.
(4) 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, which is in a 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 shall 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:

    (1) The Chancellor may speak to the grievant and the respondent. If the Chancellor meets with one party, however, then the Chancellor must also meet with the other party as well, although not necessarily at the same time.
    (2) The Chancellor will have access to all relevant documents.
    (3) The Chancellor may seek additional information or input as needed. If the Chancellor 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 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 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 of 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 all waivable 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 370.010 C.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.

(1) The OC will consist of 3-5 tenured faculty appointed by Faculty Council or Faculty Senate for up to three year staggered terms.
(2) Chair of the OC will be a member of the Faculty Council or Faculty Senate.

b. OC monitoring of individual grievances:

(1) 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.
(2) 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.
(3) The OC representative is an observer: The OC representative may not participate in the deliberations or rendering of findings and recommendations by the GRP.
(4) 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.
(5) 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.
(6) 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:

(1) The OC will continually monitor the overall grievance process.
(2) 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.
(3) 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.(3), and 370.010.C.10.c. Additionally, information related to claims of discrimination shall be reported to the Equity Officer or Title IX Coordinator.

- Appendix A (MS Word)
- Appendix B (MS Word)
- Appendix C (MS Word)

g. 380.010 Grievance Procedure for Administrative, Service and Support Staff

380.010 Grievance Procedure for Administrative, Service and Support Staff
Bd. Min. 2-19-67, p. 32,163; Revised Bd. Min. 9-7-79; Revised Bd. Min 9-12-80; Revised Bd. Min. 2-2-94; Amended 9-26-97; Revised 10-1-98; Revised 2-5-15; Amended 2-9-17; Amended 9-24-2020.

The Board of Curators has adopted the following resolution relating to grievance procedures for the administrative, service and support staff of the University of Missouri.

A. The University recognizes the right of employees to express their grievances and to seek a solution concerning disagreements arising from working relationships, working conditions, employment practices or differences of interpretation of policy which might arise between the University and its employees. A regular employee may process a grievance regarding any of these matters upon completion of their probationary period. In addition, a probationary or non-regular employee may process a grievance concerning application or interpretation of University policies and procedures. The grievance procedure should not be used in connection with a matter relating to a complaint of discrimination or harassment, including sexual harassment. Such complaints should be addressed in accordance with the applicable Title IX or Equity Resolution Process:

    1. Section 600.030 Resolution Process for Resolving Complaints of Sexual Harassment under Title IX;
    2. Section 600.040 Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Faculty Member or Student or Student Organization;
    3. Section 600.050 Equity Resolution Process for Resolving Complaints of Discrimination and Harassment against a Staff Member or the University of Missouri.

B. **Procedures for Processing Grievances**

    1. Should an employee or the employee's representative feel after oral discussion with the immediate supervisor that employee's rights under University policy have been violated, the employee may originate a grievance within ten (10) days of the date the alleged grievable act occurred, by presenting the facts in writing to the proper supervisor, department head, or designated representative of the University, with a copy to the Campus Grievance Representative. The decision of such official shall be made in writing to the employee within ten (10) days after receipt of response.
    2. Should the employee decide the decision is unsatisfactory, the employee or the employee's representative shall within five (5) days submit an appeal to the Campus Grievance Representative. The Campus Grievance Representative or designee shall respond in writing to the grievant within five (5) days from the date of the review. If the grievance is resolved, no further action will be necessary.
       If the grievance is not satisfactorily resolved, the employee or the employee's representative, may appeal within five (5) days after receipt of response to the University Grievance Representative (Vice President, Human Resource Services or a designated representative) for the purpose of reviewing the grievance. The decision of the University Grievance

Representative or designee shall be made in writing to the employee and/or to employee's representative within five (5) days after the date of the review.

3. Should the employee decide that the reply of the University Grievance Representative or designee is unsatisfactory, the matter may be appealed within five (5) days of receipt of the response through the University Grievance Representative to a grievance committee which shall be established as follows:

    a. The employee or employee's representative may designate one member.
    b. The University through its Grievance Representative, with the approval of the chancellor of the campus, shall appoint one member.
    c. The selection of the third member shall be made by these two (2) members. If mutually agreeable, the two (2) designated members may select the third member from a list recommended by either and approved by both. Otherwise selection will be made from a list of committee members supplied by the federal Mediation and Conciliation Service. The selection will be made by reducing the list in alternate turns. The toss of a coin shall determine the elimination sequence.
    d. A decision of the grievance committee may be reached upon the concurrence of any two of the three members.
    e. A hearing will be scheduled as soon as feasible after selection of the third committee member.
    f. The grievance committee shall keep a complete record of the hearing before it, including any exhibits or papers submitted to it in connection with the hearing and a complete record of any testimony taken. Upon the rendering of its decision, the complete record shall be filed in the Office of the President of the University and shall be available to the employee, employee's representative and the University Grievance Representative.
    g. Any cost of the third party on the committee and cost of transcript (if requested) shall be paid equally by the employee and the University.
4. In the event the decision of the grievance committee is unsatisfactory to either the employee or the University Grievance Representative, either may within five (5) days after receipt of the decision appeal to the Board of Curators by delivering such notice of appeal to the President of the University.
5. Upon the receipt of the notice of appeal, the President of the University shall cause the record of the hearing before the grievance committee to be

filed with the Board of Curators of the University, who shall review such record. The decision of the Board of Curators, upon such review, will be final.

6. The prescribed time limits may be extended by mutual agreement whenever necessary in order for these provisions to be implemented.
7. The interpretation of "days" within this section is to be normal workdays (Monday through Friday) exclusive of official University holidays.

h. 600.070 Policy Related to Students with Disabilities

600.070 Policy Related to Students with Disabilities
Executive Order No. 21, 11-1-84; Amended 2-25-97; Amended 2-9-17 with an effective date of 3-1-17; Amended 2-10-20; Amended 9-24-2020.

A. **Equality of Access** – The University of Missouri strives to assure that no qualified person with a disability shall, solely by reason of the disability, be denied access to, participation in, or the benefits of any program or activity operated by the University. Each such qualified person shall receive reasonable accommodations to provide equally effective access to educational opportunities, programs, and activities in the most integrated setting appropriate unless provision of such reasonable accommodation would constitute an undue hardship on the University or would substantially alter essential elements of the academic program or course of study or would otherwise compromise academic standards. This policy shall apply to all programs, services, and activities of the University, including but not limited to recruitment, admissions, registration, financial aid, academic programs, advising, counseling, student health, housing and employment.
B. **Federal and State Laws** – This policy is intended to be consistent with Section 504 of the Rehabilitation Act of 1973, which states that no recipient of federal financial assistance may discriminate against qualified individuals with disabilities solely by reason of disability. This policy is also intended to be consistent with the Americans with Disabilities act of 1990 and the Missouri Human Rights Act.
C. **Facilities** – Each program or activity, when viewed in its entirety, shall be accessible to otherwise qualified and eligible students with disabilities. Facilities, or parts of facilities, constructed or renovated for the University's use will be designed and built so that they are accessible to and usable by persons with disabilities, in accordance with the ADA Accessibility Guidelines or other accessibility standards properly adopted by the campus. Accessible on-campus housing and food service will be provided at the same cost and with the same program options to qualified students with disabilities as are afforded to non-disabled students. When any University classes, programs or activities are held in

private facilities, thorough efforts shall be made to obtain facilities which are accessible.

D. **Coordination of Programs and Services for Students with Disabilities**

1. Campus disability support service (DSS) offices or other designated campus units are responsible for coordination of programs, services, and classroom accommodations for qualified applicants for admission and qualified enrolled students with disabilities. Such coordination relates solely to disability issues. Determinations as to whether a student is otherwise qualified often will be based on the academic requirements developed by the faculty. Specific services available to qualified students with disabilities will be provided by the University in conformity with the requirements of federal and state law.
2. All applicants and students seeking disability-related services and/or accommodations must disclose the presence of a specific disability to DSS. Before receiving requested services and/or accommodations, the student will be required to provide the DSS office with current medical or other diagnostic documentation of a disability from a qualified physician or other qualified diagnostician, as well as current documentation of the need for accommodations. In cases where existing documentation is incomplete or outdated, students may be required to provide additional documentation at the student's expense. All documentation related to an applicant or student's disability shall be kept confidential and retained by DSS. The DSS file shall be maintained separately from other student records maintained by the University.
3. It is the applicant/student's responsibility to self-identify, to provide current and adequate documentation of a disability, and to request accommodations, through the DSS office. The appropriate documentation must be provided in a timely manner to ensure full resolution of accommodations prior to the student's entrance into the program or course of study. However, a request can be made at any time. Documentation review and accommodations planning by DSS, including consultation with faculty and/or other campus entities that may be affected in providing accommodations, will be done on an individualized case-by-case basis.
4. Reasonable classroom accommodations will be provided to otherwise qualified and eligible students with disabilities who have self-identified and who have provided satisfactory documentation in support of their timely request for such accommodations, in compliance with federal and state mandates. These accommodations shall not affect the substance of the educational programs or compromise educational standards.
5. In addition to providing accommodations needed to ensure nondiscrimination in access to educational opportunities by otherwise qualified students with disabilities, the University is responsible for

ensuring that no qualified disabled student is denied the benefits of or excluded from participation in a University program because of the absence of auxiliary aids, services, and/or other reasonable accommodations. Auxiliary aids, services, and/or other accommodations include but are not limited to interpreters (sign or oral), readers, scribes, adaptive equipment, and other appropriate services or equipment necessary for course or program accessibility.

6. Determinations as to whether and what reasonable services and accommodations shall be provided to qualified applicants for admission and qualified enrolled students with disabilities will be made initially by the coordinator of DSS or the coordinator's designee (hereafter "the Coordinator"). The Coordinator will consult with appropriate faculty members regarding whether the provision of services and/or accommodations would substantially alter essential elements of the educational program or course of study or otherwise compromise academic standards and discuss appropriate methods for implementation of the services and/or accommodations. Faculty members will not be consulted on the issue of whether the student has a disability and the Coordinator will not share documentation of the student's disability with faculty members. If the Coordinator and faculty member(s) are unable to reach agreement regarding the determination of whether and what reasonable services and accommodations shall be provided and/or the implementation of those services and/or accommodations, such disagreement shall be described in writing promptly and submitted to the Chancellor or Designee for resolution in a prompt manner.
7. Initial determinations and any disagreements submitted to the Chancellor or Designee (hereafter "the Chancellor") will take into consideration all relevant factors including, but not limited to, the following:

    a. Current documentation of the specific disability and of the need for the requested services or accommodations;
    b. The essential elements of the academic program or course of study being pursued;
    c. The fact that the law does not require a University to substantially alter essential elements of its academic program or course of study or to otherwise compromise its academic standards.
8. While funding for accommodations to ensure equally effective access is provided by the University, funding for auxiliary aids, accommodations, and/or services in some instances may be shared with state vocational rehabilitation agencies. The law does not require and the University does not provide prescription devices or other devices/services of a personal nature (e.g. personal attendants) for students with disabilities.

E. **Establishment of Campus Policies** – Chancellors are directed to establish campus policies and/or procedures consistent with this order. These should cover, at a minimum, treatment of disability-related information and appropriate regard for confidentiality, responsibilities of students in applying for services through DSS, time lines to assure that students make accommodation requests in a timely manner, guidelines to assure that disability documentation is reasonably current, a description of the process of individualized assessment of each student's disability documentation and accommodation request(s), the role of faculty in determining the essential elements of the academic program or course of study and the academic standards involved in the accommodations planning and review process within the context of academic program requirements. Any complaints of disability discrimination or failure to accommodate should be processed through the appropriate Title IX or Equity Resolution Process (*See* Sections 600.030, 600.040, and 600.050).

F. **Retaliation** – Retaliation is any adverse action taken against a person because of that person's participation in protected activity. The University strictly prohibits retaliation against any person for: seeking an accommodation pursuant to this policy, filing a Complaint of discrimination based on disability, or participating in an investigation or proceeding concerning allegations of discrimination based on disability. Any person who engages in such retaliation shall be subject to the disciplinary action, up to and including expulsion or termination, in accordance with applicable procedures. Any person who believes they have been subjected to retaliation is encouraged to promptly notify the Equity Officer or Title IX Coordinator. The University will promptly investigate to all complaints of retaliation.

i. 600.080 Policy Related to Employees with Disabilities

600.080 Policy Related to Employees with Disabilities

Bd. Min 2-9-17, with an effective date of 3-1-17; Amended 9-24-2020.

A. **Summary.** The Americans with Disabilities Act of 1990, as amended, and other federal and state laws protect employees and applicants for employment from discrimination on the basis of disability in the terms and conditions of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

B. **Scope.** This policy applies to all Academic and Administrative, Service and Support employees of the University.

C. **Definitions:**

1. **Disability.** Disability means a physical or mental impairment that substantially limits one or more of the major life activities of an individual; a record of having such an impairment; or being regarded as having such an impairment.
2. **Essential Functions**. Essential functions means the fundamental job duties of the employment position the person with a disability holds or desires.
3. **Major Life Activities.** Major life activities include, but are not limited to caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working; as well as the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
4. **Qualified Individual.** A "qualified individual" is a person who has the requisite skills, experience, education, and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of the job.
5. **Reasonable Accommodation.** A reasonable accommodation means a change in the job application process or work environment that enables a qualified individual with a disability to be considered for the position the individual desires, perform the essential functions of that position, or enjoy terms and conditions of employment that are enjoyed by similarly-situated individuals without disabilities.
6. **Undue Hardship.** With respect to the provision of an accommodation, undue hardship means significant difficulty or expense in light of nature and cost of the accommodation and the resources and circumstances of the University, campus, and department.

D. **Policy.** It is the policy of the University to provide equal employment opportunity to employees and applicants for employment without unlawful discrimination on the basis of disability.
The University will seek to provide reasonable accommodation to the known physical or mental limitations of a qualified individual with a disability who is an employee or applicant for employment, unless the accommodation would impose an undue hardship on the University.

The University prohibits discrimination against or harassment of employees or applicants for employment on the basis of disability, including because the individual has requested a reasonable accommodation or made a complaint of disability discrimination.

1. **Requesting a Reasonable Accommodation.** An applicant or employee with a disability may request an accommodation from the campus human

resources office. Current employees may also request an accommodation from their supervisor, campus human resources office or equity office. Upon receiving an accommodation request, an informal interactive process will be initiated to clarify the workplace barrier and identify possible accommodations. In some instances, medical documentation may be required regarding the disability. Medical information will be treated as confidential and disclosed only as permitted by law, but supervisors and managers may be informed regarding necessary restrictions and accommodations, and first aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment. Disability related information will not be placed in the employee's personnel file. A request for reasonable accommodation may be denied if it would impose an undue hardship. The University will not approve accommodation requests when the applicant or employee's disability would impose a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.

2. **Complaint Procedure.** Any complaints of disability discrimination or failure to accommodate should be processed through the appropriate Title IX or Equity Resolution Process (*See* Sections 600.030, 600.040, and 600.050).
3. **Retaliation.** Retaliation is any adverse action taken against a person because of that person's participation in protected activity. The University strictly prohibits retaliation against any person for requesting a reasonable accommodation, making a complaint of disability discrimination, or participating in an investigation or proceeding concerning allegations of disability discrimination. Any person who engages in such retaliation shall be subject to disciplinary action, up to and including expulsion or termination, in accordance with applicable procedures. Any person who believes they have been subjected to retaliation is encouraged to promptly notify the Equity Officer or Title IX Coordinator. The University will promptly investigate to all complaints of retaliation.

7. Revision, Collected Rules and Regulations 140.012, Investment Policy for General Pool, UM

that the Collected Rules and Regulations, Section 140.012, be amended as noted in the attached documents:

140.012 Investment Policy for General Pool

Bd. Min. 12-6-91; Amended Bd. Min. 12-9-93; Amended Bd. Min. 11-14-94; Amended Bd. Min. 12-13-96; Amended Bd. Min. 9-26-97; 1-21-98; Revised 2-01-00; Amended Bd. Min. 9-27-02; Amended Bd. Min. 11-22-02; Revised 1-5-04; Amended Bd. Min. 9-9-04; Amended Bd. Min. 1-26-07; Amended Bd. Min.2-6-09; Amended Bd. Min. 6-5-09; Amended Bd. Min.6-17-11; Revised in entirety, Bd. Min. 6-26-12. (Note: Board approval on 6-26-12 replaced previous rules 140.010, 140.011, 140.012 and 140.013 with new language and reissued new rules 140.010 through 140.016.) Amended Bd. Min. 1-31-13; Amended Bd. Min. 6-25-15; Amended Bd. Min. 10-1-15; Amended Bd. Min. 10-7-16; Amended Bd. Min. 11-15-18; Amended Bd. Min. 9-24-2020.

A. **Introduction** – The General Pool represents the University's cash and reserves, both restricted and unrestricted, including, but not limited to, operating funds, auxiliary funds, service operations funds, self-insurance funds, debt service funds, and plant funds.
B. **Responsibilities and Authorities** – See CRR 140.010, "*Policy for Management and Oversight of Selected University Investment Pools*"
C. **Investment Objectives** – The General Pool shall be managed in a way that both recognizes and balances the underlying needs of the pool, including, but not limited to, accommodation of University cash flow cyclicality, satisfaction of various ongoing liquidity needs, maximization of risk-adjusted investment returns, diversification and preservation of capital.
D. **Authorized Investments** – The General Pool shall be invested as follows:

	Investment Portfolios		
	Liquidity	**Core**	**Strategic**
Management	Internal/External	External	External
Minimum Allocation	20%	20%	0%
Maximum Allocation	100%	60%	45%
Liquidity Objective	High	Moderate	Moderate/Low
Volatility Tolerance	Low	Moderate	Moderate/High
Return Expectation	Low	Moderate	Moderate/High

1. **Liquidity Portfolio**
The Liquidity portfolio is expected to have very low volatility and low (cash-like) returns. It is the primary source of liquidity for the University's operating cash flow needs, constructed utilizing securities and investment vehicles that primarily have same day liquidity with minimal day-to-day price fluctuations. Exposures will be obtained by investing in the following:

a. Bank deposits covered by FDIC insurance or otherwise collateralized by U.S. Government and U.S. Government Agency securities.
b. Money market funds which are SEC 2a-7 compliant and have received the highest possible rating by at least two Nationally Recognized Statistical Rating Organizations.
c. Commercial Paper which has received a rating of at least A1 / P1 / F1 by two of the Nationally Recognized Statistical Rating Organizations
d. Repurchase Agreements collateralized by the U.S. Government and U.S. Government Agency securities.
e. Yield Enhancement Strategies that seek returns higher than, or comparable to, traditional cash investments, while diversifying the risk inherent in traditional cash investments. To implement these strategies, liquid non-cash-like securities are often purchased in conjunction with a hedge instrument that substantially hedges away the non-cash-like attributes of the securities. Instruments that may be part of such transactions include: U.S. Treasury securities, sovereign bonds issued by G10 countries, other fixed income securities and precious metals. To hedge away the non-cash like attributes, the following instruments may be used: futures contracts, asset/interest rate swaps, currency forwards, securities lending agreements, and repurchase agreements.
f. Other short-term investment vehicles of similar quality, with an average duration of one year or less.
g. U.S. Treasury securities, U.S. Government Agency securities and U.S. Government guaranteed securities, including but not limited to: all direct obligations of the U.S. Government, Federal Farm Credit Banks, Federal Home Loan Banks, Federal National Mortgage Association, and Federal Home Loan Mortgage Corporation.
h. Internal short-term loans at market interest rates to the University's Central Bank as a substitute for commercial paper which could otherwise be issued externally by the Central Bank under the University's Commercial Paper Notes program. Such short-term loans must be approved by the Vice President for Finance.

2. **Core Portfolio**
The Core portfolio is expected to have moderate volatility with moderate returns, invested primarily in public debt securities and related investment vehicles. It will serve as a secondary source of liquidity, built utilizing excess operating funds not expected to be needed for purposes of funding the operational needs of the University under normal circumstances. This portfolio will be expected to generate higher returns than the Liquidity

portfolio through the use of some combination of credit risk, interest rate risk, illiquidity risk and idiosyncratic (active) risk.

a. Public Debt
Specific types of debt include, but are not limited to, sovereign, corporate, inflation-linked, high yield, emerging market, commercial mortgage-backed securities, and residential mortgage-backed securities.
Exposure will be obtained primarily through physical securities, however, from time to time derivative instruments commonly accepted by other institutional investors such as futures, swaps, options, forward contracts, and reverse repurchase agreements may be utilized. Exposures may include long/short positions.

Legal account structures will primarily be in the form of separately managed accounts and institutional commingled funds, however, from time to time limited partnership agreements or other similar forms may also be utilized.

3. **Strategic Portfolio**
The Strategic portfolio will be built utilizing excess operating funds that should not be needed for liquidity purposes. As compared to the Core portfolio, the Strategic portfolio will have higher return expectations and a higher level of expected volatility. These are truly long-term funds and should be thought of similarly to retirement and endowment funds.

a. Risk Balanced
It is expected that this portfolio will be meaningfully balanced across traditional risk factors including equities, real interest rates, inflation (both actual and expected), commodities and credit. Additionally, non-traditional risk factors including value, momentum, carry, defensive and trend may be included. It is also expected that idiosyncratic (active) risk will be taken in this portfolio from time to time.
Exposure will be obtained through physical securities and/or conventional derivative instruments commonly accepted by other institutional investors such as, futures, swaps, options, forward contracts and reverse repurchase agreements.

Legal account structures will primarily be in the form of separately managed accounts, institutional commingled funds and limited partnership agreements.

b. Private Debt

Specific types of long-only and long/short strategies including, but are not limited to, distressed debt funds, distressed for control funds, whole loans and pools, levered loans and pools, and mortgage servicing rights.

Legal account structures will primarily be in the form of limited partnership agreements.

c. Venture Capital
Investments shall be consistent with the University's mission to foster innovation in support of economic development. Maximum allocation shall be $5 million.

Investments require unanimous approval by the Vice President for Finance and the Chief Investment Officer in consultation with the President.

Utilization of external managers shall be consistent with the guidelines established in CRR 140.011, "*Policy for Investment Manager Selection, Monitoring and Retention.*"

d. Endowment Pool
As part of its Strategic Portfolio, the General Pool may invest in the University's Endowment Pool, as established and governed by CRR 140.013, *"Investment Policy for Endowment Pool."*

E. **Risk Management**

1. The Chief Investment Officer shall establish and implement procedures to:

a. Regularly monitor the University's cash flow forecasts.
b. Maintain minimum daily liquidity (securities or investment vehicles which can be liquidated on a same-day basis) equal to 30 days operating cash outflows for the University.
c. Maintain minimum weekly liquidity (securities or investment vehicles which can be liquidated within 5 business days) equal to 60 days operating cash outflows for the University.
d. As applicable, maintain overall liquidity sufficient to satisfy credit rating agency guidelines for any self-liquidity needs of the University's debt portfolio.

e. Maintain a contingency funding plan to address unanticipated market / liquidity events, with the objective of having ready access to cash to meet the University's operating cash flow needs at all times.
f. Based on the level of projected risk within the General Pool, as modeled by the University's Investment Consultant, maintain appropriate reserves within the General Pool to mitigate drawdown risk, allowing the University to better manage through periods of market volatility.

F. **Excluded Instruments –** The General Pool shall not be deemed to include, and the limitations contained herein shall not be deemed applicable to, any program-related funds, instruments, and assets not held primarily for investment such as interests governed by CRR 70.070, "*Entrepreneurial Activity*."

8. Energy Loan Program of the Missouri Department of Natural Resources/Division of Energy, UMKC

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

Loan Amount:	$1,632,369
Interest Rate:	2.75%

WHEREAS, **THE CURATORS OF THE UNIVERSITY OF MISSOURI ON BEHALF OF THE UNIVERSITY OF MISSOURI - KANSAS CITY,** is an authorized public entity and therefore borrower under the Energy Loan Program (the "Public Entity"), through technical analysis 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 for a loan to implement such energy conservation measures (the "Project"); and

WHEREAS, at the Public Entity's request, the Department has agreed to lend to the Public Entity certain funds through its Energy Loan Program (the "Program") pursuant to Sections 640.651 to 640.686 of the Missouri Revised Statutes ("RSMo"), as amended, up to the maximum amount authorized under Sections 640.651 to 640.686 RSMo based on estimates of savings to be generated from the Project, provided that the Public Entity complies with the various terms and conditions set forth in Sections 640.651 to 640.686 RSMo and in 10 Code of State Regulations 140-2.010 *et seq*., as amended (the "Regulations"); 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 RSMo, as amended. The total loan amount is hereby authorized in the amount of **$1,888,450.00,** which amount shall include (i) estimated maximum construction costs of **$1,632,369.00**, 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 **two and three-quarters percent (2.75%)**, and (iii) a loan origination fee of **one percent (1.00%)** of the principal amount of the Loan. Under the Promissory Note to the Loan Agreement, the Public Entity agrees to make semi-annual 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, the blank form of Promissory Note, attached hereto that 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.

Section 3. That the chief executive officer and/or chief financial officer of the Public Entity ("Public Entity's 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:

Exhibit A: Loan Agreement;
Exhibit B: Promissory Note; and
Exhibit 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's Representative and such officers and employees as the Public Entity's 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's 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's 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's Representative constituting the conclusive evidence of his or her approval and the approval of the Public Entity to any such changes.

9. Naming Opportunity, MU

that a small courtyard at the entrance of the Jeanne and Rex Sinquefield Music Center be named Pickard Plaza.

The motion carried unanimously (9-0) by voice vote with no abstentions.

Finance Committee Chair Report

Curator Steelman provided time for discussion of committee business.

FY20 Investment Performance Review, UM (information and slides on file)

FY20 Financial Status Report – UM (information and slides on file)

Financial Policies and Governance, UM (information on file)

Academic, Student Affairs, Research and Economic Development Committee Chair Report

Curator Chatman provided an overview of committee business.

New Degree Program, MA in Defense and Strategic Studies, MU

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by UM System President and MU Chancellor Mun Choi, recommended by the Academic,

Student Affairs and Research & Economic Development Committee, moved by Curator Chatman, seconded by Curator Snowden that the following action be approved:

> that the University of Missouri, Columbia be authorized to submit the attached proposal (and as on file with the minutes of this meeting) for a MA Defense & Strategic Studies to the Coordinating Board for Higher Education for approval.

The motion carried unanimously (9-0) by voice vote with no abstentions.

New Degree Program, MS in Supply Chain and Analytics, UMSL

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by UM System President and MU Chancellor Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Chatman, seconded by Curator Hoberock that the following action be approved:

> that the University of Missouri, St. Louis be authorized to submit the attached proposal (and as on file with the minutes of this meeting) for a MS Supply Chain and Analytics to the Coordinating Board for Higher Education for approval.

The motion carried unanimously (9-0) by voice vote with no abstentions.

Naming Opportunity, MU

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by UM System President and MU Chancellor Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Chatman, seconded by Curator Steelman that the following action be approved:

> Pursuant to Collected Rule and Regulation 110.081, the University of Missouri Board of Curators hereby approves the naming of MU's Center for Race, Citizenship, and Justice as the Michael A. Middleton Center for Race, Citizenship, and Justice.

The motion carried unanimously (9-0) by voice vote with no abstentions.

Health Affairs Committee Chair Report

Curator Graham provided an overview of committee business.

Financial Report (slides on file)

MU Health and NextGen – presented by Richard Barohn, MD (slides on file)

MU School of Medicine Update (slides on file)

MU Health Care Clinical Consolidation and Integration Strategies (slides on file)

Quarterly Compliance and Corporate Integrity Agreement Report (slides and information on file)

Audit, Compliance and Ethics Committee Chair Report

Curator Layman provided an overview of committee business.

UM Internal Audit, Compliance and Ethics Quarterly Report, UM (slides on file)

Engagement of Independent Auditors, UM

It was recommended by Vice President Rapp, endorsed by UM System President and MU Chancellor Mun Y. Choi, recommended by the Audit, Compliance and Ethics Committee, moved by Curator Layman, seconded by Curator Graham, that the following action be approved:

> that the Vice President for Finance and CFO be authorized to employ the firm of BKD LLP to provide audit services to the University of Missouri for fiscal year ending June 30, 2021, for fees of $556,000, plus expenses not to exceed $67,000, with the option to renew annually for up to four additional years. The scope and fees of each annual engagement will be submitted for approval. Assuming no significant change in the scope of the audit over the five-year period, annual increases are limited to CPI-U.

The motion carried unanimously (9-0) by voice vote with no abstentions.

Governance, Compensation and Human Resources Committee

Curator Williams provided an overview of committee business and time for discussion.

Amendment, Collected Rules and Regulations 110.080, Naming of University Buildings, Exterior Areas, Landmarks and Interior Spaces

It was recommended by President Choi, moved by Curator Williams and seconded by Curator Graham that,

> University Collected Rule and Regulation 110.080 be amended as set forth in the attached document.

110.080 Naming of University Buildings, Exterior Areas, Landmarks and Interior Spaces

Bd. Min. 4-19-69, p. 34,491; Amended Bd. Min. 9-11-87, Amended Bd. Min. 10-7-05, Amended Bd. Min. 7-21-06, Amended Bd. Min. 5-6-13; Amended Bd. Min. 9-24-2020.

A. **Purpose** – As a general rule, the exterior areas, landmarks and interior spaces of University owned or leased property shall bear distinctive names and locations which reflect outstanding contributions in keeping with the nature and mission of the University. The purpose of this rule is to set forth guidelines for the criteria used and the approvals needed in the naming, establishment, and changes for such exterior areas, landmarks and interior spaces in honor of individuals and organizations.
B. **Definitions** – For purposes of this rule, the following definitions shall apply:

    1. "Exterior Areas" shall mean University owned or leased buildings, locations, including open air spaces, and major facilities, such as arenas and stadiums, where the name is displayed on the outside of a structure or is easily viewable by the general public.
    2. "University Landmarks" shall mean statues and other landmarks on or in University owned or leased property.
    3. "Interior Spaces" shall mean auditoriums, laboratories, class rooms, conference rooms and other significant interior spaces in University owned or leased buildings where the name is displayed inside the building and viewable by those inside the building.
    4. "Organizations" shall mean foundations, trusts, not-for-profit entities, corporations or other legal entities.

C. **Approvals** – The following approvals are required to name an Exterior Area, University Landmark or Interior Space:

1. Exterior Areas – The naming of Exterior Areas requires the approval of the Board of Curators.
2. University Landmarks – The placement, establishment or designation of University Landmarks, as well as the naming thereof, requires approval of the Board of Curators.
3. Interior Spaces – The naming of Interior Spaces requires the approval of the President of the University.

D. **Guidelines** – Names for Exterior Areas, University Landmarks and Interior Spaces should enhance the public reputation of the institution. The following guidelines are suggested in proposing and approving such names:

1. Faculty, staff members or Organizations who have rendered distinctive service to the University.
2. Graduates, former students, individuals such as Curators, etc., or Organizations who have rendered distinctive service to the University.
3. Persons or Organizations dedicated to the purpose, nature and mission of the University, who have achieved outstanding distinction through civic, intellectual or artistic contributions to the development of the area, state, and nation or to Missouri history.
4. Persons or Organizations who make or have made a substantial financial contribution toward the cost of the construction or renovation of the Exterior Area or Interior Space or persons or Organizations who have had a substantial contribution toward the cost of the construction or renovation of the Exterior Area or Interior Space made in their behalf. If named for a donor or a donor's designee, the name should be based on the eminence of the donor or designee and the donor or designee's relationship to the institution as well as the significance of the gift.

E. **Limitations** – Generally, the University shall name no more than one Exterior Area or University Landmark to honor an individual or Organization. The naming of more than one Exterior Area or University Landmark to honor the same person or Organization shall require an express determination and vote by the Board finding that it is in the University's best interest to permit such an additional naming.

F. **Reservations** – The Board reserves the right to change or remove the name of an Exterior Area or Interior Space, or the name, placement, establishment or designation of a University Landmark, if it determines that the name is detrimental to the best interests of the University. The President reserves the right to change or remove the name of an Interior Space if he or she determines that the name is detrimental to the best interests of the University.

The motion carried unanimously (9-0) by voice vote with no abstentions.

Board Resolution Amendment

It is recommended by each of the Four Chancellors and Vice President Rapp, moved by Curator Williams and seconded by Curator Graham, that

The Board's Resolution of July 28, 2020 is amended as set forth below:

RESOLUTION
(Revised 9-24-2020)

WHEREAS, the University of Missouri Board of Curators "Board" is committed to achieving excellence and to support the success of four distinct public research universities in Columbia, Kansas City, Rolla and St. Louis; and

WHEREAS, the Board recognizes the value of an adaptable and forward-thinking governance structure to address the unprecedented challenges facing public higher education; and

WHEREAS, the University of Missouri Board of Curators has engaged in an extensive review and examination of the organizational structures of the University of Missouri, including but not limited to obtaining a review and evaluation with recommendations from highly qualified and experienced consulting experts from the AGB; and

WHEREAS, the Board, with the research, advice and assistance of AGB has additionally conducted extensive informational meetings with important constituencies potentially affected by or directly having an interest in any operational or structural changes to be adopted or instituted by the Board; and

WHEREAS, the Board has carefully considered comments and information from a wide number of interested individuals and groups important to the University System and its four campuses, and

WHEREAS, the Board concludes that it is in the best interest of the System and its four campuses to implement specific actions for the purpose of strengthening academic and research quality, establishing greater mutually beneficial collaboration among the campuses and to identify areas where greater efficiencies can be realized,

to eliminate unnecessary duplication and to take such other steps which will enhance administrative operational effectiveness, including cost efficiencies in carrying out the University's important research and academic mission and the specific goals and missions of each of the four campuses; and

WHEREAS, the Board believes that a new governance structure can promote local campus uniqueness and brand identity; enhance the autonomy and entrepreneurial spirit of the four campuses; and elevate system-wide strategic thinking and inter-campus collaboration.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Curators does hereby adopt, direct, and authorize the following actions to be taken:

(a) After careful consideration the Board further directs that the current position of President of the University System be combined with the position of Chancellor of the Columbia campus so that one person shall serve in both capacities, that currently being Dr. Mun Choi. This action is in no way intended to change or amend the provisions of CRR 20.010 in which the corporate body is organized as a university system and consists of the system administration and four universities nor is any action provided for or taken herein intended to, nor does it, alter or change the general powers and authority specifically granted to the University President as set out in CRR 20.020 and CRR 20.030 including that Chancellors of the UM System are appointed by and report to the President.

(b) The Board hereby establishes the Council of Chancellors ("Council") consisting of the three Chancellors and chaired by the President, to develop clear decision-making processes that will enable system-wide strategic thinking, collaborative academic initiatives and integrated shared services by creating a forum to ensure that all four universities have an equal voice. The Council will meet monthly to confer, address mutual challenges and opportunities, and exchange information important to the System and to any and/or all of the four campuses. Council meetings may be held in person or virtually via phone or web-enabled meetings, but if meetings are held in person they will rotate among each of the four campuses. The Council will present a summary of its discussions to the Board with respect to specific matters involving UM System legislative priorities, federal appropriation requests, centers of excellence that align with individual campus strengths, tuition, academic missions, development of new initiatives, and other matters as determined by the Board.

(c) The Council will establish a campus committee comprised of two external representatives from each campus serving two-year terms to support the Board in its broad mission and to ensure campus-specific voices across broad dimensions of regional, community, donor and alumni needs are being heard. The campus committee members will attend a minimum of two Board meetings per year and provide the Board a separate campus-specific report on the progress and outcomes of this new governance model.

(d) The Board appoints Vice President for Finance and Chief Financial Officer Ryan Rapp to study, address and propose best practices to the Board for achieving innovative operational changes to increase administrative efficiencies, develop strategies to eliminate undesired duplicity of services or programs, and to ultimately achieve operational excellence within the System and each of the four campuses while ensuring the highest quality research and academic standards. Mr. Rapp will report periodically to the Board and submit a final report on or before 120 days with input from the Chancellors, President and appropriate representation from the System and each of the four campuses.

(e) The Board believes in the role of President for effective UM System leadership but, in the spirit of shared governance, directs the Council to explore and report its findings to the Board in response to the following questions within 120 days:

1. What role and services should the UM System provide?
2. What should be the role of the President?
3. What should be the role of the Chancellors?
4. What will be the scope of the Council and how should it function within the parameters set forth herein?
5. What will the campus committee review, how frequently will it meet with the Council, and who will serve on it?

(f) The Board further approves the engagement of AGB Senior Fellows and experts Terrance MacTaggart and Richard Novak to consult with the Council and Mr. Rapp, and to further assist in the efficient and productive implementation of the above actions taken by the Board.

(g) The Board does further acknowledge that the above actions will likely require additional and more detailed Board actions to accomplish the purpose, intent and implementation of the actions taken herein.

The motion carried unanimously (9-0) by voice vote with no abstentions.

The Governance, Compensation and Human Resources Committee voted to go into an executive session meeting later in the day.

General Business

University of Missouri – Kansas City Campus Highlights – Chancellor Agrawal (slides on file)

Missouri University of Science and Technology Campus Highlights – Chancellor Dehghani (slides on file)

Information Technology Annual Report (written report only) – no discussion.

Good and Welfare of the Board

Draft November 19, 2020 Board of Curators meeting agenda – no discussion (on file)

Resolution for Executive Session of the Board of Curators Meeting, September 24, 2020

It was moved by Curator Graham and seconded by Curator Wenneker, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting September 24, 2020 for consideration of:

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

- **Section 610.021 (13), RSMo**, relating to matters identified in that provision, which include individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment; and

- **Section 610.021 (14), RSMo,** relating to matters identified in that provision, which include records which are protected from disclosure by law; and

- **Section 610.021(17), RSMo**, relating to matters identified in that provision, which include confidential or privileged communications between a public governmental body and its auditor.

Roll call vote of the Board:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Hoberock voted yes.
Curator Layman voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

The public session of the Board of Curators meeting recessed at 1:30 P.M. on September 24, 2020.

Board of Curators Meeting – Executive Session

A meeting of the University of Missouri Board of Curators was convened in executive session at 2:10 P.M., on Thursday, September 24, 2020, via Zoom video and at remote locations via conference telephone, pursuant to public notice given of said meeting. Curator Julia G. Brncic, Chair of the Board of Curators, presided over the meeting.

Present
The Honorable Julia G. Brncic
The Honorable Darryl M. Chatman
The Honorable Maurice B. Graham
The Honorable Greg E. Hoberock
The Honorable Jeffrey L. Layman
The Honorable Phillip H. Snowden

The Honorable David L. Steelman
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present
Dr. Mun Y. Choi, President
Mr. Stephen J. Owens, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Mr. Remington Williams, Student Representative to the Board of Curators
Ms. Kamrhan Farwell, Chief Marketing and Communications Officer
Ms. Marsha Fischer, Associate Vice President for Human Resources and Chief Human Resources Officer
Ms. Christine Holt, Chief of Staff, UM System
Mr. Ryan D. Rapp, Vice President for Finance and Chief Financial Officer

Governance, Compensation and Human Resources Committee Meeting – Executive Session

Annual Performance Review, Chief Audit and Compliance Officer Michelle Piranio

It was recommended by the Compensation and Human Resources Committee, moved by Curator Williams and seconded by Curator Chatman, that the annual performance review for Chief Audit and Compliance Officer, Michelle Piranio for the period July 1, 2019 through June 30, 2020, was conducted and that in light of financial constraints, there will be no increase to her base salary effective September 1, 2020.

Roll call vote of Board of Curators:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Hoberock voted yes.
Curator Layman voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

Annual Performance Review, Board Secretary Cindy Harmon

It was recommended by the Compensation and Human Resources Committee, moved by Curator Brncic and seconded by Curator Graham, that the annual performance review for Secretary of the Board of Curators, Cindy S. Harmon for the period July 1, 2019 through June 30, 2020, was conducted and that in light of financial constraints, there will be no increase to her base salary effective September 1, 2020.

Roll call vote of Board of Curators:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Hoberock voted yes.
Curator Layman voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

Amended Appointment Letter, Chancellor Mohammad Dehghani, Missouri S&T

Pursuant to Collected Rule and Regulation 320.020.A.4., it was recommended by President Choi, moved by Curator Graham and seconded by Curator Brncic, that:

> President Choi is authorized to enter into a first amendment to the appointment for Mohammad Dehghani, Ph.D. as Chancellor for the Missouri University of Science and Technology under the same or substantially similar terms as those contained in

the attached appointment letter (and as on file with the minutes of this meeting), with the final agreement subject to approval by General Counsel as to legal form.

Roll call vote of Board of Curators:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Hoberock voted yes.
Curator Layman voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

Update Regarding Contract Matter – presented by Marsha Fischer

No action taken by the Board.

General Business

Review Closed Consent Agenda – No discussion.

Consent Agenda

It was endorsed by President Choi, moved by Curator Graham and seconded by Curator Williams, that the following items, be approved by consent agenda:

Action

1. Curators' Distinguished Teaching Professor, David Enke, Missouri S&T

   that upon the recommendation of the Chancellor, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor David Enke be named to the position University of Missouri Curators'

Distinguished Teaching Professor, effective September 1, 2020. Professor David Enke will receive a $10,000 annual stipend as long as the position title is held. $5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining $5,000 available for professional expenses associated with teaching, research, or creative activities. 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.

2. Curators' Distinguished Professor Emeritus, Jay A. Switzer, Missouri S&T

   that upon the recommendation of Chancellor Dehghani, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor Jay A. Switzer be named to the position University of Missouri Curators' Distinguished Teaching Professor Emeritus, effective 09/01/2020.

3. Curators' Distinguished Professor, Robert Rocco Cottone, UMSL

   that upon the recommendation of the Chancellor, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor Robert Rocco Cottone be named to the position University of Missouri Curators' Distinguished Professor, effective September 25, 2020. Professor Robert Rocco Cottone will receive a $10,000 annual stipend as long as the position title is held. $5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining $5,000 available for professional expenses associated with teaching, research, or creative activities. 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.

4. Curators' Distinguished Professor, Uma A. Segal, UMSL

   that upon the recommendation of the Chancellor, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor Uma A. Segal be named to the position University of Missouri Curators' Distinguished Professor, effective September 25, 2020. Professor Uma A. Segal will receive a $10,000 annual stipend as long as the position title is held. $5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining $5,000 available for professional expenses associated with teaching, research, or creative activities. 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.

5. Curators' Distinguished Professor, Frank O. Bowman, III, MU

   that upon the recommendation of the Chancellor, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor Frank O. Bowman, III be named to the position University of Missouri Curators' Distinguished Professor, effective September 1, 2020. Professor Frank O. Bowman, III will receive a $10,000 annual stipend as long as the position title is held. $5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining $5,000 available for professional expenses associated with teaching, research, or creative activities. 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.

6. Curators' Distinguished Professor, Noah Heringman, MU

   that upon the recommendation of the Chancellor, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor Noah Heringman be named to the position University of Missouri Curators' Distinguished Professor, effective September 1, 2020. Professor Noah Heringman will receive a $10,000 annual stipend as long as the position title is held. $5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining $5,000 available for professional expenses associated with teaching, research, or creative activities. 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.

7. Curators' Distinguished Professor, Tim Lewis, MU

   that upon the recommendation of the Chancellor, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor Tim Lewis be named to the position University of Missouri Curators' Distinguished Professor, effective September 1, 2020. Professor Tim Lewis will receive a $10,000 annual stipend as long as the position title is held. $5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining $5,000 available for professional expenses associated with teaching, research, or creative activities. 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.

8. Curators' Distinguished Professor, Yuwen Zhang, MU

   that upon the recommendation of the Chancellor, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor Yuwen Zhang be named to the position University of Missouri Curators' Distinguished Professor, effective September 1, 2020. Professor Yuwen Zhang will receive a $10,000 annual stipend as long as the position title is held. $5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining $5,000 available for professional expenses associated with teaching, research, or creative activities. 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.

9. Curators' Distinguished Teaching Professor Emeritus, James S. Rikoon, MU

   that upon the recommendation of UM System President and MU Chancellor Mun Y. Choi, the Provost, and the Senior Associate Vice President for Academic Affairs, it is recommended that Professor J. Sanford Rikoon be named to the position University of Missouri Curators' Distinguished Teaching Professor Emeritus, effective 07/31/2020.

10. Ground Lease, Kansas City Streetcar Power Station, UMKC

    that the Vice President for Finance and Chief Financial Officer be authorized to approve a Ground Lease of approximately 4,000 square feet of land within the UMKC campus, to The City of Kansas City, Missouri (KCMO), for $1.00 annually for a term not to exceed 31 years, for UMKC.

    Funding is from: UMKC Operating Funds

Roll call vote of the Board:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Hoberock voted yes.
Curator Layman voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

General Business

President's Report on personnel, property and contract matters – presented by President Choi

No action taken by the Board.

General Counsel's Report – presented by General Counsel Owens

No action taken by the Board.

Adjourn, Board of Curators Meeting and Committee Meetings, September 24, 2020

It was moved by Curator Graham and seconded by Curator Williams that the Board of Curators meeting and committee meetings, September 24, 2020, be adjourned.

Roll call vote of the Board:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Hoberock voted yes.
Curator Layman voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

There being no other business to come before the Board of Curators, the meeting was adjourned at 3:50 P.M. on Thursday, September 24, 2020.

Respectfully submitted,

Cindy S. Harmon
Secretary of the Board of Curators
University of Missouri System

Approved by the Board of Curators on November 19, 2020.