

July 24, 2009  
Board of Curators Meeting

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



BOARD OF CURATORS

Minutes of the Board of Curators Meeting  
Teleconference, Originating in 321 University Hall  
Columbia, Missouri  
July 24, 2009

**BOARD OF CURATORS MEETING – PUBLIC SESSION**

A meeting of the University of Missouri Board of Curators was convened in public session at 9:00 A.M., on Friday, July 24, 2009, in Conference Room 321 University Hall, Columbia, Missouri, and at remote locations via conference telephone, pursuant to public notice given of said meeting. Curator Bo Fraser, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley  
The Honorable John M. Carnahan III  
The Honorable Don M. Downing  
The Honorable Warren K. Erdman  
The Honorable Bo Fraser  
The Honorable Wayne Goode  
The Honorable Judith G. Haggard  
The Honorable Doug Russell  
The Honorable David G. Wasinger  
Student Representative Laura A. Confer

Also Present

Mr. Gary D. Forsee, President, University of Missouri System  
Mr. Stephen J. Owens, General Counsel  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Dr. Gary K. Allen, Vice President for Information Technology

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Dr. John F. Carney III, Chancellor, Missouri University of Science and Technology  
Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia  
Dr. Thomas F. George, Chancellor, University of Missouri-St. Louis  
Dr. Steven Graham, Senior Associate Vice President for Academic Affairs  
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration  
Mr. Leo E. Morton, Chancellor, University of Missouri-Kansas City  
Dr. David R. Russell, Senior Associate Vice President and Chief of Staff  
Ms. Cindy Pollard, Associate Vice President of Strategic Communications  
Ms. Jennifer Hollingshead, Assistant Director University Communications  
Media Representatives

Board Chairman's Report – presented by Chairman Fraser (no report on file)

University President's Report – presented by President Forsee (no report on file)

### **Consent Agenda**

It was endorsed by President Forsee, moved by Curator Russell and seconded by Curator Carnahan, that the following items be approved by consent agenda:

1. Minutes of the Board of Curators Meetings:

Board of Curators Meeting, June 4-5, 2009  
Board of Curators Executive Committee Meeting, June 18, 2009  
Board of Curators Special Meeting, June 19, 2009

The minutes for these meetings shall be approved as presented to the board with the materials of this meeting.

2. Board of Curators Standing Committee Appointments, July 2009

Effective July 24, 2009

**Academic, Student and External Affairs Committee**

Judith G. Haggard, Chair  
Don M. Downing  
Warren K. Erdman

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David G. Wasinger  
Laura A. Confer, ex officio  
Bo Fraser, ex officio  
Gary Forsee, ex officio

**Audit Committee**

John M. Carnahan III, Chair  
Don M. Downing  
Wayne Goode

**Compensation and Human Resources Committee**

Warren K. Erdman, Chair  
David R. Bradley  
Judith G. Haggard  
David G. Wasinger

**Finance Committee**

Doug Russell, Chair  
Don M. Downing  
Wayne Goode

**Governance Committee**

Warren K. Erdman, Chair  
John M. Carnahan III  
Judith G. Haggard  
Bo Fraser, ex officio  
Gary Forsee, ex officio

**Resources and Planning Committee**

David G. Wasinger, Chair  
David R. Bradley  
Doug Russell

3. Degrees, Summer Semester 2009

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

4. Directory Information/Public Information Revision, Collected Rules and Regulations 180.020 B.3

The date and place of birth of all students, as well as weight and height of members of athletic teams, shall be removed from the definition of student directory information in Collected Rules and Regulations 180.020 B.3:

Collected Rules and Regulations  
Information Management  
Chapter 180: Records Management

180.020 Student Records

Bd. Min. 6-10-59, p. 15,059; Bd. Min. 2-28-75; Amended 3-18-77; Bd. Min. 5-24-01; Bd. Min. 07-24-09.

- A. **Purpose** -- The purpose of this regulation is to set forth the guidelines governing the protection of the privacy of student records and to implement The Family Educational Rights and Privacy Act of 1974 (Buckley Amendment; Pub. L. 93-380, as amended). These regulations apply to all students who are or have attended the University of Missouri.
- B. **Definitions**
1. **"Act"** means the Family Educational Rights and Privacy Act of 1974, as amended, enacted as Section 444 of the General Education Provisions Act.
  2. **"Attendance"** at the University includes, but is not limited to:
    - a. The term means the period of time during which a student attends the University. Examples of dates of attendance include an academic year, a spring semester, or a first quarter.
    - b. The term does not include specific daily records of a student's attendance at the University.
  3. **"Directory Information/Public Information"** includes a student's name, address, e-mail address, telephone listing, major field of study, participation in officially recognized activities and sports, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, student level, and full- or part-time status.
  4. **"Disclosure"** means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written, or electronic means.

5. **"Education Records"**

- a. The term means those records that are: (1) directly related to a student; and (2) maintained by the University or by a party acting for the University.
- b. The term does not include:
  - (1) Records that are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

5. Sole Source Consulting Contract, Procurement, UM

The Vice President for Finance and Administration shall be authorized to increase the current sole source consulting contract with Oracle USA, Inc., a Delaware Corporation, through the final phases of a project to implement identity protection for University computing applications, from the current \$500,000 in consulting fees, to total consulting fees not to exceed \$700,000, for the University of Missouri System.

Funding:

General Revenue Allocations and Administrative Systems Budget   \$700,000

Roll call vote of Consent Agenda:

Curator Bradley abstained  
Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Goode voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Wasinger voted yes.

The motion carried with a vote of eight in favor and one abstention.

**Finance**

Office Building #1 at Innovation Park, Missouri S&T – presented by President Forsee  
Minutes of the Finance Committee meeting, June 4, 2009 – no action was taken by the Committee at this meeting.

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Fiscal Year 2011 State Capital Appropriations Request, UM – presented by President Forsee and Vice President Krawitz

It was recommended by Chancellor Deaton, Chancellor Morton, Chancellor Carney and Chancellor George, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Russell and seconded by Curator Bradley, that the following action be approved:

the President shall be authorized to submit to the appropriate state offices the University of Missouri Fiscal Year 2011 State Capital Appropriations Request, as on file with the minutes of this meeting.

Roll call vote:

Curator Bradley voted yes.  
Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Goode voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Wasinger voted yes.

The motion carried.

Fiscal Year 2011 Appropriations Request for Operations, UM – presented by Vice President Krawitz

It was recommended by Vice President Krawitz, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Russell and seconded by Curator Downing, that the following recommendation be approved:

the President is authorized to file a request for state appropriations for operations of the University of Missouri's various programs in Fiscal Year 2011, to include fiscal year 2010 recurring appropriations for operations of

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\$451.5 million and recurring for health care and other curator programs of \$43.6 million plus the following:

- (1) An increase of \$18.96 million (4.2%) to the University of Missouri's operations fund budget for core operating support for annual merit increase in compensation plus increases in technology, infrastructure and on-going costs.
- (2) A cost to continue increase of \$19.6 million or 4.3 % including the following three components:
  - a. An increase of \$7.2 million for competitive compensation for faculty.
  - b. An increase of \$1.9 million for St. Louis Equity adjustment.
  - c. An increase of \$8.5 million to support enrollment growth.
  - d. An increase of \$2.0 million to sustain the joint UMKC/MSU Pharmacy program.
- (3) An increase of \$28.6 million from the state to increase total ongoing maintenance and repair expenditures to 1.5% of the physical plant replacement value.
- (4) An increase in state appropriations of 4.2% for the University of Missouri Health Care to sustain quality and service in the amount of approximately \$1.0 million. In addition, we will request \$0.8 million to restore the base appropriation to Fiscal Year 2009 level.
- (5) An increase in state appropriations of 4.2% for the Other Curator programs of approximately \$0.8 million to allow them to sustain their current levels of quality and service. In addition, we will request \$1.9 million to restore the base appropriations to the Fiscal Year 2009 level.
- (6) A one-time appropriation of \$3.5 million for MOREnet for network and video equipment replacement.
- (7) A recurring increase of approximately \$0.5 million for the State Historical Society of Missouri to fund new positions, and deficiencies in compensation, travel, and equipment.
- (8) Alzheimer's Research Program funds for Fiscal Year 2011 in the amount stipulated by law, which is estimated at approximately \$420,000.

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- (9) Spinal Cord Injury Funds for Fiscal Year 2011 for research of spinal cord injuries of \$400,000.
- (10) State Seminary funding totaling approximately \$3.2 million in interest income and reinvestment of maturing principal.

Roll call vote:

Curator Bradley voted yes.  
Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Goode voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Wasinger voted yes.

The motion carried.

### **General Business**

A draft agenda for the October 2009 Board of Curators meeting was included for the board's information.

It was moved by Curator Carnahan and seconded by Curator Downing, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting, on Friday, July 24, 2009, for consideration of:

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



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- Section 610.021(12), RSMo, relating to matters identified in that provision, which include sealed bids and related documents and sealed proposals and related documents or documents related to a negotiated contract; and
- Section 610.021(13), RSMo, relating to matters identified in that provision, which include individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment.

Roll call vote:

Curator Bradley voted yes.  
Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Goode voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Wasinger voted yes.

The motion carried.

The open session teleconference call was disconnected and a second call was initiated for the executive session of the Board of Curators meeting.

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

A meeting of the University of Missouri Board of Curators was convened in executive session at approximately 9:38 A.M., on Friday, July 24, 2009, in Conference Room 321 University Hall, Columbia, Missouri, and at remote locations via conference telephone, pursuant to public notice given of said meeting. Curator Bo Fraser, Chairman of the Board of Curators, presided over the meeting.

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Present

The Honorable David R. Bradley  
The Honorable John M. Carnahan III  
The Honorable Don M. Downing  
The Honorable Warren K. Erdman  
The Honorable Bo Fraser  
The Honorable Wayne Goode  
The Honorable Judith G. Haggard  
The Honorable Doug Russell  
The Honorable David G. Wasinger  
Student Representative Laura A. Confer

Also Present

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

Curators' Teaching Professorship, John Adams, MU, and Curators' Professorship Emeritus, Richard Mitchell, UMSL

It was recommended by Chancellor Deaton, endorsed by President Forsee, recommended by the Academic, Student and External Affairs Committee, moved by Curator Haggard and seconded by Curator Russell, that the following actions be approved:

1. that upon the recommendation of Chancellor Deaton, the Provost, the Dean of the School of Arts and Science, and the Chair of Chemistry, Professor John E. Adams shall be named to the position of University of Missouri Curators' Teaching Professor, effective September 1, 2009. Professor Adams will receive a \$10,000 annual stipend as long as he holds this position. \$5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining \$5,000 available for professional expenses associated with his 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.

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The complete nomination materials are on file in the Office of the Vice President for Academic Affairs.

2. that upon the recommendation of Chancellor George, the Department of History and the College of Arts and Science, Professor Richard H. Mitchell shall be named to the position of University of Missouri Curators' Professor Emeritus, effective September 1, 2009.

Roll call vote:

Curator Bradley voted yes.  
Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Goode voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Wasinger voted yes.

The motion carried.

"Affiliation Agreement", UMKC Foundation, UM – presented by President Forsee, General Counsel Owens and Chancellor Morton

It was recommended by Chancellor Morton, endorsed by President Forsee, moved by Curator Erdman and seconded by Curator Bradley and Haggard, that the "Affiliation Agreement" between the University of Missouri and the Kansas City Foundation for Higher Education, as provided to the Board of Curators (as on file with the minutes of this meeting) shall be approved for the purpose of establishing a separate, locally-managed foundation to support the University of Missouri-Kansas City.

Roll call vote:

Curator Bradley voted yes.

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Curator Carnahan voted yes.  
Curator Downing voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Goode voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Wasinger voted yes.

The motion carried.

Chancellor Morton disconnected from the teleconference at 10:00 A.M.

<sup>189</sup> Joint Venture, MU – presented by President Forsee and Dean Walker  
This item has been excluded from the minutes and may be given public notice upon completion of transaction of subject matter.

<sup>191</sup> Personnel Contract, MU – presented by President Forsee, General Counsel Owens and Chancellor Deaton  
This item has been excluded from the minutes and may be given public notice upon completion of transaction of subject matter.

<sup>192</sup> Joint Venture, UMHC – presented by President Forsee  
This item was for board information only. No action was taken by the board.

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

It was moved by Curator Russell and seconded by Curator Erdman, that the Board of Curators meeting, July 24, 2009, be adjourned.

Roll call vote:

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

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Curator Fraser voted yes.  
Curator Goode was absent for the vote.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Wasinger voted yes.

The motion carried by a vote of eight and zero.

There being no further business to be considered by the Board of Curators,  
the meeting was adjourned at 11:45 A.M., on Friday, July 24, 2009.

Respectfully submitted,



Kathleen M. Miller  
Secretary of the Board of Curators  
University of Missouri

Approved by the Board of Curators on October 23, 2009.