

UNIVERSITY OF MISSOURI
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BOARD OF CURATORS

Minutes of the Board of Curators Meeting
April 27-28, 2017
Rolla, Missouri

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the University of Missouri Board of Curators was convened in public session at 10:00 A.M., on Thursday, April 27, 2017, in St. Pat’s Ballroom A&B of the Havener Center on the Missouri University of Science and Technology campus, Rolla, Missouri, pursuant to public notice given of said meeting. Curator Maurice B. Graham, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Darryl M. Chatman
The Honorable Jamie L. Farmer
The Honorable Maurice B. Graham
The Honorable Jeffrey L. Layman
The Honorable John R. Phillips
The Honorable Phillip H. Snowden
The Honorable David L. Steelman

Also Present

Dr. Mun Y. Choi, President
Mr. Stephen J. Owens, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Dr. Gary K. Allen, Vice President for Information Technology
Dr. Henry “Hank” Foley, Interim Chancellor for University of Missouri-Columbia
Dr. Thomas F. George, Chancellor for University of Missouri-St. Louis
Mr. Stephen C. Knorr, Vice President for University Relations
Dr. Kevin G. McDonald, Chief Diversity Officer
Mr. Leo E. Morton, Chancellor for University of Missouri-Kansas City
Ms. Michelle M. Piranio, Interim Chief Audit Executive
Ms. E. Jill Pollock, Interim Vice President for Human Resources
Mr. Ryan D. Rapp, Interim Vice President for Finance
Dr. Cheryl B. Schrader, Chancellor for Missouri University of Science and Technology

Dr. Robert W. Schwartz, Interim Vice President for Academic Affairs, Research and
Economic Development
Dr. David R. Russell, Chief of Staff, UM System
Mr. John Fougere, Chief Communications Officer, UM System
Media representatives

General Business

Administered the oath of office for Curators Chatman, Farmer and Layman.

Review Consent Agenda – No discussion.

Approval, Board Executive Committee and Standing Committee Assignments

It was recommended by Chairman Graham, moved by Curator Steelman and
seconded by Curator Phillips, that the following Board of Curators Executive Committee
and Standing Committees appointments be approved for 2017:

Executive Committee

Maurice B. Graham, Chair
John R. Phillips
David L. Steelman

Academic, Student and External Affairs Committee

Phillip H. Snowden, Chair
Jamie L. Farmer
Jeffery L. Layman
John R. Phillips

Audit Committee

Phillip H. Snowden, Chair
Darryl M. Chatman
Jamie L. Farmer
John R. Phillips

Compensation and Human Resources Committee

Jeffery L. Layman, Chair
Darryl M. Chatman
Jamie L. Farmer
David L. Steelman

Finance Committee

David L. Steelman, Chair
Darryl M. Chatman
Jeffery L. Layman
Phillip H. Snowden

Governance, Resources and Planning Committee

Darryl M. Chatman, Chair
Jamie L. Farmer
David L. Steelman
Maurice B. Graham, ex officio
Mun Choi, ex officio

Health Affairs Committee

John R. Phillips, Chair
Ronald G. Ashworth
Jeffery L. Layman
Teresa R. Maledy
Phillip H. Snowden

Roll call vote:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

Approval, 2018 Board of Curators Meeting Calendar

It was recommended by Chairman Graham, endorsed by President Choi, moved by Curator Phillips and seconded by Curator Snowden, that the proposed 2018 Board of Curators meeting calendar be approved as follows:

PROPOSED 2018 BOARD OF CURATORS MEETING CALENDAR

<u>DAYS</u>	<u>DATES</u>	<u>LOCATION</u>
Thursday-Friday	February 1-2	UM - Columbia
Thursday-Friday	April 12-13	Missouri S&T
Thursday-Friday	June 21-22	Columbia, Missouri
Friday	July 27	4 hour TelePresence
Thursday-Friday	September 20-21	UM – Kansas City
Thursday-Friday	November 15-16	UM – St. Louis

Roll call vote:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

Resolution for Executive Session of the Board of Curators Meeting

It was moved by Curator Snowden and seconded by Curator Steelman, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting April 27-28, 2017 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 (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 Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried..

Missouri University of Science and Technology Strategic Plan Highlights – presented by Chancellor Schrader (slides on file for this information item)

Board of Curators standing committee meetings were convened at 10:35 A.M. and recessed at 12:05 P.M. on Thursday, April 27, 2017. Committee actions were presented to the full Board for action following each Committee vote.

Finance Committee

Curator Steelman provided time for discussion of committee business.

Information:

Fiscal Year 2018 Tuition and Required Fees, UM – presented by Interim Vice President Rapp (slides and information on file)

Fiscal Year 2018 Supplemental and Other Related Enrollment Fees, UM – presented by Vice President Rapp (slides and information on file)

Fiscal Year 2019 Preliminary State Capital Appropriations Request and Campus Capital Project Plans, UM – presented by Interim Vice President Rapp (slides and information on file)

Endowment Spending Distribution and Administrative Fee Analysis, UM – presented by Interim Vice President Rapp (information on file)

Review Fiscal Year 2018 Operating Budget Planning, UM – presented by Interim Vice President Rapp (slides and information on file)

12:00 – 1:00 pm Luncheon by Invitation for Board of Curators, President, Missouri University of Science and Technology Chancellor and Missouri S&T Student Leaders
Carver/Turner Room, Havener Center

Board of Curators standing committee meetings were reconvened at 1:45 P.M. and concluded at 4:55 P.M. on Thursday, April 27, 2017. Committee actions were presented to the full Board for action following each Committee vote.

Compensation and Human Resources Committee

Curator Layman provided time for discussion of committee business.

Annual Retirement Plan Actuarial Report and Required Contribution – presented by Interim Vice President Pollock and Mr. John Kaplan with The Segal Group, Inc. (slides and information on file) This was an information item only.

Governance, Resources and Planning Committee

Curator Chatman provided time for discussion of committee business.

Campus Master Plan Update, Missouri S&T – presented by Chancellor Schrader (slides and information on file)

It was recommended by Chancellor Schrader, endorsed by President Choi, recommended by the Governance, Resources and Planning Committee, moved by Curator Steelman and seconded by Curator Chatman, that the following action be approved:

that the 2017 Missouri University of Science and Technology Campus Master Plan Update be approved.

Roll call vote Full Board:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

Academic, Student and External Affairs Committee

Chairman Snowden provided time for discussion of committee business.

1. University Relations Report (slides on file for this information item)
2. Amendment, Executive Guideline 25 (Collected Rule and Regulation 20.035), Program Assessment and Audit (information on file for this information item)

Amendment to Collected Rules and Regulation 310.080, Regular Faculty Workload Policy
– presented by Senior Associate Vice President Steve Graham (information on file)

It was recommended by Interim Vice President Robert Schwartz, endorsed by President Mun Choi, and recommended by the Academic, Student and External Affairs Committee, moved by Curator Snowden, seconded by Curator Steelman, that the following action be approved:

that the Collected Rules and Regulations 310.080 Regular Faculty Workload Policy of the University of Missouri be amended as set forth in the attached (and as on file with the minutes of this meeting).

Roll call vote of the Board:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

Collected Rules and Regulations 310.080

Tenured and Tenure Track Faculty Workload Policy

Bd. Min. 12-3-92, revised Bd. Min. 4-1-04, Amended Bd. Min. 11-29-07, Amended Bd. Min. 4-27-17.

- A. Each department [1] will develop a faculty [2] workload standard for teaching, research, service, and administration [3]. The standard must specify the types of assignments and the distribution of the percent of effort in each function. The appropriate Dean and the Provost/Vice Chancellor for Academic Affairs of the campus will review and approve the department workload standard according to the objectives of the department and the average instructional responsibility for the campus as defined in section D. In the event that a department does not implement an approved departmental workload standard, the Department Chair will assign workloads such that each faculty member in the department performs teaching responsibilities at or above the level of the average instructional responsibility defined in section D.
- B. The Provost/Vice Chancellor for Academic Affairs will confer regularly with each Dean concerning implementation of departmental workload standards. Departmental workload standards will be reviewed as part of the five-year program review.
- C. At the time of the annual review of the performance of the faculty member (see CR&R 310.015), the Department Chair [4], in consultation with the individual faculty member, will determine a faculty member's assignments and distribution of effort in the areas of teaching, research, service and administration relative to the departmental workload standard. The faculty member's workload distribution will be recorded on the annual review document. The distribution may be assigned for the coming academic year or for multiple years up to the tenure review for

untentured faculty, or the five-year post-tenure review for tenured faculty. A multi-year workload assignment will not be considered as assurance that an appointment will be renewed during the period covered by the assignment. At the time of the tenure review or the post-tenure review, the appropriateness of the workload distribution of the previous period will be assessed together with the faculty member's performance. Assignments among faculty members will vary to meet the objectives of the department.

- D. The average instructional responsibility for all tenured and tenure track faculty members on each campus will be 9 section credits per semester. The Provost/Vice Chancellor for Academic Affairs will establish instructional benchmarks for each college and school to attain the campus average instructional responsibility goal of 9 section credits per semester.
- E. The assigned teaching load for individual faculty should be (a) aligned with the department's workload standard; (b) consistent with the campus goal for average instructional responsibility; and (c) commensurate with research productivity, time devoted to individual instruction and advising, assignment of administrative duties, service assignments, and sabbaticals or faculty development leaves. Because of circumstances such as course cancellations, the Department Chair will modify teaching assignments; therefore, the actual teaching load of individual faculty will be calculated after any such modifications have been made. In calculating section credits or student credit hours, all forms of instruction will be included (such as off-campus, off-schedule, research supervision, clinical supervision, and independent study), although instruction for extra compensation will be excluded. Individual faculty effort in research and service will be calculated according to measures approved by the department. The distribution of effort for tenure-track faculty during the probationary period should be commensurate with departmental, college and campus standards for promotion and tenure. No regular faculty member can be assigned either fewer than 12 section credits or fewer than 180 student credit hours per academic year without an instructional workload adjustment requested by the Department Chair and issued by the Dean.
- F. Using a faculty activity reporting system common to all campuses, each faculty member will submit an annual report of any faculty activities. The Department Chair will use the report, including the distribution of effort relative to the department's workload standard, to conduct an annual review of the performance of the faculty member (see CR&R 310.015). The dean will analyze departmental outcomes using data from the common faculty activity reporting system and work with the appropriate Department Chair to reconcile any disparities between a department workload standard and departmental outcomes.
- G. The Provost/Vice Chancellor for Academic Affairs on each campus will supply an aggregate report of faculty workload to the Vice President for Academic Affairs.

1. The word "department" refers to an academic unit.

2. The term "faculty" refers to regular faculty throughout section 310.080-, as defined in CRR 310.020.A. This document uses "tenured and tenure track faculty" to refer to "regular faculty."
3. Extension and continuing education activities represent an extension of the teaching and research functions of the institution. Faculty engaged in this mission will be evaluated by the same criteria applied to other tenured and tenure track faculty (see CR&R 320.035.B.2.c).
4. The term "department chair" refers to the leader of an academic unit.

Amendment to Collected Rules and Regulations 310.015, Procedures for Review of Faculty Performance – presented by Senior Associate Vice President Steve Graham (information on file)

It was recommended by Interim Vice President Robert Schwartz, endorsed by President Mun Choi, and recommended by the Academic, Student and External Affairs Committee, moved by Curator Snowden, seconded by Curator Phillips that the following action be approved:

that the Collected Rules and Regulations 310.015 Procedures for Review of Faculty Performance at the University of Missouri be amended as set forth in the attached (and as on file with the minutes of this meeting).

Roll call vote of the Board:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

**Collected Rules and Regulations 310.015
Procedures for Review of Faculty Performance**

Bd. Min. 1-19-01; Amended 11-29-07; Amended 4-12-13; Amended 4-27-17.

A. Non Tenure Track and Untenured, Tenure Track Faculty. The performance of all non-tenure track and untenured tenure track faculty is to be reviewed annually

by the appropriate unit supervisor (e.g., department chair, dean, director, etc.) The performance review should also include the workload distribution for the coming year or multiple years.

1. Written evaluations are expected and must be provided to non-tenure track faculty members. The workload standard for non-tenure track faculty members should be spelled out in detail based on the specific job responsibilities and expectations in the job description (see CR&R 310.035).
2. Plans for untenured faculty may include multiple years up to the tenure review (see CR&R 310.080.C). A multi-year plan will not be considered as assurance that an appointment will be renewed during the period covered by the plan. Annual evaluations of untenured faculty members during the probationary period must follow the faculty bylaws governing tenure for each campus (300.010 Faculty Bylaws of the University of Missouri-Columbia; 300.020 Faculty Bylaws of the University of Missouri-Kansas City; 300.030 Faculty Bylaws of the Missouri University of Science and Technology; and 300.040 Faculty Bylaws of the University of Missouri-St. Louis.)

B. Tenured Faculty Members. Tenured faculty have proven their ability to contribute significantly in their discipline and to work independently and productively in their field. In this document we affirm and strongly defend the importance of tenure at the University of Missouri. By fostering creativity and protecting academic freedom, tenure safeguards faculty from unfair dismissal based on arbitrary or discriminatory practices, thus encouraging the constant search for truth that is the hallmark of the University. Under this policy or any other university policy, academic tenure should be revoked only with just cause, and may only be done in accordance with the Collected Rules and Regulations of the University, section 310.020.C.1. However, tenure does not protect faculty from the consequences of not performing satisfactorily their duties to the University. It is in the best interest of the faculty as a whole to ensure that each faculty member contributes fully to the institution throughout that individual's career.

1. Performance Review of Tenured Faculty Not Holding Full-Time Administrative Positions

a. The tenured faculty of each department or unit will develop and publish standards for satisfactory performance, which include minimum standards for teaching, research, and service as well as general principles for determining an overall satisfactory performance. They will be reviewed as part of the five-year program review. These standards are intended for use over the five-year time period covered by the post-tenure review (see B.1.c below).

b. Every tenured faculty member, including those with part-time administrative positions, will submit a signed annual report describing

her/his activities in research, teaching and service. The annual performance review will cover the performance for the past year. In addition, the chair and faculty member will discuss plans for the coming year in order to establish the workload distribution for the coming year or for multiple years up to the five-year post-tenure review (see CR&R 310.080.C). The annual report will be reviewed by the chair or evaluation committee of the unit following normal unit practices. In this document the term chair will be used to mean the appropriate unit director (e.g., chair, unit administrator, area coordinator, etc.). Chairs will be reviewed annually by the dean, according to the standards described in B.1.a. Using the unit standards for the annual performance review (described in B.1.a), and taking into consideration the faculty member's workload distribution (described in CR&R 310.080.C), the activities of the faculty member will be rated as satisfactory or unsatisfactory in research, teaching and service, and an overall evaluation of satisfactory or unsatisfactory will be provided. The faculty member will receive this information in a written evaluation. The faculty member will sign the written evaluation to acknowledge its receipt and may provide a written response to the evaluation. A copy of this signed evaluation will be provided to the faculty member by the chair within a month after the faculty member has signed the evaluation.

c. If a faculty member receives an unsatisfactory evaluation in any category, there must be a face-to-face discussion of the evaluation between the faculty member and the chair to create a plan for achieving satisfactory evaluations. This may involve changing the faculty member's workload distribution (see CR&R 310.080.C). One unsatisfactory evaluation in either teaching or research (or any major area of assignment) will result in an overall unsatisfactory evaluation. If the chair or evaluation committee has significant concerns about only one category, but determines that overall the faculty member has met the department standards, then the chair or committee may assign an overall satisfactory with warning and create an improvement plan to address the concern. The improvement plan will specify both the standards that the faculty member will achieve and the support that the department and/or other units will provide to the faculty member. If the unsatisfactory evaluation is in the teaching category, the chair will refer the faculty member to the campus unit responsible for fostering teaching excellence, and the faculty member must work with that unit to improve pedagogical methods. The improvement plan will be attached to the signed annual performance evaluation. If the faculty member disputes an overall unsatisfactory evaluation, the dean will review the evaluation and decide whether to affirm the evaluation or return it to the department chair for revision. In the succeeding annual performance review, failure to meet the standards set out in the plan will result in an overall unsatisfactory evaluation.

d. At five-year intervals a tenured faculty member will resubmit the annual reports and evaluation statements for the past five years, with a concise summary statement of research, teaching, and service activities for the five-year period, and a current curriculum vitae. The review may be conducted either by the unit chair or by an evaluation committee of the unit, as decided by a vote of the tenured faculty (committee membership is described below in h.1.a). The first five-year post-tenure review will be conducted five years after the tenure decision or the last formal review of the faculty member for promotion to associate professor or professor. Faculty hired with tenure will be reviewed five years after they are hired.

e. Based on the five-year report, the chair or evaluation committee will evaluate the faculty member's performance as satisfactory or unsatisfactory. Satisfactory overall performance evaluations for each year will automatically be deemed sufficient for a satisfactory post-tenure review. The five-year evaluation process will be complete with a satisfactory evaluation. The purpose of the five-year post-tenure review is not merely to identify and remedy unsatisfactory performance, but also to identify and reward excellence in teaching, research, and service in accordance with the assigned workload distribution. In consultation with the chair, the Provost and the Dean will provide incentives to faculty who have exhibited such excellence.

f. If an unsatisfactory overall performance review occurs in one or more years over the five year period, trends in the faculty member's performance will be considered in the final determination of the five year post-tenure review. If the post-tenure review is deemed unsatisfactory by the chair and the initial review was conducted by the chair, then the chair will send the five-year report to the evaluation committee of the unit. The departmental committee of faculty peers will perform its own full review of the performance of the faculty member over the five-year period and provide an independent assessment of the performance of the faculty member.

g. The report will be forwarded to the appropriate dean, indicating the decision of the chair and departmental committee. The dean will review the report and provide an assessment of the performance of the faculty member. The five-year evaluation process will be complete if the dean, judges the performance of the faculty member to be satisfactory. If a majority of the evaluation committee of the department/unit and the dean, consider the performance of the faculty member to be unsatisfactory, a plan for professional development will be written (see B.2 below).

h. At every level of review, the faculty member will be provided with a copy of any written report that is part of these proceedings and will have the right

of appeal of any evaluations, decisions, or recommendations to the next level of the process.

(1) Committee Membership

(a) The evaluation committee is typically the one that reviews faculty for tenure and promotion (CR&R 320.035.A.1.d). Only those who are tenured faculty members in the department may participate in the evaluation, except in circumstances described below.

(b) If there are not enough tenured faculty members within the primary department to comprise a committee of three, a special committee shall be formed in the same way as for a departmental tenure and promotion committee (CR&R 320.035A.1.d). The committee may include faculty members(s) emeriti from the primary department in accordance with established procedures. In addition, it may include retired faculty from the primary department who are part of an established recognition program according to Collected Rules and Regulations of the University, Section 310.075.B. The retired or emeriti faculty serving on the committee shall not be greater than 50% of the committee membership.

2. Formulation of Development Plan and Assessment of Progress

a. The development plan will be developed by the faculty member, the department/unit committee, and the chair of the unit. This development plan will have clear and attainable objectives for the faculty member and may include a reallocation of the faculty member's workload distribution in accord with the department workload standards (see CR&R 310.080.C) and a commitment of institutional resources to the plan. This plan will be signed by the faculty member, the chair or unit administrator, and the dean. The development phase will begin when the necessary resources as described in the development plan are provided.

b. A faculty member who has received an overall unsatisfactory five-year evaluation by the chair, the departmental committee, and the dean, may not appeal the process of developing a professional plan. If the faculty member is not satisfied with the plan that has been developed, he/she may appeal to the next administrative level for help in the formulation of an acceptable development plan.

c. A faculty member with a plan for professional development will submit an annual progress report to the chair for three successive years after the plan has been initiated. The chair will review the report and provide a written annual evaluation on the progress of the faculty member toward the objectives stated in the development plan. If the chair finds satisfactory progress for any two of the three years, then the process will cease and the faculty member will begin a new five-year cycle.

d. If the chair does not find satisfactory progress in two of the three years of the development plan, the chair will provide the annual reports and evaluations to the department/unit committee. If the unit committee finds satisfactory progress in two of the three years of the development plan, the process ceases and the faculty member will begin a new five-year cycle.

e. If both the chair and the unit evaluation committee do not find satisfactory progress in two of the three years of the development plan, the chair will provide annual reports and evaluations to the dean. If the dean finds satisfactory progress in two of the three years of the development plan, the process ceases and the faculty member will begin a new five-year cycle.

f. If the chair, the department/unit committee and the dean do not find satisfactory progress in two of the three years, then the five-year evaluations plus the three years of progress reports and evaluations by the chair on the development plan will be forwarded to the campus committee on Tenure and Promotion and to the Provost or Vice Chancellor for Academic Affairs. Each will review the reports and will recommend separately to the Chancellor that: 1) an additional two-year development plan be written and implemented in consultation with the faculty member and the originating departmental committee, or 2) the faculty member be considered for dismissal for cause proceedings (see section 3.)

g. Any faculty member may request participation in a formal development plan (as described in 2a) after two or more consecutive unsatisfactory annual evaluations. In addition, chairs will strongly encourage faculty who have had three consecutive unsatisfactory annual evaluations to participate in a development plan.

3. Dismissal for Cause

- a. If it is deemed by the Chancellor that the performance of the faculty member during the periods covered in section 2 constitutes sufficient grounds, dismissal for cause may be initiated and if initiated will proceed in accordance with the procedures for dismissal for cause described in section 310.060.
- b. This procedure for review and development of faculty performance does not substitute for the dismissal for cause procedures stated in section 310.060.
- c. Notwithstanding the provisions of section 310.015 B.2.f above, this procedure does not impose additional requirements upon the University prior to initiating dismissal for cause procedures as stated in section 310.060.

C. Full-Time Tenured Administrators -- In the event that a full-time administrator leaves her/his administrative position to become a full-time active tenured faculty member of a department, the normal annual departmental review process would be used to establish the faculty member's workload distribution and to address any discrepancy between the current abilities of the administrator and expectations concerning performance based on minimum departmental standards for the annual performance review. If there is a discrepancy between current ability and departmental standards, a development plan funded by the administration should be considered for the administrator prior to her/his returning to the department. Faculty who return to the full-time active faculty after completing service as full-time administrators will be reviewed five years after leaving their administrative posts.

Addition to the Collected Rules and Regulations 330.110, Standards of Faculty Conduct at the University of Missouri – presented by Senior Associate Vice President Steve Graham (information on file)

It was recommended by Interim Vice President Robert Schwartz, endorsed by President Mun Choi, and recommended by the Academic, Student and External Affairs Committee, moved by Curator Snowden, seconded by Curator Phillips, that the following action be approved:

that 330.110 Standards of Faculty Conduct be added to the Collected Rules and Regulations of the University of Missouri.

Roll call vote of the Board:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

Collected Rule and Regulation 330.110 , Standards of Faculty Conduct

Bd. Min 4-27-17.

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) and Equity Resolution Process for Resolving Complaints of Discrimination, Harassment, and Sexual Misconduct against a Faculty Member (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 Sex Discrimination, Sexual Harassment and Sexual Misconduct in Employment/Education Policy located at Section 600.020 of the Collected Rules and Regulations. Alleged violations of the University's Anti-Discrimination Policies are within the jurisdiction of the applicable Equity Resolution Process, including Section 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 UM-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 attach 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 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.

New Degree Program, Master of Science in Finance, MU – presented by Senior Associate Vice President Steve Graham (information on file)

It was recommended by Interim Vice President Robert W. Schwartz, endorsed by President Mun Choi, recommended by the Academic, Student and External Affairs Committee, moved by Curator Snowden, seconded by Curator Phillips, that the following action be approved:

that the University of Missouri, Columbia be authorized to submit the attached (and as on file with the minutes of this meeting) proposal for a Master of Science in Finance to the Coordinating Board for Higher Education for approval.

Roll call vote of Board:

Curator Chatman voted yes.

Curator Farmer voted yes.

Curator Graham voted yes.

Curator Layman voted yes.

Curator Phillips voted yes.

Curator Snowden voted yes.

Curator Steelman voted yes.

The motion carried.

Audit Committee

Chairman Snowden provided time for discussion of committee business.

Information

1. Fiscal Year 2016 A-133 Audit Report and NCAA Agreed Upon Procedures Reports, UM – presented by Rachel Dwiggin with BKD (slides and information on file)
2. Fiscal Year 2017 External Audit Scope, UM – presented by Rachel Dwiggin with BKD (slides and information on file)
3. Internal Audit and Consulting Quarterly Report, UM – presented by Interim Chief Audit Executive Michelle Piranio (slides and information on file)

Ethics and Compliance Program, UM – presented by Interim Vice President Rapp and Mr. Larry Plutko (slides on file)

After discussion, this action item was tabled until additional information requested by the Board can be collected and presented.

The public session of the Board of Curators meeting recessed at 4:55 P.M.

Board of Curators Meeting – Executive Session

A meeting of the University of Missouri Board of Curators was convened in executive session at 5:10 P.M., on Thursday, April 27, 2017, in the Silver and Gold Room of the Havener Center on the Missouri University of Science and Technology campus, Rolla, Missouri, pursuant to public notice given of said meeting. Curator Maurice B. Graham, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Darryl M. Chatman
The Honorable Jamie L. Farmer
The Honorable Maurice B. Graham
The Honorable Jeffrey L. Layman
The Honorable John R. Phillips
The Honorable Phillip H. Snowden
The Honorable David L. Steelman

Also Present

Dr. Mun Y. Choi, President
Mr. Stephen J. Owens, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators

Audit Committee Meeting – Executive Session

Rachel Dwiggin, Ryan Sivill and Danielle Solomon with BKD joined the meeting.

President Choi and General Counsel Owens excused themselves from the meeting.

Annual Communication with External Auditors

No action taken by the Board.

Members of BKD excused themselves from the meeting.

President Choi and General Counsel Owens rejoined the meeting.

Health Affairs Committee Meeting – Executive Session

Mr. Ron Ashworth and Ms. Teresa Maledy joined the meeting as members of the Health Affairs Committee.

Others who joined the meeting included Chancellor Foley, Mr. Jonathon Curtright, Dean Delafontaine, Interim Vice President Rapp, Mr. Robert Hess, Mr. Blake Schofield and Mr. Steve Knorr.

²⁸⁴ Contract Negotiations - this item is excluded from the minutes and may be given public notice upon completion.

Report on contracts and legal advice – presented by President Choi, Mr. Curtright and General Counsel Owens

Curator John Phillips excused himself from the meeting due to a potential conflict of interest.

No action taken by the Board.

The Board of Curators meeting recessed at 6:45 P.M. on Thursday, April 27, 2017.

**Reception and Dinner for the Board of Curators, President and General Officers
(By Invitation)**

6:30 – 8:30 P.M.

Thursday, April 27, 2017

Hosted by: Chancellor Cheryl B. Schrader and Mr. Jeffrey L. Schrader

Location: Kennedy Experimental Mine Building, 12350 Spencer Road, Rolla, Missouri

Program: Engineers Without Borders

BOARD OF CURATORS MEETING

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

8:00 – 8:45 A.M.

Friday, April 28, 2017

Topic: Research Centers: Industry Access to S&T Innovation

Location: St. Pat's Ballroom C, Havener Center

PUBLIC SESSION

A meeting of the University of Missouri Board of Curators reconvened in public session at 9:00 A.M. on Friday, April 28, 2017 in St. Pat's Ballroom A&B of the Havener Center on the Missouri University of Science and Technology campus, Rolla, Missouri, pursuant to

public notice given of said meeting. The Board recessed for an executive session meeting at 9:03 A.M.

Board of Curators Meeting – Executive Session

A meeting of the University of Missouri Board of Curators was reconvened in executive session at 9:10 A.M., on Friday, April 28, 2017, in the Silver and Gold Room of the Havener Center on the Missouri University of Science and Technology campus, Rolla, Missouri, pursuant to public notice given of said meeting. Curator Maurice B. Graham, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Darryl M. Chatman
The Honorable Jamie L. Farmer
The Honorable Maurice B. Graham
The Honorable Jeffrey L. Layman
The Honorable John R. Phillips
The Honorable Phillip H. Snowden
The Honorable David L. Steelman

Also Present

Dr. Mun Y. Choi, President
Mr. Stephen J. Owens, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators

Appointment of Interim Chancellor for Missouri University of Science and Technology – presented by President Choi

It was recommended by President Choi, moved by Curator Snowden and seconded by Curator Steelman, that the following recommendation be approved:

That President Choi be authorized to negotiate the appointment of Christopher Maples, Ph.D. for the position of Interim Chancellor for the Missouri University of Science and Technology under the same or substantially similar terms as in the appointment letter as attached and provided to the Board of Curators at the April 27-28, 2017 Board of Curators meeting. The appointment letter is subject to approval of General Counsel as to legal form.

Roll call vote:

Curator Chatman voted yes.
Curator Farmer voted yes.

Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

The executive session of the Board of Curators meeting recessed at 9:20 A.M.

PUBLIC SESSION

A meeting of the University of Missouri Board of Curators reconvened in public session at 9:25 A.M., on Friday, April 28, 2017, in St. Pat's Ballroom A&B of the Havener Center on the Missouri University of Science and Technology campus, Rolla, Missouri, pursuant to public notice given of said meeting. Curator Maurice B. Graham, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Darryl M. Chatman
The Honorable Jamie L. Farmer
The Honorable Maurice B. Graham
The Honorable Jeffrey L. Layman
The Honorable John R. Phillips
The Honorable Phillip H. Snowden
The Honorable David L. Steelman

Also Present

Dr. Mun Y. Choi, President
Mr. Stephen J. Owens, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Dr. Gary K. Allen, Vice President for Information Technology
Dr. Henry "Hank" Foley, Interim Chancellor for University of Missouri-Columbia
Dr. Thomas F. George, Chancellor for University of Missouri-St. Louis
Mr. Stephen C. Knorr, Vice President for University Relations
Dr. Kevin G. McDonald, Chief Diversity Officer
Mr. Leo E. Morton, Chancellor for University of Missouri-Kansas City
Ms. Michelle M. Piranio, Interim Chief Audit Executive
Ms. E. Jill Pollock, Interim Vice President for Human Resources
Mr. Ryan D. Rapp, Interim Vice President for Finance
Dr. Cheryl B. Schrader, Chancellor for Missouri University of Science and Technology

Dr. Robert W. Schwartz, Interim Vice President for Academic Affairs, Research and Economic Development
Dr. David R. Russell, Chief of Staff, UM System
Mr. John Fougere, Chief Communications Officer, UM System
Media representatives

General Business

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

The President discussed measuring university progress and ideas for improving research and creative works as well as student success and outcomes. He also discussed principles for a strategic plan.

Critical Issue Discussion – Research and Scholarship – presented by Interim Vice President Schwartz and a panel including Mark McIntosh, Lawrence Dreyfus, Wes Harris, Mareisa Crow and Tony Caruso.

Presentation and discussion was held regarding a foundation for research growth, facilities, innovation and entrepreneurship, non-stem research programs, impact of corporate research and One Health Intelligence.

Consent Agenda

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

CONSENT AGENDA

1. Minutes, February 8-9, 2017 Board of Curators Meeting
2. Minutes, March 20, 2017 Special Board of Curators Meeting
3. Degrees, Spring Semester 2017 for all campuses
4. Sole Source Purchase - Dragon Dictation System for MUHC
5. Transition Assistance Program Extension, UM
6. Energy Loan Program of the Missouri Department of Economic Development/Division of Energy, UMSL
7. Medical Education Instruction and Support, UMKC

1. Minutes, February 8-9, 2017 Board of Curators Meeting – as provided to the curators for review and approval.
2. Minutes, March 20, 2017 Board of Curators Special Meeting - as provided to the curators for review and approval.
3. Degrees, Spring Semester 2017 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 Spring Semester 2017, 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.

4. Sole Source Purchase – Dragon Dictation System for MUHC –

That the MU Health Care (MUHC) be authorized to purchase Dragon Dictation System from Cerner Corporation, at a total cost of \$1,561,604.

Funding is as follows:

MUHC IT Clinical Applications Operating Fund H2790 739800

5. Transition Assistance Program Extension, UM –

That the Transition Assistance Program for Administrative, Service & Support Employees be extended through June 30, 2018. This program, originally approved by the Board of Curators in February 2009, was effective March 1, 2009 and was to remain in place until June 30, 2010. Due to the continued budget situation, the Board has granted annual extensions of the program through June 30, 2011, June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, June 30, 2016 and June 30, 2017. With continued fiscal constraints, it is proposed that the attached program (as on file with the minutes of this meeting) be extended through June 30, 2018.

6. Energy Loan Program of the Missouri Department of Economic Development/Division of Energy, UMSL –

That the following resolution be approved:

WHEREAS, THE CURATORS OF THE UNIVERSITY OF MISSOURI ON BEHALF OF THE UNIVERSITY OF MISSOURI – ST. LOUIS, an authorized 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 Economic Development/Division of Energy (“DED/DE”) for a loan to implement such energy conservation measures (the “Project”); and

WHEREAS, at the Public Entity’s request, DED/DE has agreed to lend to the Public Entity certain funds 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 4 Code of State Regulations 340-2.010 *et seq.*, as amended (the “Regulations”); and

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

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

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

Section 1. The Governing Body of the Public Entity hereby finds and determines that it is in the best interests of the Public Entity to enter into the Loan Agreement and execute the Promissory Note in order to obtain funds for the purpose of installing energy conservation measures within the Public Entity. The Governing Body has received approval as required by Section 640.653.2 RSMo, as amended. The total Loan amount is hereby authorized in the amount of \$522,860, which amount shall include (i) estimated maximum construction costs of \$451,917, 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-quarter percent (2.75%), and (iii) a loan origination fee of one percent (1%) of the principal amount of the Loan. Under the Loan Agreement, the Public Entity agrees to make semiannual payments equal to one half of the annual energy savings until the promissory note is retired.

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

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

Exhibit A Loan Agreement;
Exhibit C Promissory Note;
Exhibit D 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 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 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.

Section 5. That the Public Entity recognizes that DED/DE may choose to fund the Loan under its Energy Loan Program in cooperation with the Authority through the issuance and sale of tax-exempt bonds by the Authority, and that a portion of the proceeds of the Bonds may be used to reimburse the Public Entity for any advances made by the Public Entity in connection with the Project.

7. Medical Education Instruction and Support, UMKC –

1. that the Vice President for Finance and Administration be authorized to enter into the following University-funded purchased teaching time contracts for undergraduate medical education instruction and support for the University of Missouri-Kansas City School of Medicine, with the option to renew these contracts up to four additional one-year periods with CPI increases:
 - a. University Physician Associates for the period July 1, 2017 through June 30, 2018, at an approximate cost of \$5,050,000.
 - b. Children's Mercy Hospital for the period July 1, 2017 through June 30, 2018, at an approximate cost of \$870,000.
 - c. Truman Medical Center for the period July 1, 2017 through June 30, 2018 at an approximate cost of \$550,000.

Funding for University funded contracts are from student fees \$6,470,000.

2. that the Vice President for Finance and Administration be authorized to enter into the following contract, if funded by Saint Luke's Hospital, to supplement the purchased teaching time contract, with the option to renew this contract up to four additional one-year periods with CPI increases:

University Physician Associates for the period January 1, 2017 through December 31, 2018 at an approximate cost of \$1,000,000.

Roll call vote of the Board:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

General Business

Resolution for Cheryl B. Schrader, Ph.D.

It was endorsed by President Choi, recommended by Chair Graham, moved by Curator Steelman and seconded by Curator Layman, that the following resolution recognizing the dedicated service of Cheryl B. Schrader, be approved:

RESOLUTION

WHEREAS, Cheryl B. Schrader has served as the 21st Chancellor of Missouri University of Science and Technology in Rolla since 2012; and

WHEREAS, she earned an undergraduate degree in electrical engineering from Valparaiso University, and a master's degree and Ph.D. from the University of Notre Dame; and

WHEREAS, her exceptional academic accomplishments and leadership skills as Chancellor have benefitted Missouri S&T in terms of a 16 percent increase in total enrollment, an 18 percent increase in ranked faculty, a 59 percent increase in U.S. patents filed, and a 26 percent average increase in gifts; and

WHEREAS, as Missouri S&T Chancellor, she led a comprehensive strategic planning effort involving thousands of stakeholders to develop "Rising to the Challenge: Missouri S&T's Strategy for Success," which sets the University's bold course through 2020 and beyond by focusing on providing a top return on investment to S&T customers, and has resulted in strong public-private partnerships; and

WHEREAS, to enhance student education at S&T, Dr. Schrader made it a requirement for undergraduate students to participate in a significant experiential learning program or project before graduating to help ensure that S&T remains highly ranked among its peers as a value-added public university; and

WHEREAS, to keep research at the forefront of a Missouri S&T education, under Schrader's leadership the University identified four signature areas: advanced manufacturing, advanced materials for sustainable infrastructure, enabling materials for extreme environments, and smart living; and

WHEREAS, Chancellor Schrader is a strong advocate for innovation. Following the Proctor and Gamble model, she created an Innovation Team for the campus community to submit innovation proposals. The awardees receive a seed grant to help with the creation or implementation of their proposal; and

WHEREAS, she encouraged the development of online and blended courses during her tenure at Missouri S&T to improve student learning outcomes and student retention. Online courses offered per year increased by 37 percent and blended courses increased by 100 percent; and

WHEREAS, Cheryl Schrader led the campus through a sustainable energy geothermal energy project, one of the most comprehensive initiatives in higher education, which has reduced energy usage by 60 percent and reduced the campus's deferred maintenance by \$60 million; and

WHEREAS, as one of only a few female engineers to ascend the top leadership position of a college or university in the United States, she has been a strong advocate for diversity and inclusion. The number of female students increased 16 percent and the number of minority students by 38 percent. The number of female faculty at Missouri S&T has grown by 36 percent during her tenure; and

WHEREAS, Chancellor Schrader received the Distinguished Educator Award from the Electrical and Computer Engineering division of the American Society for Engineering Education in 2013 and was named an IEEE Fellow in recognition of her leadership and contributions in engineering education in 2014; and

WHEREAS, Dr. Schrader will continue to be a strong advocate for STEM disciplines and higher education as she prepares to be President of Wright State University:

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

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of this meeting and a duly inscribed copy thereof be furnished to Cheryl B. Schrader.

Roll call vote of the Board:

Curator Chatman voted yes.

Curator Farmer voted yes.

Curator Graham voted yes.

Curator Layman voted yes.

Curator Phillips voted yes.

Curator Snowden voted yes.

Curator Steelman voted yes.

The motion carried.

Resolution for Henry C. "Hank" Foley, Ph.D.

It was endorsed by President Choi, recommended by Chair Graham, moved by Curator Farmer and seconded by Curator Snowden, that the following resolution recognizing the dedicated service of Henry C. “Hank” Foley, be approved:

RESOLUTION

WHEREAS, Henry C. “Hank” Foley has served as Interim Chancellor of the University of Missouri-Columbia since November 2015; and

WHEREAS, though he took over during a difficult time in the history of the University, he rose to the challenge with forthright leadership and class and quickly earned the respect of MU faculty, staff, students, alumni and donors; and

WHEREAS, prior to the chancellor appointment, Hank Foley was hired as University of Missouri System Executive Vice President for Academic Affairs, Research and Economic Development in 2013 and later in a dual appointment as MU Senior Vice Chancellor in 2014; and

WHEREAS, as EVP for Academic Affairs, Dr. Foley led the system’s strategic planning efforts, provided system-wide leadership in academic programs, promoted economic development and advanced research collaborations, and enhanced funding. He also led institutional research, student access and success, academic program review, and eLearning functions of the system; and

WHEREAS, he is a tenured professor of chemistry at MU, and a professor of chemical and biochemical engineering at Missouri University of Science and Technology; and

WHEREAS, Hank Foley earned his bachelor’s degree in chemistry from Providence College, his master’s degree in chemistry from Purdue University, and his Ph.D. from The Pennsylvania State University; and

WHEREAS, he is an esteemed inventor with 16 patents dating back to 1987; and

WHEREAS, as part of his teaching and research experience, Chancellor Foley has mentored countless graduate and undergraduate students who have prospered in both industry and academia; and

WHEREAS, under his leadership as Interim Chancellor, MU celebrated important milestones including record philanthropic contributions, strong extramural research and creative works, prestigious faculty distinction, and increased student retention; and

WHEREAS, Dr. Foley moved the campus toward Open Book Management, meeting regularly with faculty, students and staff to discuss University issues and to hear their concerns and ideas; and

WHEREAS, he increased the number of admissions recruiters and supported the expansion of permanent recruiters in the southeast and west coast portions of the country; and

WHEREAS, under his leadership, he encouraged researchers to apply for more grants. During fiscal year 2017, grant applications increased eight percent and the monetary value of grant applications were up 38 percent; and

WHEREAS, Hank Foley sought key hires to establish permanent leadership at MU including the Director of Athletics, Vice Chancellor for Extension and Engagement, Vice Chancellor for Enrollment Management, and Vice Chancellor for Human Resources and has worked closely with the Provost to secure several permanent dean positions; and

WHEREAS, as he leaves the University of Missouri family, he will continue his career in higher education as President of the New York Institute of Technology:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Curators, on behalf of the students, faculty, staff and alumni of the University of Missouri, and on behalf of the citizens of the State of Missouri, does hereby adopt this resolution in appreciation of the dedicated and devoted service of Henry C. "Hank" Foley; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of this meeting and a duly inscribed copy thereof be furnished to Hank C. Foley.

Roll call vote:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

Resolution for Michael A. Middleton, J.D.

It was endorsed by President Choi, recommended by Chair Graham, moved by Curator Phillips and seconded by Curator Chatman, that the following resolution recognizing the dedicated service of Michael A. Middleton, be approved:

RESOLUTION

WHEREAS, Michael A. Middleton came out of retirement and took office as Interim President of the University of Missouri System on November 12, 2015, and served through February 28, 2017, bringing a calming demeanor and forthright leadership during one of the most challenging times in the University's history; and

WHEREAS, with encouragement from then-Board Chair Donald Cupps, who assured Michael that he was, "the perfect man for the job," President Middleton was given the charge by the Board of Curators to achieve three goals: to repair and rebuild trust with key stakeholders, to ensure continuity and progress during his presidency, and to launch campus and system efforts to make the UM System a national leader in diversity, equity and inclusion; and

WHEREAS, to rebuild trust and confidence in the UM System, he had countless engagements with all of the University's key internal and external stakeholders to explain the sensitivities that their beloved University was facing and assured them that the structure in place for the UM System remained strong and sound; and

WHEREAS, to ensure continuity and progress during his presidency, he led the General Officers to fulfill the tasks of the University's strategic plan including significant changes in the retiree benefits plan to make it sustainable into the future, an impressive increase in technologies licensed from the four campuses, and the largest single year of royalty revenue from the licensing revenue in the University's history; and

WHEREAS, under Michael Middleton's leadership, two leading credit agencies affirmed their high-grade credit ratings, AA+ and Aa1 with a stable outlook, providing a third-party validation on the continued strength and soundness of the University's financial stewardship; and

WHEREAS, having had a campus perspective during much of his career, President Middleton shared his newfound realization of the depth and breadth of the UM System and advocated for the added value it provides to the campuses through its shared services and continuous efficiency and effectiveness measures each year; and

WHEREAS, during his presidency, he helped celebrate the UM System's 30th anniversary of its partnership with the University of the Western Cape in South Africa. With celebrations held in both Cape Town, South Africa and Columbia, Missouri, he shared his fondness not only of the program, but also the passionate students that were to thank for the partnership; and

WHEREAS, to make the UM System a national leader in diversity, equity and inclusion, President Middleton successfully launched a series of initiatives introduced by the Board of Curators that included the appointment of the UM System's first-ever Chief Diversity, Equity and Inclusion Officer; the development of a task force to create both a short- and long-term strategy, plan, and metrics to address diversity, equity and inclusion system-wide; and the execution of a system-wide audit to conduct a full review of all UM System policies as they relate to staff and student conduct; and

WHEREAS, the true indicator that the UM System has become a model for higher education in how it addresses race relations is the countless invitations President Middleton continues to receive from national organizations to tell the story about the University of Missouri and how

the initiatives put in place, in such a short amount of time, were the starting point for the community to come together, conduct difficult but necessary conversations, and create respectful campus environments for its students, faculty and staff; and

WHEREAS, out of the goodness of his heart and a true love for his alma mater, he gave 15 more months to the University as Interim President and served with sincerity, honor, dignity and esteemed leadership, encouraging each of the University's constituents to create the finest university they can imagine; and

WHEREAS, Dr. Julie Middleton, Michael's wife of more than 45 years, represented the University of Missouri System as an energetic, kind, and gracious First Lady. With her University Extension background and phenomenal presentation skills honed from her many years as an educator, Julie welcomed the opportunity to engage in many speaking engagements where she carried a calming influence and educated her audiences on the value that the University brings to the state of Missouri; and

WHEREAS, by complementing each other in strong partnership, Julie and Michael led effectively and taught the entire university community lessons in loyalty, compassion, grace and leadership; and

WHEREAS, following President Middleton's final report to the Board of Curators, Board Chair Maurice Graham thanked the Middletons for their service and unwavering commitment to the University and told President Middleton, "You were not given an easy charge and stepped up as a leader when your University needed you most. You have led us through tough conversations and crucial decision points during your time in office, and you have made us proud;" and

NOW, THEREFORE, BE IT RESOLVED, that the University of Missouri Board of Curators, on behalf of the entire university, its faculty, staff, alumni, friends and supporters, do hereby acknowledge the many contributions of Michael and Julie Middleton to the greater university family, and expresses heartfelt gratitude for all they have done to move the University of Missouri System forward; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of this meeting, and that a duly inscribed copy thereof be furnished to Michael A. Middleton, J.D.

Roll call vote:

Curator Chatman voted yes.

Curator Farmer voted yes.

Curator Graham voted yes.

Curator Layman voted yes.

Curator Phillips voted yes.

Curator Snowden voted yes.

Curator Steelman voted yes.

The motion carried.

Good and Welfare

Draft June 22-23, 2017 Board of Curators meeting agenda – no discussion (on file)

The public session of the Board of Curators meeting recessed at 12:10 P.M. on Friday, April 28, 2017.

Executive Session

A meeting of the University of Missouri Board of Curators was reconvened in executive session at 12:50 P.M., on Friday, April 28, 2017, in the Silver and Gold Room of the Havener Center on the Missouri University of Science and Technology campus, Rolla, Missouri, pursuant to public notice given of said meeting. Curator Maurice B. Graham, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Darryl M. Chatman
The Honorable Jamie L. Farmer
The Honorable Maurice B. Graham
The Honorable Jeffrey L. Layman
The Honorable John R. Phillips
The Honorable Phillip H. Snowden
The Honorable David L. Steelman

Also Present

Dr. Mun Y. Choi, President
Mr. Stephen J. Owens, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators

General Business

MU Head Wrestling Coach Contract for Employment Terms – presented by General Counsel Owens

It was recommended by Interim Chancellor Foley, endorsed by President Choi, moved by Curator Steelman and seconded by Curator Phillips that the following recommendation be approved:

That President Choi and Interim Chancellor Foley are authorized to enter into a Contract for Employment with Brian Smith for the position of Head Wrestling Coach for the University of Missouri-Columbia under the same or substantially similar terms as the MOU presented to the Board at its April 27-28, 2017 meeting (and as on file with the minutes of this meeting). The contract shall be subject to approval of General Counsel as to legal form.

Roll call vote:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

Consent Agenda – Executive Session

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

CONSENT AGENDA

1. Curators Teaching Distinguished Professor Emeritus, Frances Haemmerlie Montgomery, Missouri S&T
2. Property Lease, MUHC
3. Property Purchase, 500 N. Keene Street – Suite 402, Columbia, Missouri, MUHC
4. Property Sale, UM

1. Curators Teaching Distinguished Professor Emeritus, Frances Haemmerlie Montgomery, Missouri S&T –

that upon the recommendation of Chancellor Cheryl Schrader it is recommended that Professor Frances Haemmerlie Montgomery be named to the position University of Missouri Curators' Distinguished Teaching Professor Emeritus, effective September 1, 2017.

The complete nomination packet is filed with the Office of Academic Affairs.

2. ²⁸⁵Property Lease, MUHC - this item is excluded from the minutes and may be given public notice upon completion.

3. Property Purchase, 500 N. Keene Street – Suite 402, Columbia, Missouri, MUHC –

that the Interim Vice President for Finance be authorized to purchase an approximately 3,408 square foot medical office condo also known as Suite 402 located within the Keene Medical Building at 500 North Keene Street, Columbia, Missouri from Winston E. Harrison, M.D. P.C. for a purchase price of \$490,000 plus related closing expenses, for MU Health Care.

Funding is from:

MU Health Care Reserves	\$490,000 plus related closing expenses
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4. ²⁸⁶Property Sale, UM - this item is excluded from the minutes and may be given public notice upon completion.

Roll call vote of the full Board:

Curator Chatman voted yes.
Curator Farmer voted yes.
Curator Graham voted yes.
Curator Layman voted yes.
Curator Phillips voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.

The motion carried.

President's Report on personnel and contracts – presented by President Choi.

No action taken by the Board.

There being no other business to come before the Board of Curators, the meeting was adjourned at 3:00 P.M. on Friday, April 28, 2017.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cindy S. Harmon".

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

Approved by the Board of Curators on June 23, 2017.