

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



BOARD OF CURATORS
Minutes of the Board of Curators Meeting
Thursday, April 22, 2021

A Board Committee meeting was held April 13, 2021 in conjunction with the April 22, 2021 Board meeting.

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the Board of Curators was convened in public session at 8:00 A.M. on Thursday, April 22, 2021, via Zoom webinar and at remote locations via conference telephone pursuant to public notice given of said meeting. Curator Darryl M. Chatman, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Julia G. Brncic
The Honorable Darryl M. Chatman
The Honorable Maurice B. Graham
The Honorable Todd P. Graves
The Honorable Gregory E. Hoberock
The Honorable Jeffrey L. Layman
The Honorable David L. Steelman
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present

Dr. Mun Y. Choi, President, University of Missouri
Mr. Stephen J. Owens, General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Mr. Remington Williams, Student Representative to the Board of Curators
Dr. C. Mauli Agrawal, Chancellor, University of Missouri – Kansas City
Dr. Richard Barohn, Executive Vice Chancellor for Health Affairs
Dr. Beth Chancellor, Vice President for Information Technology and MU Chief Information Officer
Dr. Mohammad Dehghani, Chancellor, Missouri University of Science and Technology

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

General Business

University of Missouri Board Chair's Report – presented by Chair Chatman (slides on file)

Chair Chatman recognized Curators' Distinguished Teaching Professor designation from Missouri University of Science and Technology for David Enke. He also recognized the work of an outstanding researcher from each university; Dr. Gary Grubbs from Missouri S&T, Dr. Luis Martinez-Lemus from MU, Dr. Lon Chubiz from UMSL and Dr. Diane Mutti-Burke from UMKC.

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

President Choi presented a report that included:

- Research and creative works compact update
 - Major grants and awards for each university
 - NextGen Precision Health update
- Student success compact update
 - Recognized 2020 and 2021 Presidential Awardees from Missouri University of Science and Technology:
 - Professor Rui Bo, Early Career Excellence, 2020
 - Professor Kathleen Sheppard, Innovative Teaching, 2020
 - Professor William Fahrenholtz, Sustained Career Excellence, 2020
 - Professor Kamal Khayat, Sustained Career Excellence, 2020
 - Professor Fateme Rezaei, Early Career Excellence, 2020
 - Professor James Drallmeier, University Citizenship – Leadership, 2020

- Professor David Westenberg, Community Engagement, 2020
 - Professor Jagannathan Sarangapani, Sustained Career – STEM, 2021
 - Professor VA Samaranayake, University Citizenship – Leadership, 2021
- Admissions, research and philanthropy updates
 - Legislative update
 - Investments to achieve excellence

Student Representative to the Board of Curators Report – presented by Remington Williams (slides on file)

Student Representative to the Board of Curators presented an update of Intercampus Student Council initiatives and undergraduate research day at the Capital in April. He also presented ways that students found to overcome obstacles and stay connected during the COVID-19 pandemic at each university.

Approval, Board Executive Committee and Standing Committees Appointments

It was recommended by Chair Chatman, moved by Curator Graham and seconded by Curator Layman, that the following Board of Curators Executive Committee and Standing Committees appointments be approved for 2021:

Executive Committee

Darryl M. Chatman, Chair
Greg E. Hoberock
David L. Steelman

Academic, Student Affairs, Research and Economic Development Committee

Robin R. Wenneker, Chair
Todd Graves
Greg E. Hoberock
Jeff L. Layman

Audit, Compliance and Ethics Committee

Jeff L. Layman, Chair
Julia G. Brncic
Maurice B. Graham
Todd Graves

Governance, Compensation and Human Resources Committee

Michael A. Williams, Chair
Julia G. Brncic
Jeff L. Layman
David L. Steelman

Finance Committee

Greg E. Hoberock, Chair
David L. Steelman
Robin R. Wenneker
Michael A. Williams

Health Affairs Committee

David L. Steelman, Chair
Maurice B. Graham
Robin R. Wenneker
Michael A. Williams
Ronald G. Ashworth (non-curator)
John R. Phillips (non-curator)

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

2022 Board of Curators Meeting Calendar

It was recommended by Chair Chatman, endorsed by President Choi, moved by Curator Hoberock and seconded by Curator Graham, that the proposed 2022 Board of Curators meeting calendar be approved as follows:

PROPOSED 2022 BOARD OF CURATORS MEETING CALENDAR

<u>DAY(S)</u>	<u>DATE(S)</u>	<u>LOCATION</u>
Thursday	February 3	UM – Columbia
Thursday	April 21	Missouri S&T
Thursday	June 23-24	Columbia, Missouri
Thursday	September 8	UM – Kansas City
Thursday	November 17	UM – St. Louis

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

Review of Consent Agenda – No discussion.

Consent Agenda

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

CONSENT AGENDA

Action

- A. Minutes, February 4, 2021 Board of Curators Meeting
- B. Minutes, February 4, 2021 Board of Curators Committee Meetings
- C. Minutes, March 12, 2021 Special Board of Curators Meeting and Executive Committee Meeting
- D. Degrees, Spring Semester 2021 for all Campuses
- E. Spinal Cord Injury and Disease Research Program Proposals
- F. Amendment, Collected Rules and Regulations 330.100, Evaluation of the Ability to Work
- G. Amendment, Collected Rules and Regulations 180.060, Personnel Files
- H. Sole Source General Genealogy Research Database, MOREnet
- I. Amendment, Collected Rules and Regulations 300.010, Faculty Bylaws, MU

- A. Minutes, February 4, 2021 Board of Curators Meeting – as provided to the Curators for review and approval.
- B. Minutes, February 4, 2021 Board of Curators Committee Meetings – as provided to the Curators for review and approval.
- C. Minutes, March 12, 2021 Board of Curators Special Meeting and Executive Committee Meeting – as provided to the Curators for review and approval.
- D. Degrees, Spring Semester 2021 for all Campuses

that the action of the President of the University of Missouri 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 2021, 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.

E. Spinal Cord Injury and Disease Research Program Proposals

that the research proposals approved by the Spinal Cord Injuries Research Program Advisory Board be approved as presented on the following pages (and as on file with the minutes of this meeting).

- I. Differential expression analysis, at single cell resolution, of the dorsal horn of the thoracic spinal cord to investigate early onset proprioceptive deficits in a canine ALS model

Joan Coates, DVM, MS, DACVIM–Neurology
Professor
University of Missouri

Total funding recommended \$99,059

- II. Effects of Spinal Cord Injury on Autonomic Network Activity
Controlling Bladder Function

David Schulz, PhD
Professor
University of Missouri

Total funding recommended \$200,000

F. Amendment, Collected Rules and Regulations 330.100, Evaluation of the Ability to Work

that the Collected Rules and Regulations, Section 330.100, Evaluation of the Ability to Work, be revised as attached (and as on file with the minutes of this meeting).

330.100 Evaluation of the Ability to Work

Executive Order No. 42, issued 12/18/2014, Amended 7-28-20; Bd. Min 04-22-21.

- A. **Purpose:** This policy addresses the standard and process to be used when determining whether a faculty member is unable to perform the essential functions of the faculty member’s position because of a medical condition and whether a faculty appointment should be terminated for medical reasons. Issues concerning interpretation and application of this policy are to be addressed in the review and determination process stated in this policy and are not subject to further review under the Academic Grievance Procedure in Section 370.010 of the Collected Rules and Regulations. Application of this policy is not intended as a substitute for other University policies or procedures related to performance, including those imposed because of clinical or professional

requirements. In addition, application of this policy is not a substitute for discipline or action taken because of performance deficiencies unrelated to ability.

- B. Scope:** This policy applies to faculty members, either tenure/tenure track or non-tenure track, described in Section 310.020A of the Collected Rules and Regulations of the University of Missouri as holding academic staff appointments. This policy is intended to be consistent with the Americans with Disabilities Act, the Rehabilitation Act of 1973 and the Missouri Human Rights Act and should be interpreted to assure compliance with these laws.
- C. Special Considerations for Faculty Members:** Faculty members have rights that stem from the University's Collected Rules and Regulations, from the application of the general principles of academic freedom, and from the role of faculty members in the shared governance structure within the University of Missouri. This policy is not intended to compromise this special status but rather is intended to clarify and protect the rights of such faculty members and of the University of Missouri and its constituents.

D. Rights and Obligations of Faculty Members:

1. Faculty members shall incur no loss of pay or benefits solely because the evaluation process discussed below is underway until and unless official action is taken to alter the faculty member's employment status in conformity with provisions of the Collected Rules and Regulations of the University of Missouri.
2. Faculty members subject to the evaluation of ability to work process have an obligation to act in good faith and cooperate with the administrative coordinator. Failure to attend a reasonably scheduled evaluation may justify disciplinary action and may be considered sufficient evidence to conclude that the faculty member cannot continue to fulfill the terms and conditions of the individual's faculty appointment. Upon a faculty member's failure to attend a reasonably scheduled evaluation, the administrative coordinator will notify the provost, the provost will make a determination as to the faculty member's ability to work, and the process will move forward as stated in section F.3 below.

E. Rights and Obligations of the University:

1. The costs of the fitness for duty evaluations by the health care professionals designated by the University and the associated costs will be borne by the University, and not by the faculty member.
2. If the outcome of the evaluation is Able to Work with Limitations (see Section F.3. *Procedures* below) the University shall make reasonable efforts to accommodate those limitations in accordance with Section 600.080 of the Collected Rules and Regulations.

F. Procedures:

1. Evaluation: A faculty member of the University may be required to be examined by appropriate licensed/certified health care professional(s) designated by the University in order to determine the faculty member's ability to perform the essential functions of the faculty member's position. Such an evaluation may be required when there is reasonable cause to believe that the faculty member's ability to perform essential functions of the faculty member's position is impaired by a medical condition, or that the faculty member poses a direct threat to self or others due to a medical condition.
2. Process: The dean of the faculty member's college or school or the dean's designee may request that this policy be invoked for a particular faculty member by notifying the campus provost of the facts suggesting a need for such an evaluation.

The campus provost, in consultation with the appropriate academic unit head, the chief campus human resources administrator and a representative of the Office of the General Counsel will determine whether an evaluation is warranted based on the standard stated in F.1. above.

- a. The provost will seat an evaluation panel composed of a provost's designee, the dean or designee of the school or college where the faculty member holds an appointment, and two tenured faculty members appointed by the chair of the campus faculty senate or council, including at least one faculty member from the same school or college as the faculty member whose fitness for duty evaluation is being sought.

The panel will review the request and make a recommendation as to whether the academic unit head has demonstrated 1) that an evaluation is warranted based on the standard stated in F.1. above, 2) that the academic unit and the faculty member have been involved in efforts to resolve the problem, and 3) that a mutually satisfactory resolution has not been achieved. The panel will reach a recommendation by vote. In the event of an evenly split vote, the panelists may issue their own recommendations along with the reasons for them.

If the provost determines an evaluation is warranted, the provost will appoint an administrative coordinator to facilitate the evaluation process. The administrative coordinator will have knowledge of applicable privacy rules and policies and will have appropriate resources to ensure that charges associated with the evaluation are paid by the University. The administrative

coordinator, in consultation with the General Counsel's office, will take the following steps:

- a. Inform the faculty member in writing that an evaluation is required and provide information on the faculty member's and University's rights and obligations under this policy.
- b. Prepare a list of three to five health care professionals, at least one of whom is not employed by the University, for the evaluation process.
 - a. The faculty member to be evaluated, or in the event that the faculty member is unable or unwilling, an authorized representative with legal authority to make health-care decisions for the faculty member to be evaluated, shall select from the list the health-care professional(s) to perform the evaluation.
 - b. If the faculty member to be evaluated or the faculty member's authorized representative has not selected the health-care professional(s) to perform the evaluation within two weeks following receipt of the list of health-care professionals, the coordinator will select the health-care professional(s) to perform the evaluation and inform the faculty member to be evaluated of the selection.
- c. Inform the faculty member of the time and place of the required evaluation.
- d. Gather and assemble the evaluation materials and present them to the provost.

In cases where a direct threat to health or safety of the faculty member or others may exist, the faculty member will be suspended with pay by the provost pending the outcome of the evaluation. The provost will notify the faculty member of the proposed suspension with pay, and the faculty member may request reconsideration by submitting a written response within five business days.

3. Outcome of the Evaluation: The administrative coordinator will forward to the provost and faculty member an evaluation report from the designated health care professional describing the focus, method, and results of the evaluation, and the health care professional's conclusion regarding the faculty member's ability to perform essential functions of the faculty member's job. The faculty member may submit any response to the evaluation report, along with any supporting materials, to the provost within five business days. The provost will review the evaluation report and any response. Within ten business days after receipt of the evaluation report, the provost will notify the administrative coordinator of the

provost's determination as to the faculty member's ability to work. That determination will include one of the following: able to work without limitation; able to work with limitations; unable to work.

- a. *Able to work without limitation*: If the provost determines that the faculty member is able to work without limitations, the coordinator will notify the faculty member and the academic unit head within five business days after receipt of the provost's final determination. If the faculty member was suspended pending the outcome of the evaluation, the suspension will terminate upon receipt of this notice.
- b. *Able to work with limitations*: If the provost determines that the faculty member is able to work with limitations, the coordinator will notify the faculty member and academic unit head within five days, and the University will make reasonable efforts to accommodate those limitations in accordance with Section 600.080 of the Collected Rules and Regulations.
- c. *Unable to work*: If the provost determines that the faculty member is not able to perform the essential functions of the faculty member's job, the coordinator will notify the faculty member and academic unit head within five business days. The coordinator will work with the faculty member as to the faculty member's options, which must be agreeable to the provost, and which may include, but are not limited to, application for long term disability benefits, unpaid leave of absence, resignation or termination of the faculty member's tenured appointment or term appointment before the end of the period of appointment. The notification also will identify the chair of the Campus Faculty Committee on Tenure (see Faculty Committees on Tenure 310.050 of the Collected Rules and Regulations).
 1. If no agreeable alternative to termination of appointment is identified, the faculty member may request review by the Campus Faculty Committee on Tenure. Such a request for review must be submitted to the provost, the coordinator, and the chair of the Committee on Tenure within five business days of notice of the provost's determination. The request for review will specify whether the faculty member wishes to make an appearance before the Campus Faculty Committee on Tenure. Upon receipt of the faculty member's request, the coordinator will provide the following materials to the Campus Faculty Committee on Tenure with a copy to the faculty member: the request to invoke the evaluation of ability to work process, the evaluation panel recommendation(s), the evaluation

report, the faculty member's response and supporting materials (if any), and the provost's determination.

2. The faculty member and provost may submit written arguments to the Campus Faculty Committee on Tenure within ten business days of the faculty member's request for review, with copies to the coordinator. If requested, the faculty member will be afforded an opportunity to appear before the Campus Faculty Committee on Tenure within ten business days of the faculty member's request for review and the provost will be afforded an opportunity to appear at the same time as the faculty member. The Campus Faculty Committee on Tenure will review the materials presented to it by the coordinator and the arguments of the faculty member and provost, but will not hear witness testimony or take additional evidence.
 3. Within twenty business days of the faculty member's request for review, the Campus Faculty Committee on Tenure will provide a recommendation to the chancellor whether the faculty member's tenured appointment should be terminated, with copies to the coordinator, the provost, and the faculty member. The coordinator will provide to the chancellor copies of all materials and arguments submitted to the Campus Faculty Committee on Tenure.
 4. After giving due consideration to the recommendation of the Campus Faculty Committee on Tenure, the chancellor shall issue a final determination whether the faculty member's tenured appointment will be terminated. 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.
 - d. If the faculty member takes an unpaid leave of absence, a follow-up evaluation will be required to certify that the faculty member is able to return to work and under what conditions prior to the faculty member's return to work.
4. **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 Evaluation of the Ability to Work.
 5. **Confidentiality and Access to Information:** Reports and other information about the evaluation and any follow-up treatments shall be kept by the provost and will not be included in the faculty member's personnel file. Upon written request, the faculty member may inspect

report(s) by the designated health-care professional(s) who conducted the faculty member's evaluation in accordance with applicable laws. The provost will provide those in the faculty member's reporting chain with only that information about the faculty member's condition necessary for the proper supervision of the faculty member.

G. Amendments to Collected Rules and Regulations 180.060, Personnel Files

that Section 180.060 of the University's Collected Rules and Regulations be amended as set forth in the attached document (and as on file with the minutes of this meeting).

Collected Rules and Regulation 180.060 Personnel Files

Bd. Min. 9-7-79, 11-13-81; Bd. Min. 7-13-00; Amended 2-9-17; Amended 7-28-20; Amended 4-22-21.

- A. **Inspection** -- Any employee may inspect the employee's own personnel records and can request that these records be made available to the employee's union representative.
- B. **Advance Notice** -- Such request to inspect records or make them available shall be made in writing with advanced reasonable notice.
- C. **Personnel File Management** -- The personnel file is the file maintained by the Human Resource Office and may include items not available to employees such as letters of recommendations and legal documents which must be considered confidential and available only to supervisory personnel who must necessarily have access in order to make appropriate decisions.
- D. **Warnings, Reprimands or Actions** -- If an employee's record has been free of written warnings, reprimands or disciplinary actions related to attendance or tardiness for a period of two (2) years of continuous employment the University will not base any current disciplinary actions related to attendance or tardiness on the earlier warnings, reprimands or disciplinary actions. If, however, additional warnings, reprimands or suspensions related to attendance or tardiness have been given during the past two (2) years, then the employee's entire record will be considered in determining appropriate disciplinary action. For all other warnings, reprimands or disciplinary actions, such as warnings, reprimands or disciplinary actions related to discrimination and sexual harassment, no such time limitation applies.

H. Sole Source, General Genealogy Research Database, MOREnet

that UM System be authorized to purchase a General Genealogy Research Database from ProQuest, LLC, Citrix, Corp., Ann Arbor, Michigan, at a total estimated cost of \$588,154 for a four-year term.

Funding is as follows:

MOREnet Member Related Expenses A2854-739850

I. Amendment, Collected Rules and Regulations 300.010, Faculty Bylaws, MU

That the Collected Rules and Regulations, Section 300.010, Faculty Bylaws of the University of Missouri – Columbia, be revised as attached (and as on file with the minutes of this meeting).

300.010 Faculty Bylaws of the University of Missouri-Columbia

Bd. Min. 11-22-74; Amended Bd. Min. 2-15-80 and 4-25-80; Amended Bd. Min. 1-31-91; 6-6-08; Amended 6-17-11; Amended 4-12-13; Amended 4-22-21.

- A. **The Faculty Bylaws** for the University of Missouri-Columbia as approved by the faculty on November 14, 1974 (a copy of which is on file with the Secretary), be approved, subject to the following:
1. That the Bylaws are subject to all rules and regulations of the Board of Curators.
 2. That any amendment of the Bylaws shall be submitted to the Board of Curators for approval before becoming effective.
 3. This action be printed as part of the printed Bylaws.
- B. **Membership** -- The University of Missouri-Columbia* faculty shall consist of the president, chancellor, all persons with regular academic appointments, and all full-time, ranked non-tenure track (NTT) faculty with professorial designation. Campus-wide faculty votes on issues specific to tenure or tenured/tenure track (T/TT) faculty will be restricted to T/TT faculty.
*(Hereafter referred to as UMC. Also, when "faculty" is used alone, it is meant to refer to the UMC faculty, unless otherwise specified.)
- C. **Faculty Rights, Ethics, Responsibilities and Authority**
1. **Rights**
 - a. **Academic Rights** -- Faculty members have the right to freedom of inquiry, discourse, research, publication and teaching. These rights are accompanied by their correlative responsibilities as noted in 300.010.C.1 and C.2 in this section (Also Ref: Sections 310.010-310.070).
 - b. **Civil Rights** -- Faculty members do not relinquish any of their constitutional rights by virtue of employment with the University of Missouri (Ref: Sections 330.020, 330.030 and 90.050).

- c. **Employment Rights** -- Faculty members have rights consistent with their continuous appointment or term appointment. These include the right to be notified as early as possible of their appointments and conditions of contract renewal (Ref: Sections 310.010-310.070).
 - d. **Right to be Kept Informed** -- The faculty has the right to be informed of actions and activities of committees and executive officers of the campus and of the University-wide system, including those related to budget matters, as well as decisions of other bodies which affect UMC. Where possible, this information shall be made available to the faculty before being made available to the general public.
2. **Professional Ethics and Academic Responsibilities** -- The professor, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special responsibilities placed upon him/her. His/her primary responsibility to his/her subject is to seek and to state the truth as he/she sees it. To this end he/she devotes his/her energies to developing and improving his/her scholarly competence. He/she accepts the obligation to exercise critical self-discipline and judgment in using, extending and transmitting knowledge. He/she practices intellectual honesty. Although he/she may follow subsidiary interests, these interests must never seriously hamper or compromise his/her freedom of inquiry.
 - a. **As a teacher**, the professor encourages the free pursuit of learning in his/her students. He/she holds before them the best scholarly standards of his/her discipline. He/she demonstrates respect for the student as an individual, and adheres to his/her proper role as intellectual guide and counselor. He/she makes every reasonable effort to foster honest academic conduct and to assure that his/her evaluation of students reflects their true merit. He/she respects the confidential nature of the relationship between professor and student. He/she avoids any exploitation of students for his/her private advantage and acknowledges significant assistance from them. He/she protects their academic freedom.
 - b. **As a colleague**, the professor has obligations that derive from common membership in the community for scholars. He/she respects and defends the free inquiry of his/her associates. In the exchange of criticism and ideas he/she shows due respect for the opinions of others. He/she acknowledges his/her academic debts and strives to be objective in his/her professional judgment of colleagues. He/she accepts his/her share of faculty responsibilities for the governance of his/her institution.
 - c. **As a member of his/her institution**, the professor seeks above all to be an effective teacher and

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

- d. **As a member of his/her community**, the professor has the rights and the obligations of any citizen. He/she measures the urgency of those obligations in the light of his/her responsibilities to his/her subject, to his/her students, to his/her profession, and to his/her institution. When he/she speaks or acts as a private person he/she avoids creating the impression that he/she speaks or acts for his/her college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation for promoting conditions of free inquiry and to further public understanding of academic freedom. Further, the faculty accepts the responsibility of monitoring its own members if accepted standards of professional responsibility are abrogated (Section 300.010.L of these Bylaws).
3. **Authority** -- The faculty's authority, as delegated by the Board of Curators, is of three types: direct and primary, in which the faculty has essential decision-making authority; shared, in which the faculty participates with others; and advisory, in which the faculty counsels with the person or offices with ultimate decision-making authority. (On those matters requiring multi-campus coordination, the faculty shall act through its appropriate bodies, Section 300.010.F.)
 - a. **Primary and Direct Authority** -- The UMC faculty has essential decision-making authority in matters directly affecting the educational program of UMC, including but not limited to:
 - (1) Articulation and maintenance of standards of academic performance -- this includes but is not limited to guidelines for appropriate research, service, and scholarships; requirements for graduation; and related matters.
 - (2) Construction and approval of courses of instruction and of curricula.
 - (3) Construction and approval of procedures governing educational support programs on the UMC campus.
 - (4) Formulation of criteria determining professional

- standing of faculty -- including but not limited to such matters as tenure, promotion, termination, guidelines for responsibility, faculty standing with regard to graduate faculty membership and doctoral dissertation supervision.
- (5) Determination of an appropriate faculty committee structure.
 - (6) Determination of minimum admission requirements.
 - (7) Selection of awardees for academic scholarships.
- b. **Shared Authority** -- The UMC faculty has shared authority by which it participates cooperatively with other persons or offices in matters such as:
- (1) Development and articulation of students' rights and responsibilities.
 - (2) Determination of an appropriate academic calendar.
 - (3) Selection of awardees for honorary degrees.
 - (4) Application of criteria affecting professional standing of faculty.
- c. **Advisory Authority** -- The UMC faculty has advisory authority and responsibility with other persons or offices in matters such as:
- (1) Budget and resource allocation.
 - (2) Planning, including capital expenditures and physical facilities.
 - (3) Selection of departmental, divisional, campus, and university-level administrators.
 - (4) Determination of the campus standing committee structure.
 - (5) Development and implementation of general business procedures which facilitate academic program excellence.
 - (6) Use of facilities for program activities.
 - (7) Application of criteria affecting promotion, tenure and termination.
- d. **Faculty Delegation of Authority** -- The faculty, recognizing that handling matters through meetings of the faculty is cumbersome, that attendance at such meetings varies, and that it is often difficult to have complete discussion of issues at such meetings, may delegate its authority to the Faculty Council. Such delegation, if made, shall be in accord with and subject to the following provisions:
- (1) The delegation shall be made by majority vote of the faculty by mail ballot or at a regular meeting of the faculty. The delegation may be for a specific period (not less than one academic year) or for an indefinite period. However, the delegation may be withdrawn at any time by specific action of the Faculty.

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

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

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

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

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

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

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

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

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

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

D. Meetings

1. The faculty shall meet at times determined by it or when called by the chancellor. Upon written request of twenty (20) members of the

- faculty addressed to the chancellor, a meeting shall be called within fifteen (15) days of receipt by the chancellor.
2. Reasonable notice (preferably one week minimum) shall be given by the chancellor to all members of the faculty of the time and place of all faculty meetings.
 3. Fifty (50) members of the faculty representing at least three (3) academic divisions shall constitute a quorum.
 4. The agenda for faculty meetings shall be determined jointly by the chairperson of the Faculty Council on UMC Policy and the chancellor.
 5. Any item of new business not included on the distributed agenda of a faculty meeting will require either a 50 percent vote of approval of those present to be considered at the next faculty meeting or, to be enacted at the meeting at which it is introduced, two-thirds vote of approval of those present.

E. Faculty Organization

1. The authority of the faculty as delegated by the Board of Curators shall include the responsibilities set forth in Section 300.010.C. In order to perform these functions, the faculty takes cognizance of the consequences of its size and complexity and therefore delegates specific policy making and coordinating functions to representative bodies. The main representative body shall be a Faculty Council.
2. The Faculty Council is established as the elected representative body of the faculty. It shall act for the general faculty on all matters within the framework of the policies expressed in these Bylaws and shall function in accordance with the specifications formulated in Section 300.010.C. The Faculty Council shall have the right to delegate some of its operation tasks to an executive committee and/or its officers.
3. The Faculty as a whole shall approve all policies which involve a modification or change of the principles set forth in these Bylaws. The faculty further may review decisions and actions by the Faculty Council provided that a petition requesting such action has been signed by at least 25 faculty members representing at least three divisions of the campus.
4. There shall be a Graduate Faculty organization. It shall develop its own criteria for membership, organizational structure, its own obligations and rights providing they are consonant with the philosophy and principles of the federal faculty Bylaws. The Graduate Faculty shall determine the functions of the Graduate Faculty Senate. The Graduate Faculty shall set standards for graduate education on the campus, provided they meet at least the minimum standards established by the general faculty.
5. Divisional faculties are established in the various academic divisions. They shall develop policies adapted to their specific needs, but standards of performance must not be set below those established by the general faculty.

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

F. Faculty Participatory Authority and Functions in Campus Governance

1. Participatory authority and functions of the faculty are expressed through faculty involvement in the campus committee structure including those committees which govern academic and administrative matters affecting the campus, faculty and students. The faculty participates in the selection of administrative officers. The faculty participates in the monitoring of administrative and academic operating procedures. These participatory functions of the faculty are articulated as follows:
 - a. The faculty, through its elected representative structure, the Faculty Council, nominate faculty members to participate in a specially designated body currently called the University Assembly which is charged with advising the chancellor on matters mutually affecting all constituencies of the University (faculty, students, administration, and non-academic employees), and nominating members to campus-wide standing committees. The participation of the UMC faculty in this Assembly will represent faculty participation to the extent that the domains of faculty primary and direct authority are not infringed upon.
 - b. An Academic Regulations Committee shall be established consisting of representatives of the Faculty Council (which may be the Executive Committee) and campus administration. This committee will assume responsibility for the development and monitoring of campus standard operating guidelines which, after approval by the Faculty Council, administration, and students where appropriate, shall be published as "Academic Regulations Manual." These guidelines will cover the academic schedule of studies and examinations, calendar, academic procedures and policies and campus governance and shall be consonant with these Bylaws. This committee will meet regularly to monitor these guidelines and to coordinate the need for modification and changes.
 - c. The Faculty Council will nominate faculty members to participate in ad hoc committees, including Search and Screening Committees for campus administrators and academic officers.
2. The faculty representatives to the University Assembly and the Academic Regulations Committee will report to the Faculty Council at appropriate intervals.

G. Faculty Participation in University-wide Governance

1. The faculty shall participate in education policy determination about those matters which are University-wide; some of these will be parallel to those issues in which the faculty exercises shared authority at the campus level (Section 300.010.C.3.a). The faculty's responsibility in these matters shall be exercised through mechanisms such as:
 - a. The Intercampus Faculty Council on which the UMC faculty shall have representatives designated by the UMC Faculty Council.
 - b. The University Doctoral Council to which the UMC Graduate Faculty shall elect its members.
 - c. Ad hoc and standing University-wide committees to which the faculty (often acting through its elected campus body, the Faculty Council) shall designate its members.
 - d. Intercampus committees concerned with cooperation in educational and research activities within the respective disciplines.

H. Faculty Council on UMC Policy

1. **Representative Faculty Voice:** A Faculty Council shall be composed of faculty members who shall be elected by the several divisional faculties as hereinafter provided. The Faculty Council shall have certain delegated authority to act on behalf of the General Faculty (Section 310.010.C.3.c of these Bylaws). In addition, the Council, as a representative faculty voice, shall advise the chancellor and the UMC faculty on questions of UMC policy submitted by either to the Council, and may initiate recommendations concerning changes in the UMC policy for consideration and appropriate action by the chancellor or UMC faculty.
2. **Academic Unit Selections:** All colleges and schools that are headed by a dean who reports to the provost for academic affairs shall be entitled to voting representation. For the purposes of Academic Unit Selections MU Libraries will be collectively treated as a school entitled to voting representation.
3. **Allocation of Representatives:** Faculty Representatives shall be allocated to a college or school on the basis of the total number of full-time ranked faculty members of the UMC faculty within the college or school. The determination of the number of full-time ranked faculty representatives shall be made on November 1 of each academic year, and the number so determined shall govern representation for the next academic year. A full-time ranked representative who has a joint appointment in two or more colleges or schools shall be assigned to the college or school in which the

representative devotes the largest percentage of the representative's time. If the assignment cannot be made on this basis, the Council shall make the assignment, first having consulted with the representative to the extent feasible. Representation of the various colleges and schools shall be based upon persons holding eligible ranks listed in the most recent UMC general catalog. Emeritus professors will not be included in the computations, with the exception that retired professors on continued service will be counted.

Each college or school shall be entitled to representation at a basic ratio of one representative for each fifty (50) full-time ranked faculty members or majority fraction thereof (26-49), and in particular as follows: one (1) representative for 1-75; two (2) representatives for 76-125; and so on for each additional fifty (50) full-time ranked faculty or major fraction thereof. Notwithstanding the basic ratio, no school or college is entitled to more than eight representatives.

In the event the number of full-time ranked faculty members changes to the point where the basic ratio would give less than 30 or more than 35 representatives, the Council by a finding recorded in its minutes shall adjust the ratio to produce not less than 30 and not more than 35 representatives.

4. **Minimum Number of T/TT and NTT Representatives:** The minimum number of T/TT faculty representatives on the Council shall be four, and the minimum number of NTT faculty representatives on Council shall be four. If, as the result of academic unit selections of representatives, fewer than four NTT faculty or four T/TT faculty are included in the makeup of Faculty Council on September 15 of any year, Faculty Council shall organize and hold a special election of the respective full-time ranked NTT or T/TT faculty to achieve the minimum. Only full-time ranked NTT faculty will vote in a special election for an NTT representative; Only full-time ranked T/TT faculty will vote in a special election for a T/TT representative.

The selected representatives will be added to the Faculty Council in addition to those chosen by the academic unit selections, and their addition may increase the size of Faculty Council to more than 35 full-time faculty ranked faculty representatives. Representatives elected in special elections will serve regular three-year terms.

5. **Limitation on Administrative Members:** Members of the UMC faculty who hold administrative positions with the rank of assistant dean or higher, or equivalent positions regardless of the title, are ineligible for election or service. Only those eligible to serve on the Faculty Council as full-time ranked faculty are eligible to vote for full-time ranked representatives on the Council.

6. **Election Procedures:** The full-time ranked faculty of each college or school shall determine the election procedures for the election of its representative or representatives and shall report these to the Faculty Council. Election shall be by secret ballot. In those divisions that have two or more representatives, terms shall be staggered.
7. **T/TT Matters:** As defined in the Faculty Council Rules of Order, NTT faculty representatives are not eligible for service on the Faculty Council Board of Tenured or Tenure-Track Faculty, which votes on matters specific to tenure or tenured/tenure track (T/TT) faculty.
8. **Term of Office:** The regular term of office for a member shall be three years beginning on the first day of the fall semester. No member shall serve more than two terms in succession, but a member may serve any number of discontinued terms, and even though the member has served two terms in succession may from time to time serve two more terms in succession after a break in service. Terms of less than three years, whether of one or two years duration or fraction thereof shall count the same as a three-year term.

I. **Officers of the Faculty**

1. The chairperson of the general faculty shall be the chancellor. The vice chairperson of the faculty shall be the chairperson of the Faculty Council. Ordinarily, the chairperson shall preside at faculty meetings, but determination of who shall preside will be guided by the nature of the business at hand. The vice chairperson shall preside at meetings of the general faculty in the absence of the chairperson, or at other times when so designated by the chairperson.
2. The secretary of the faculty shall be a member of the general faculty and shall be appointed by the Faculty Council. The secretary shall keep minutes of all faculty meetings and shall distribute copies of the same to all members of the general faculty, and shall provide copies of the agenda of all faculty meetings to all members of the faculty prior to any faculty meeting. (By Faculty Council action October 21, 1982, the recorder of Faculty Council shall be secretary of the faculty, with the technical assistance of the registrar; the minutes of the general faculty meetings shall be reviewed, approved and distributed to all faculty in the same manner as the minutes of the Faculty Council meetings.)
3. A parliamentarian shall be appointed by the chairperson from among members of the faculty.

J. **Designation of Faculty Representatives**

1. The Faculty Council shall monitor faculty representation on all committees where such representation is required by the Bylaws and on other committees where faculty representation is appropriate.
2. Faculty-originated appointments to campus and university committees may be challenged by a signed petition calling for a

campus-wide election from at least 25 members of the faculty representing at least three divisions of UMC. The Faculty Council shall vote on such petition, and if approved, shall initiate a campus-wide election.

K. Faculty Tenure Committee

1. The University of Missouri-Columbia Faculty Committee on Tenure shall be composed of members elected by the faculty of colleges and schools that are headed by deans who report to the provost for academic affairs. The faculty of each such college or school shall be entitled to have one single elected member of the University of Missouri-Columbia Faculty Committee on Tenure at any given time.
2. Faculty of each college or school shall, at a regular meeting during the second semester in each academic year, elect one of its members to membership on the University of Missouri-Columbia Faculty Committee on Tenure to serve for the following academic year, and also elect an alternative member, who shall serve in the event the regular committee member is unable to serve. If a faculty fails to elect during the second semester, or a vacancy in its representation occurs after it has elected, a later election may be conducted. Elections of members and alternate members shall be reported to the provost of academic affairs who shall cause the names of the members, alternate members and officers of the committee to be published in the same manner as the membership of the Faculty Council on University Policy.
3. At the inception of a hearing before the committee, the respondent and the relator may challenge members present (including alternate members and the chairperson and secretary) for cause. A member challenged for cause is entitled to be present during the hearing on the challenge but he/she, the relator and respondent, shall withdraw from the meeting during the vote on the challenge. If a challenge for cause of the chairperson is sustained, the secretary shall act as chairperson. If neither the chairperson nor the secretary is present after action on challenges for cause, the committee shall elect a chairperson pro tempore to preside at the hearing.
4. As prescribed by Sections 310.010-310.070, University of Missouri Collected Rules and Regulations, at least ten members of the committee or their alternates must be present to constitute a quorum at a meeting to elect a permanent chairperson or secretary and at the inception of a hearing. For the purposes of acting on challenges and conducting a hearing after the disposition of challenges, seven members of the committee, or their alternates, shall constitute a quorum. If, during the course of a hearing, the number of members, or their alternates, not previously removed by challenge, are present. The relator and the respondent shall be given opportunities to challenge for cause members or their alternates who were not present from the inception of the hearing and to request that such members or alternates listen to or read the taped or stenographic record of any portion of the hearing at which they were not present.

L. Procedures Governing the Disposition of Charges of Faculty Irresponsibility

1. **Basis for the Article** -- This faculty has affirmed its commitment to the principles of academic freedom repeatedly, and has recognized that academic freedom implies also academic and professional responsibility and obligations. In support of this recognition the faculty has accepted the American Association of University Professors' statement of ethical standards (1966) and other standards pertaining to specific duties. (Ref: Section 300.010.C of these Bylaws; Section 420.010 Research Dishonesty) Following the principle that a faculty should monitor its own members, Section 300.010.L establishes appropriate procedures for dealing with cases of alleged violation of professional responsibility.
2. **Definition of Faculty Member and Teacher**
 - a. The term "faculty member" as used in this article means a person holding a regular or non-regular academic staff position at the rank of instructor or above.
 - b. The term "teacher" as used in this article means a person other than a "faculty member" who holds an academic staff position.
3. **Purpose and Limits of the Article** -- This article shall govern the filing and disposition of charges alleging breaches of professional ethics or commission of irresponsible acts made against UMC faculty members and teachers. No portion of this article shall be deemed to amend or affect Section 10 of the Academic Tenure Regulations, March 10, 1950, or any revision thereof; nor shall this article be construed to affect adversely the rights which any person may have under the University Tenure Regulations.
4. **Initiation and Transmission of a Charge** -- A charge of unethical or irresponsible action may be brought against a faculty member or teacher by a person or group of persons associated with the University, such as a student, faculty member, teacher, administrator, or board member.
 - a. The charge must be submitted in writing and signed by the person or persons making the charge. The charge must specify the act or acts which allegedly constitute unethical or irresponsible action, and must be supported by pertinent details such as time(s), the act(s) was/were committed, specific place(s) where the act(s) occurred, names of witnesses who are able to support the charge, the conditions under which the alleged act(s) occurred, and any additional relevant information.
 - b. The charge shall be transmitted promptly to the UMC provost for academic affairs, whose office shall ascertain the extent to which the charge describes the act(s) that allegedly constitutes unethical or

- irresponsible action, and determine that all necessary details have been supplied. The provost shall discuss the substances of the charge with the accuser(s) to assure further that the facts and nature of the charge are understood clearly. Once the provost has verified the procedural adequacy of the charge, he/she shall forward it promptly to the dean of the division in which the accused faculty member or teacher has his/her academic appointment.
- c. Upon receipt of the signed, written charge against a faculty member or teacher employed within his/her division, the dean shall consult with the accused's department chairperson, in those divisions with more than one department. They shall review the charge for adequacy of procedural detail. If in their opinions, the charge is vague or insufficiently detailed, they shall so inform the provost in writing and return the charge to him/her with a request for clarification, or addition of information, and resubmission.
 - d. If in the opinions of the divisional dean and the department chairperson the charge is properly described, the department chairperson, or dean in those divisions without departments, as soon as possible, shall provide the accused with a full copy of the charge, including the name of the person, or persons, making the charge.
5. **Action by the Department Chairperson (or Divisional Dean) -**
- The department chairperson shall discuss the alleged violation informally with the accused and with the accuser, meeting them either together or separately, or both, and shall attempt to reconcile differences and find a solution acceptable to all persons involved.
 - a. If an acceptable solution is found, this shall be reported by the chairperson in writing to the divisional dean along with any explanation and justification. A copy of the report shall be furnished the accused. If an acceptable solution is not found, the department chairperson shall report this fact in writing to the divisional dean along with such comments as he/she considers appropriate. A copy of this report shall be supplied to the accused. In addition, the chairperson shall provide the accused with a written statement of his/her recommendations for disposition of the charge and shall describe the rights of the accused to an informal hearing.
 - b. If the divisional dean agrees with the acceptable solution and the provost for academic affairs concurs, this shall end the matter and the accused shall be so informed. If the divisional dean or the provost for academic affairs does not agree with the acceptable

solution or if no acceptable solution was reached, the matter may be referred back to the department chairperson for further negotiation, or the procedures under Section 300.010.L.6 shall be followed.

- c. In those divisions having only one department, the divisional dean shall take the steps set out in Section 300.010.L.5 and shall report to the provost for academic affairs.
- d. The department chairperson or the divisional dean shall be disqualified from action under Section 300.010.L.5 if he/she is the accuser or the accused and in such case the respective department or division shall elect a chairperson pro tem to act instead.

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

- a. After a written request for an informal hearing, such hearing shall be held by a committee designated for this function according to the following procedure:
 - (1) A Department Committee on Faculty Responsibility shall be established annually according to normal procedures in the structuring of committees in the department. If the accused or the accuser is a member of the committee, he/she is disqualified from the committee for that case. If the accused is a teacher, the department committee must be adjusted to include peers of the same academic rank, in proportion to the department roster. In small departments, same-level peers may be appointed from related departments by mutual consent of the accused and the department chairperson. The chairperson shall supply the accused with a written report of the membership of the Department Committee on Faculty Responsibility.
 - (2) For the Divisional Committee on Faculty Responsibility, a panel of 13 faculty members and a special panel of five teachers shall be named annually by the Divisional Policy Committee. In any case where the accused or the accuser is a member of the panel, he/she shall be replaced by a substitute appointed by the Divisional Policy Committee.

- (a) When the accused is a faculty member, the divisional dean will strike three names and then the accused will strike three names from the panel of faculty members and the remaining seven faculty members will constitute the committee.
 - (b) When the accused is a teacher, five members of the panel of Faculty members will be removed by lot from the panel and replaced by the members of the special panel of teachers. From the resulting panel of 13 the divisional dean will strike three names and then the accused will strike three names and the remaining seven members will constitute the committee.
 - (c) The Divisional Committee on Faculty Responsibility, once constituted, shall organize itself. The divisional dean shall supply the accused with the names of the members of the Divisional Committee on Faculty Responsibility.
- b. The committee (department or division) shall investigate the charge and shall offer the accused and the accuser an opportunity to state their positions and to present testimony and other evidence relevant to the case. The accused shall have access to all information considered by the committee and the names of all persons giving evidence against him/her. The hearing shall be informal and the accused and the accuser at their option may be present during the hearing. Other persons shall not be present except while giving testimony or other evidence.
- c. After completion of the hearing the committee shall meet in closed session and after deliberation prepare a written report. This report (including a minority report, if any) shall be transmitted to the divisional dean and a copy transmitted promptly to the accused. This report shall be limited to one of the following:
 - (1) The charge is unfounded or there is insufficient reason to believe the accused has violated professional ethics or acted irresponsibly, and the matter should be dropped without prejudice to the accused. The justification for this conclusion must be included.
 - (2) There is sufficient reason to believe the accused has acted unethically or irresponsibly, and
 - (a) If the accused is a faculty member, the matter should be referred for a formal hearing. No recommendation as to sanction should be made but an assessment of the seriousness of the alleged violation, including whether it is serious enough that termination of appointment should be considered, shall be made.

(b) If the accused is a teacher, a recommendation as to the appropriate sanction shall be made. The justification for this conclusion must be included.

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

- a. **If the accused is a faculty member and no request for an informal hearing was made**, the divisional dean with the concurrence of the provost for academic affairs shall either:
 - (1) Dismiss the charge, in which case the matter is closed without prejudice to the accused, or
 - (2) Refer the matter to the Campus Committee on Faculty Responsibility without any recommendation as to sanction, in which case the procedures of Section 300.010.L.8 shall be followed. If the provost for academic affairs does not concur, he/she may take either of the above actions on his/her own motion.
- b. **If the accused is a faculty member**, after receiving the recommendation of the department or divisional Committee on Faculty Responsibility, the divisional dean with the concurrence of the Provost for academic affairs shall either:
 - (1) Dismiss the charge, in which case the matter is closed without prejudice to the accused, or
 - (2) Refer the matter to the Campus Committee on Faculty Responsibility with or without a recommendation as to sanction, in which case the procedures of Section 300.010.L.8 shall be followed, or
 - (3) Recommend that the accused's appointment be terminated, in which case the matter shall be governed by the Academic Tenure Regulations and no further proceedings under this Article shall be taken. If the provost for academic affairs does not concur, he/she may take any of the above actions on his/her own motion. If the action of the divisional dean or the provost for academic affairs differs from the conclusion reached by the department or divisional Committee on Faculty Responsibility, a statement of reasons shall be given. Notification of the action with the statement of reasons shall be transmitted promptly to the accused.
- c. **If the accused is a teacher**, after receiving the report of the department or divisional Committee on Faculty Responsibility, or if the informal hearing was not requested, the divisional dean shall dispose of the case. Notification of his/her disposition with a statement of reasons shall be transmitted promptly to

the accused. The divisional dean's decision is subject to review by the provost for academic affairs who may accept an appeal from the teacher or review the case on his/her own motion.

8. Formal Hearing before Campus Committee on Faculty Responsibility

- a. **If the matter is referred for a formal hearing** before the Campus Committee on Faculty Responsibility, the accused may, within seven school days after notification of the referral, waive in writing the hearing before the Campus Committee. If the hearing is waived and no informal hearing under Section 300.010.L.6 has been held, the matter shall be returned to the divisional dean who may then recommend termination of appointment as under Section 300.010.L.7.b, or any other action he/she considers appropriate. If he/she does not recommend termination of appointment, or if the informal hearing has been held, the procedures of Section 300.010.L.9 shall be followed.
- b. **For the Campus Committee** on Faculty Responsibility, the Faculty Council shall name annually a panel of thirteen (13) faculty members. If the accuser of any person who has engaged in the investigation of the case is a member of the panel, he/she shall be disqualified and a replacement shall be appointed by the Faculty Council. When a case is referred to the Campus Committee on Faculty Responsibility, the provost for academic affairs will strike three (3) names from the panel; then the accused will strike three (3) names from the panel; the remaining seven (7) members will constitute the committee. The formal hearing shall be conducted according to the following procedures:
 - (1) The provost for academic affairs shall convene the committee. The committee shall elect a chairperson who shall preside. The provost for academic affairs shall present the case. Generally accepted principles and procedures of administrative due process shall govern the conduct of the hearing. The hearing shall not necessarily be limited by the rules of evidence applied in civil or criminal judicial proceedings. Both the committee and the provost for academic affairs may receive the advice of counsel.
 - (2) The committee and the accused shall receive from the provost for academic affairs prior to the hearing copies of all reports and recommendations in the case, the text of the original charge, the name(s) of the accuser(s) and the names of the witnesses.
 - (3) The accused shall have the right to be present at

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

- c. **Following the hearing**, the Campus Committee on Faculty Responsibility shall meet in closed session and, after deliberation, shall prepare a written report which shall include findings of fact (including whether the accused committed the acts mentioned in the charge), a determination of whether the accused's acts constitute a significant violation of professional ethics or responsibility, and the recommendation of specific sanctions or actions to be taken in the case. If the committee's recommendations differ from those made by the divisional dean, the report shall include the reasons for the difference. The report (including a minority report, if any) shall be transmitted promptly to the accused.
- (1) If the committee recommends termination of appointment and the provost for academic affairs concurs; or if the provost for academic affairs recommends termination of appointment, the matter shall be governed by the Academic Tenure Regulations and no further proceedings under this Article shall be taken.
- (2) If termination of appointment is not recommended, the report shall be transmitted to the chancellor and the procedures of Section 300.010.L.9 shall be followed.

9. **Review by the Chancellor** -- The chancellor shall, on written request of the accused or of the provost for academic affairs filed within seven days from the notification of the decision of the Campus Committee on Faculty Responsibility, or may, on his/her motion without the filing of an appeal, review the case and affirm, modify, or reverse the decision or remand it to the committee for rehearing. If the chancellor accepts an appeal or otherwise formally reviews the case, he/she shall notify the provost for academic affairs and the accused, and shall afford them an opportunity to make written submissions or suggestions concerning the disposition of the appeal on review. If the chancellor reverses or modifies the decision of the committee, he/she shall set forth in writing a statement of his/her decision and the reasons therefor, and shall furnish a copy of his/her statement to the accused and to have accepted the committee's decision as the final disposition of the

case. If the chancellor is absent from the campus or for any reason is unable to act throughout the review period, he/she may designate a deputy (not the provost for academic affairs) to discharge this function for him/her, or in case of need the president may be requested by the provost for academic affairs or the chairperson of the Campus Committee on Faculty Responsibility to name a deputy to exercise the chancellor's authority in the case. After action by the chancellor, any further appeal by the accused shall be confined to the general right of all members of the University to petition the president and the Board of Curators.

10. **Charges Against Administrators** -- This Article shall cover charges of unethical or irresponsible actions against administrators in their teaching capacities. If a charge is filed against a divisional dean in his teaching capacity, the case shall be referred to the provost for academic affairs and the Campus Committee on Faculty Responsibility without action or recommendation at the departmental or divisional level. If a charge is filed against the provost for academic affairs in his/her teaching capacity, the charge shall be in the hands of the chancellor and the Campus Committee on Faculty Responsibility. Charges of unethical or irresponsible actions against administrators in their capacity as administrators involve procedures beyond the scope of this Article. However, in such cases, the chancellor may seek the assistance and advice of the department, divisional or Campus Committee on Faculty Responsibility.
11. **General Provisions** -- Successful operation of these procedures depends upon the integrity, good faith and cooperation of all persons involved. Circumvention of these procedures by the imposition of penal sanctions under the guise of purely administrative actions must be avoided. Both faculty and administrators in carrying out their duties should keep in mind the goal of dealing with cases promptly and fairly with due regard for the interests of the accused and the University. The following guidelines and principles will be expected to characterize the monitoring of Faculty responsibility through all formal and informal proceedings:
 - a. Preservation of academic freedom, tenure rights, and the integrity of the University community.
 - b. Protection of faculty members and teachers against malicious and multiple charges, intimidation and harassment.
 - c. Protection of the accuser against recriminations when a charge is made in good faith.
 - d. Confidentiality of all aspects of responsibility hearings.
 - e. Caution in the dissemination of information concerning disposition of a case.
 - f. Promptness in conducting each step of the investigation, consistent with fairness in time allowed for preparation. Seven to fourteen days in which the

University is in session are reasonable lower and upper limits for each action, with extensions possible for good cause.

- g. Assurance to all parties involved of adequate notification of meetings and scheduling at times and places convenient to the persons involved.
- h. Freedom of the accused against sanctions prior to completion of these procedures. In a serious case where the continuation of duties by an accused would disrupt the educational process or would create a serious threat to lives and property, the chancellor may suspend the accused without loss of pay, on good cause shown and incorporated into written findings delivered to the accused.
- i. The rights of the accused to waive any or all of the peer judgment steps in these procedures and to negotiate a settlement with appropriate administrative officers at any time.
- j. The right and desirability of the divisional dean, after receiving a committee report (or in the absence of such a report where a hearing has been waived), to request and receive from the department chairperson communications concerning the disposition of the case prior to the divisional dean's taking action; and the similar right of the provost for academic affairs to communicate with the divisional dean and the department chairperson.

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

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

Board of Curators standing committee meetings were convened at 8:40 A.M. and concluded at 11:16 A.M. on Thursday, April 22, 2021. Committee actions were presented to the full Board for action following each Committee vote.

Finance Committee

Curator Hoberock provided time for discussion of committee business.

Fiscal Year 2022 Budget Update, UM – presented by Vice President Rapp (information and slides on file for this information item)

Fiscal Year 2022 Tuition and Required Fees, Supplemental and Other Related Enrollment Fees, UM – presented by Vice President Rapp (information and slides on file for this information item)

Approval, Five-Year Capital Plan for MU, MU Health Care, Missouri S&T, UMKC and UMSL – presented by Vice President Rapp (information and slides on file)

It was recommended by President Choi, Chancellor Agrawal, Chancellor Dehghani, and Chancellor Sobolik, recommended by the Finance Committee, moved by Curator Hoberock and seconded by Curator Graham that the:

MU: Capital Plan included in Finance Plan:

- Veterinary Medical Diagnostic Laboratory Addition
- Pickard Hall – Decommissioning and Mitigation

Strategic Projects Development Plan:

- Laboratory for Infectious Disease Research – Addition for CO6 Grant Funding
- Radioisotope Facility at Discovery Ridge
- Laboratory for Infectious Disease Research – Addition for NSF Grant Funding
- Facilities Needs and Operations Reduction Project

MU Health Care: Capital Plan included in Finance Plan:

- Ambulatory Facility/Medical Office Building

UMKC: Strategic Projects Development Plan:

- Spencer Chemistry & Biological Science Renovation Phase II
- Olson Performing Arts Center and Grant Hall Teaching Facilities
- Health Sciences Campus/ School of Medicine and School of Dentistry Renovations
- 4747 Troost Renovation
- Volker Campus Steam Heating Plant Renewal
- New Student Housing
- UMKC Athletics Performance Center Additions & Renovations

S&T: Capital Plan included in Finance Plan:

- Welcome Center
- Engineering Research Lab Addition and Renovation
- Manufacture Missouri Ecosystem Building One
- Schrenk Hall Addition and Renovation - Phase III

Strategic Projects Development Plan:

- University Center West
- McNutt Hall Addition

UMSL: Strategic Projects Development Plan:

- UMSL Consolidation Plan

be approved for further planning and development as described in the following materials (and as on file with the minutes of this meeting).

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

Governance, Compensation and Human Resources Committee

Curator Williams provided time for discussion of committee business.

Collected Rules and Regulations 380.010, Grievance Procedure for Administrative, Service and Support Staff – presented by Vice President Fischer (information on file)

It was recommended by Vice President and Chief Human Resources Officer Marsha Fischer, endorsed by University of Missouri President Choi, recommended by the Governance, Compensation and Human Resources Committee, moved by Curator Williams, and seconded by Curator Hoberock, that the following action be approved:

Section 380.010 of the University’s Collected Rules and Regulations be amended as set forth below (and as on file with the minutes of this meeting).

380.010 Grievance Procedure for Administrative, Service and Support Staff

Bd. Min. 2-19-67, p. 32,163; Revised Bd. Min. 9-7-79; Revised Bd. Min 9-12-80; Revised Bd. Min. 2-2-94; Amended 9-26-97; Revised 10-1-98; Revised 2-5-15; Amended 2-9-17, Bd. Min. 9-24-20; Revised Bd. Min. 4-22-21.

A. Policy Statement & Purpose

1. The University of Missouri strives to provide and maintain a safe and respectful work environment for all employees. The University recognizes

that employees may encounter disputes or other complaints that impact their work.

2. Generally, problems should be resolved informally through direct discussions between employees and supervisors. This Grievance Procedure provides a means to resolve issues where informal resolution is not successful.

B. At-Will Employment Status - Nothing contained in this policy is intended and no language contained herein shall be construed as establishing a “just cause” standard for imposing discipline, including but not limited to, termination of employment. Further, nothing contained in this policy is intended and no language contained herein shall be construed to alter in any manner whatsoever the at-will employment status of any at-will University employee.

C. Definitions

1. **Advisor** - Individuals selected to provide support and guidance during the Grievance Procedure.
2. **Business Days** - Regular workdays (Monday through Friday), exclusive of official University holidays (as defined in the Collected Rules and Regulations, Section 340.040), and Winter Break Reduced Operations (as defined in the Collected Rules and Regulations, Section 340.045).
3. **Campus Grievance Officer** - The Campus Grievance Officer is a Human Resources Administrator responsible for investigations and resolutions of grievances. The Chancellor (or designee) is responsible for designating a Campus Grievance Officer for campus and MU Health Care; The President is responsible for assigning a Grievance Officer for UM System.
4. **Eligible Employee** - This Grievance Procedure applies to Regular Administrative, Service, and Support Staff as defined in the Collected Rules and Regulations Section 320.050(B). Terminated employees may use the Grievance Procedure only in connection with their involuntary termination.
5. **Grievance** - A written complaint filed by an Eligible Employee alleging a Grievable Issue.
6. **Grievant** - The Eligible Employee who files a Grievance.
7. **Supervisor** - The individual who has the authority to take actions that directly affect their terms and conditions of employment, such as hiring, firing, demoting, promoting, or disciplining.
8. **UM System Grievance Officer** - The UM System Grievance Officer is a senior-level human resources administrator designated by the President (or designee) to hear all appeals.

D. Grievable Issues

1. **Grievable Issues** - An Eligible Employee may submit a grievance if the employee alleges:

- a. they have been personally, materially, and adversely impacted by a violation, misinterpretation, or misapplication of law;
 - b. they have been personally, materially, and adversely impacted by a violation, misinterpretation, or misapplication of a written University policy; or
 - c. they received disciplinary action or involuntary termination, which resulted from a violation, misinterpretation, or misapplication of law or written University policy.
2. **Non-Grievable Issues** - The following are not eligible grievable issues under the grievance policy:
- a. Hiring decisions;
 - b. Job classification;
 - c. Compensation;
 - d. Performance appraisals;
 - e. Performance improvement plans, expectation letters, or other written instruments intended to monitor or improve performance;
 - f. Terminations or disciplinary actions during an employee's probationary period, as defined in the Collected Rules and Regulations, Section 320.060;
 - g. Layoffs subject to Collected Rules and Regulations, Section 350.051, unless the grievance alleges a violation of this policy;
 - h. Resignations;
 - i. Complaints of discrimination, harassment, or sexual misconduct, which should be addressed following the applicable Equity Resolution Processes found in the Collected Rules and Regulations, Chapter 600;
 - j. Alleged violation, misapplication, or misinterpretation of University policies with separately identified University processes for review and resolution including but not limited to University of Missouri Healthcare procedures governed by state and federal regulations; or
 - k. Additional issues that may be identified by the University's Chief Human Resources Officer as being inconsistent with the purpose and efficient functioning of this Grievance Procedure.
- E. **Informal Resolution** - Before initiating a Grievance, employees are expected to attempt to resolve the issue through informal discussion with their Supervisors. If an employee feels that the issue cannot be discussed with their supervisor, the employee may contact their campus, hospital, or UM System human resources office for assistance.
- F. **Procedures for Grievance Submission, Investigation and Review**
1. **Initiating a Grievance** - An Eligible Employee may file a Grievance within ten (10) Business Days after the Eligible Employee knew or reasonably should have known about the action or omission on which the grievance is based. The University may designate specific forms on which

Grievances are submitted, and establish particular platforms that must be utilized to initiate Grievances. If an employee requires assistance in preparing and submitting a Grievance, they may reach out to their campus human resources office, or other designated offices. The grievance must contain the following information:

- a. A description of the action(s) or omission(s) that gave rise to the grievance, including the person(s) responsible and the date(s) on which they occurred;
- b. Identification of the specific written University policy that is alleged to have been violated;
- c. A description of the attempts to resolve the grievance informally; and
- d. The remedy being requested.

2. **Eligibility Determination**

- a. The UM System Grievance Officer will designate an individual to review the grievance to determine whether:
 - 1) The Grievant is an Eligible Employee;
 - 2) The grievance is timely;
 - 3) The grievance relates to a Grievable Issue;
 - 4) The Grievant demonstrated an attempt at Informal Resolution or provided adequate justification for why they did not make an attempt; and
 - 5) When viewed in the light most favorable to the Grievant, the grievance alleges facts which could warrant a remedy.
- b. The grievance will be rejected if any of the above requirements are not met. A written decision will be rendered whether the grievance is accepted or rejected within ten (10) Business Days after receiving the grievance.
- c. The Grievant may request a reconsideration of the Eligibility Determination by filing a written request with the University's Chief Human Resources Officer or designee ("CHRO") within three (3) business days of notice of the rejection. If the CHRO determines that the matter is grievable under this policy, the CHRO will reverse the eligibility determination ending the process and direct the process to continue.

3. **Grievance Investigation** - If the Grievance is accepted, the Campus Grievance Officer will provide the Grievant with written notice identifying the nature of the grievable allegation(s) and that an investigation has commenced. The investigation should offer the Grievant the opportunity to submit additional documents, identify witnesses and evidence, and include additional reasonable efforts to obtain relevant information, including interviews with the Grievant and any relevant witnesses. The investigation may solicit whatever other information is deemed appropriate to resolve the grievable allegations. The Grievance investigation should typically be completed within thirty (30) Business

Days after the grievance is accepted, but may take longer based on the nature or circumstances of the grievance. The Campus Grievance Officer may designate an investigator to investigate the grievance. The assigned investigator may recommend findings and remedies, but only the Campus Grievance Officer may determine results and remedies. The designated investigator may be from campus or UM System.

4. **Grievance Resolution** - The Campus Grievance Officer will review the Grievance investigation results and any recommendations and will resolve the grievance in accordance with the following additional principles:
 - a. The Grievant will have the burden of proof to demonstrate that there was a violation, misinterpretation, or misapplication of law or University policy and that the remedy requested is appropriate.
 - b. The Campus Grievance Officer has the discretion to determine the relevance of any witness or evidence and may exclude irrelevant, immaterial, cumulative, or more prejudicial than informative information.
 - c. Grievance Resolution will typically be completed within 60 (sixty) Business Days after the decision to accept the grievance. Deviations from this timeframe will be communicated to the Grievant and others as appropriate.
 - d. The Campus Grievance Officer will notify the Grievant and others as appropriate of the decision in writing. If the Campus Grievance Officer finds in favor of the Grievant, the Campus Grievance Officer will determine an appropriate remedy.
 - e. The Campus Grievance Officer's decision will be final unless the Grievant timely appeals.

G. Appeals to the UM System Grievance Officer

1. **Requests for Appeal** - The Grievant may submit a written request for appeal to the UM System Grievance Officer within five (5) business days after delivery of Campus Grievance Officer's written decision. The University may designate specific forms on which a request for appeal must be submitted as well as the platform that must be used to submit requests for appeal.
2. **Review of Appeal** - If the request for appeal is timely, the UM System Grievance Officer will accept the request and render a decision on the appeal applying the following principles:
 - a. The Grievant's Appeal must demonstrate that the Campus Grievance Officer's decision is based on an error or omission that had a material effect on the outcome of the Grievance.
 - b. The UM System Grievance Officer will independently review whether the Campus Grievance Officer mis-stated, misinterpreted, or mis-applied applicable law or University policy.

- c. Appeals are not intended to be full re-hearings of the grievance, and therefore the UM System Grievance Officer will be deferential to the Campus Grievance Officer's findings of fact.
 - d. In most cases, appeals will be confined to a review of the written documentation, Grievance Investigation, and relevant documentation regarding the grounds for appeal. The UM System Grievance Officer may solicit additional information if deemed appropriate, including interviews with the Grievant, the Campus Grievance Officer, and others.
 - e. The UM System Grievance Officer may grant an appeal based on new information that was not reasonably available at the time of the Campus Grievance Officer's decision and which materially affects the outcome of the Grievance. The UM System Grievance Officer may make a new decision based on such information or remand the Grievance to the Campus Grievance Officer for reconsideration.
 - f. The UM System Grievance Officer will typically render a decision on the appeal to the Grievant and Campus Grievance Officer within fifteen (15) Business Days after accepting the request for appeal. The UM System Grievance Officer may extend the deadline for issuing a written decision with written notice to the Grievant and Campus Grievance Officer.
 - g. The UM System Grievance Officer's decision is final, and further appeals and grievances are not permitted.
- H. **Advisors** - Grievants are allowed to have one Advisor of their choice present with them for all Grievance proceedings. The Grievant may select whomever they wish to serve as their Advisor, including an attorney. An Advisor is not required, and a Grievant may elect to proceed without an Advisor. The University is not required to provide a Grievant with an Advisor, and an Advisor's attendance is the Grievant's responsibility. The Advisor may not make a presentation or represent the Grievant in Grievance proceedings. The Grievant is expected to ask and respond to questions on their own. The Advisor may provide the Grievant consultation quietly, in writing, or during a break in the proceedings; however, the Advisor may not speak on behalf of the Grievant. Advisors who do not follow these guidelines will be cautioned or dismissed from the proceeding.
- I. **Extensions of Time** - For good cause, the Campus Grievance Officer or UM System Grievance Officer may grant reasonable extensions of time for any of the time deadlines in this Grievance Procedure.
- J. **Notice** - Notice required by this Grievance Procedure may be via the Grievant's university-issued email account or first-class mail to the Grievant's mailing address indicated in University records. If necessary, notice may be via the Grievant's personal email account.

- K. **Status During Grievance** - The initiation of the Grievance Procedure does not delay the effectiveness of any disciplinary action or termination. This policy should not be interpreted as preventing, limiting, or delaying the University from taking appropriate corrective action.
- L. **Retaliation** - The University supports employees' right to address work-related disagreements through this Grievance Procedure and will not tolerate retaliation against any person for filing a good-faith Grievance or participating in the Grievance Procedure in good faith.
- M. **Additional Policies** - The University's Chief Human Resources Officer shall have authority to adopt additional policies that are necessary or appropriate for the effective and efficient operation of this Grievance Procedure.

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

The Governance, Compensation and Human Resources Committee had one other action item that was a vote for an executive session of the committee.

Academic, Student Affairs, Research and Economic Development Committee

Curator Wenneker provided time for discussion of committee business.

New Degree Program Proposal, Master of Science in Applied Behavior Analysis, UMSL
– presented by Senior Associate Vice President Graham and Ann Taylor (information on file)

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by President of the University of Missouri Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Wenneker, seconded by Curator Graham that the following action be approved:

that the University of Missouri – St. Louis be authorized to submit the attached proposal (and as on file with the minutes of this meeting) for a Master of Science in Applied Behavior Analysis to the Coordinating Board for Higher Education for approval.

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

New Degree Program Proposal, Bachelor of Science in Veterinary Technology, MU – presented by Senior Associate Vice President Graham and Carolyn Henry (information on file)

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by President of the University of Missouri Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Wenneker, seconded by Curator Graham that the following action be approved:

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

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

Amendment to Collected Rules and Regulations 330.065, Consensual Romantic Relationship Policy – presented by Senior Vice President Graham (information on file)

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by President of the University of Missouri Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Wenneker, seconded by Curator Graham that the following action be approved:

that Collected Rules and Regulations, Section 330.065, Consensual Romantic Relationship Policy, be revised as below (and as on file with the minutes of this meeting).

330.065 Consensual Romantic Relationship Policy

Bd. Min. 12-15-06; Revised 6-19-14; Amended 2-9-17; Amended 4-22-21.

A. Definitions:

1. Consensual Romantic Relationships: For purposes of this policy, consensual romantic relationships exist when individuals mutually and consensually understand a relationship to be romantic, intimate and/or sexual in nature, whether casual or serious, short-term or long-term, past or present.

2. **Evaluative or Supervisory Authority:** Evaluative or supervisory authority exists when one participant is personally involved in teaching, mentoring or advising, supervising, evaluating, assessing, grading, or otherwise determining or making recommendations relating to another participant's conduct or academic or employment performance, progress or potential.

B. Statement of Principles

1. The University of Missouri promotes an atmosphere of professionalism based on mutual trust and respect. The integrity of interaction among faculty, staff and students must not be compromised.
2. When individuals involved in a consensual romantic relationship are in positions of unequal power at the university, there is a potential for a conflict of interest, favoritism, or exploitation.
3. These relationships may be less voluntary than the person with greater power perceives, or circumstances may change and conduct that was once welcome may become unwelcome.
4. The fact that a relationship was initially consensual does not insulate from a later claim of sexual harassment. Moreover, such relationships may lead to restricted opportunities, or the perception thereof, for others in the work or academic environment.
5. In cases in which a consensual romantic relationship does not violate the provisions outlined in Section C, faculty, staff and students should be sensitive to the continuous possibility that they may be placed in a position of responsibility for another member of the University community's evaluation and/or supervision in the future.

C. Policies: In light of the foregoing, and to protect the integrity of the University academic and work environment, the University adopts the following policies with respect to consensual romantic relationships:

1. Consensual romantic relationships between members of the University community are prohibited when one participant has evaluative or supervisory authority over the other. Such prohibited relationships include supervisory relationships between an employee (faculty, staff or student) and a student, as well as between a supervisor (faculty, staff or student) and a subordinate.
2. Consensual romantic relationships between any undergraduate student and faculty and staff are prohibited, except as described below in Section D.2. Consensual romantic relationships between undergraduate students and graduate students are permitted so long as it does not violate Section C.1.
3. These policies extend to previous relationships. All faculty, staff or students previously engaged in a consensual romantic relationship with another faculty member, staff member or student are prohibited from exercising evaluative or supervisory authority over said person.

D. Exceptions and Reporting

1. Faculty, staff and students may request an exception, and each will be considered on a case-by-case basis. For an exception to be appropriate, there must be adequate assurance that (a) the student is protected from potential adverse effects on the learning environment and (b) that any actual, potential or perceived conflicts of interest are appropriately managed.
2. A request for an exception must be made to the appropriate dean, vice chancellor, vice president or similar level of leadership.
3. After consultation with the University's campus-level Chief Human Resources Officer or designee in the Human Resources Department, the appropriate dean, vice chancellor, vice president or similar level of leadership will determine whether the relationship violates the policy and, if so, if an exception is appropriate. If an exception is appropriate, a management plan will be implemented in consultation with Human Resources and the involved parties and should be provided in writing and acknowledged by the participating faculty and/or staff member(s). For employees, a record of the plan will be maintained in each employee's personnel file.
4. If an exception is denied, the consensual romantic relationship will be in violation of this policy unless it is discontinued. The relevant parties may seek review of the denial of the exception by submitting a written request to the Provost or designee within 5 days of being notified. For good cause, the Provost may grant reasonable extensions of time to seek review of the denial. The Provost or designee will approve, deny, or modify the exception. The determination of the Provost or designee is final and not subject to further review under University grievance procedures. If circumstances leading to the denial change, the relevant parties may submit another exception request.
5. Examples of situations in which an exception might be appropriate include but are not limited to:
 - a. A consensual romantic relationship with an undergraduate student precedes the individual's status as a student at the University (e.g., a faculty or staff member and an undergraduate student have been in an established relationship [e.g., marriage], and the student subsequently enrolls as an undergraduate at the University);
 - b. A consensual romantic relationship existed under the prior version of this rule that either did not require disclosure or was appropriately disclosed and managed, but upon the effective date of the revised rule, the consensual romantic relationship is prohibited.
6. Faculty, staff and students who believe in good faith that a violation of the foregoing policy has occurred are encouraged to promptly report the violation to the University, which will promptly investigate and appropriately resolve all such reports. Students or employees who believe such a violation has occurred may:

- a. Report the perceived violation to an appropriate dean, vice chancellor, vice president or similar level of leadership;
- b. In the event the reporting party believes someone has been discriminated against based on the individual's sex, file a report with the appropriate Title IX Coordinator for the campus.

E. Violations

1. Violations of this policy, defined as a failure to address the existing or potential conflict of interest, regardless of the manner in which it is brought to the attention of the University, may lead to disciplinary action as appropriate, up to and including termination of employment, following appropriate processes for such discipline.

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

Revisions to Collected Rules and Regulations 320.070, Academic Appointments – presented by Senior Associate Vice President Graham (information on file)

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by President of the University of Missouri Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Wenneker, seconded by Curator Hoberock, that the following action be approved:

that Collected Rules and Regulations, Section 320.070, Academic Appointments, be revised as below (and as on file with the minutes of this meeting).

Chapter 320: Employment and Termination

320.070 Academic Appointments

Bd. Min. 1-9-53, p. 6,185; Bd. Min. 6-7-58, p. 13,059; Bd. Min. 4-10-59, p. 14,760; Bd. Min. 3-29-68, p. 33,724; Amended Bd. Min. 3-26-82; Bd. Min. 1-27-89; Bd. Min. 12-7-90; Amended Bd. Min. 10-20-94; Amended Bd. Min. 2-4-05; Amended Bd. Min. 6-17-16; Amended 2-9-17; Amended 4-22-21.

A. General Rules

1. **Written Acceptance and Filing**—Each academic appointee hired into a position of employment shall provide a signed acceptance of the appointment and must satisfactorily complete all screening of background and credentials required by University and unit policies. Fully executed academic appointment documents shall be filed with the hiring unit and the System Office of Human Resources prior to the effective date of the

appointment. The System Office of Human Resources shall maintain records for all such appointments and send an annual report to the Secretary of the Board of Curators detailing the appointments for the academic year. The Secretary shall promptly forward the report to the Board.

2. **Terms of Service**—In all divisions of the four campuses of the University the term of service of faculty members is that period of time constituting the regular, two-semester academic year. However, the term of service of faculty members may be extended with the approval of the chancellor to 12 months annually with four weeks annual leave to be taken at times mutually agreeable to the faculty members and appropriate administrators, either department chairpersons, directors, or deans.
 3. **Appointment Records**—Appointment records shall indicate whether the appointee is to be a member of the academic, non-academic, or clerical and maintenance staff—in case of academic staff, whether regular or non-regular; in case of non-academic staff, whether administrative, professional, or technical; in case of clerical and maintenance, whether clerical or maintenance.
- B. **Non-Salaried Medical Faculty**—There is authorized the appointment of non-salaried professional members of the faculty of the School of Medicine with the regular academic titles of “Instructor, Assistant Professor, Associate Professor, and Professor” the title to be preceded by the word “clinical,” such appointments to be classified under the Academic Tenure Regulations.
- C. **Curators' Distinguished Professorships**—That there be a category of academic appointment to be known as the Curators' Distinguished Professorships. Appointment to such positions will be covered by procedures and policies outlined below:
1. **General**—These are prestigious positions, and only outstanding scholars with established reputations will be considered for appointment. Therefore, it is expected that there will be few such appointments.
 2. **Selection**—Nominations for appointment to the position of Curators' Distinguished Professor will be made by departments or disciplines which will furnish needed information, including opinions of prominent people in the field, to their respective campus administration.
 - a. The campus administration will make such additional investigations as are appropriate. If the nominee is found worthy and the chancellor approves the nomination, the chancellor will forward the nomination with the chancellor's approval to the President.
 - b. The President may make such investigations as deemed necessary. If the President finds the candidate worthy, the President will recommend the appointment to the Board.
 3. **Funding**—Before the appointment is made, the President shall determine with the Chancellor the initial funding of the appointment. This funding is to include a salary supplement and an appropriate amount of research support.

4. Conditions of Appointment:

- a. Curators' Distinguished Professors should be fully integrated in the department, with such departmental responsibilities as may be determined by the chair and the appointee. However, each Curators' Distinguished Professor is a resource of the entire University and should be expected to contribute to the entire University through such activities as giving lectures on other campuses and engaging in teaching and research across divisional lines.
- b. All candidates selected for a Curators' Distinguished Professor appointment after January, 2005 will be appointed for a period of five years. Each five-year appointment may be renewed at the discretion of the Chancellor. There is no limit to the number of extensions a Curators' Distinguished Professor may be granted.
- c. The duration of the appointment for all Curators' Distinguished Professors appointed prior to January, 2005 is not term limited.
- d. No person shall hold the title Curators' Distinguished Professor while serving also in a full-time administrative position. A person on a Curators' Distinguished Professor appointment asked to assume such a position may, with approval of the Board prior to the administrative appointment, reassume the title of Curators' Distinguished Professor upon expiration of that appointment.
- e. A Curators' Distinguished Professor may, upon recommendation of the President and approval of the Board, be designated Curators' Distinguished Professor Emeritus upon retirement from the University.

D. Curators' Distinguished Teaching Professorships—That there be a category of academic appointment to be known as the Curators' Distinguished Teaching Professorship. Appointment to this prestigious position will be covered by procedures and policies outlined below.

1. **General**—These are prestigious positions and only outstanding teachers with established reputations will be considered for appointment. Therefore, it is expected that there will be few such appointments.
2. **Selection**—Nominations for appointment to the position of Curators' Distinguished Teaching Professor will be made by departments or disciplines which will furnish needed information to their respective campus administration, including opinions of prominent people in the discipline.
 - a. The campus administration will make additional investigations as are appropriate. If the nominee is found worthy and the chancellor approves the nomination, the chancellor will forward the nomination with the chancellor's approval to the President.
 - b. The President may make such investigations as deemed necessary. If the President finds the candidate worthy, the President will recommend the appointment to the Board.

3. **Funding**—Before the appointment is made, the President shall determine with the Chancellor the initial funding of the appointment. This funding is to include a salary supplement and an appropriate amount of support.
4. **Conditions of Appointment:**
 - a. A Curators' Distinguished Teaching Professor should be fully integrated in the department, with such departmental responsibilities as may be determined by the chair and the appointee. However, each Curators' Distinguished Teaching Professor is a resource for the entire University through such activities as giving lectures on other campuses, assisting in improving the quality of teaching at the University, and engaging in teaching across divisional lines.
 - b. All candidates selected for a Curators' Distinguished Teaching Professor appointment after January, 2005 will be appointed for a period of five years. Each five-year appointment may be renewed at the discretion of the chancellor. There is no limit to the number of extensions a Curators' Distinguished Teaching Professor may be granted.
 - c. The duration of the appointment for Curators' Distinguished Teaching Professors appointed prior to January, 2005 is not term limited.
 - d. No person shall hold the title, Curators' Distinguished Teaching Professor, while serving also in a full-time administrative position. A person on a Curators' Distinguished Teaching Professor appointment asked to assume such a position may, with approval of the Board prior to the administrative appointment, reassume the title of Curators' Distinguished Teaching Professor upon expiration of that appointment.
 - e. A Curators' Distinguished Teaching Professor may, upon recommendation of the President and approval of the Board, be designated Curators' Distinguished Teaching Professor Emeritus upon retirement from the University.
- E. **Statement of Nondiscrimination**—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 nondiscrimination policy applies to any phase of its employment process, including decisions related to academic appointments.

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

Revisions to Collected Rules and Regulations 320.020, President's Authority – presented by Senior Associate Vice President Graham (information on file)

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by President of the University of Missouri Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Wenneker, seconded by Curator Hoberock that the following action be approved:

that Collected Rules and Regulations, Section 320.020, President's Authority, be revised as below (and as on file with the minutes of this meeting).

320.020 President's Authority

Bd. Min. 4-7-67, p. 33,193; Bd. Min. 3-17-72, p. 36,323; Amended Bd. Min. 4-22-21.

- A. The President shall have the following specific authority:
 - 1. To make or change academic appointments or salaries within the budget,
 - 2. To accept resignations and discharge faculty,
 - 3. To make or change appointments, change salaries, accept resignations or discharge employees in non-academic positions, including the Crippled Children's Service.
 - 4. **Exception** -- Any appointment or change of appointment of Vice Presidents, Chancellors or Curators Professors shall be reported to and approved by the Board of Curators before the effective date thereof.
- B. All such appointments shall be made, regardless of the terms named in the appointments, subject to termination at the pleasure of the Board of Curators.
- C. All appointed personnel actions shall be made in writing. Fully executed appointment documents shall be filed with the hiring unit and the System Office of Human Resources prior to the effective date of the appointment. The System Office of Human Resources shall maintain records for all such appointments.
- D. Any appointments so made shall be in accordance with existing policies and scales of pay for the University in effect at the time of such appointment.

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

Audit, Compliance and Ethics Committee

Curator Layman provided time for discussion of committee business.

Audit Compliance and Ethics Quarterly Report, UM – presented by Chief Audit and Compliance Officer Piranio (information and slides on file for this information item)

Health Affairs Committee Chair Report

Curator Steelman provided an overview of committee business.

Executive Vice Chancellor Report – presented by Richard Barohn, MD (slides on file for this information item)

Executive Vice Chancellor Report – (slides on file for this information item)

Quarterly Financial Report, MU Health - (slides on file for this information item)

Quarterly Compliance Report, MU Health – (slides on file for this information item)

School of Medicine Report – (slides on file for this information item)

MU Health Care Report – (slides on file for this information item)

Quality and Safety Report – (slides on file for this information item)

The minutes for the January 28, 2021 Health Affairs Committee meeting were approved at the April 13, 2021 committee meeting.

General Business

Missouri University of Science and Technology Campus Highlights – presented by Chancellor Dehghani (slides on file for this information only item)

Missouri University of Science and Technology 150 Year Anniversary Resolution –

It was endorsed by President Choi, recommended by Chair Chatman, moved by Curator Steelman and seconded by Curator Graham, that the following resolution recognizing the Missouri University of Science and Technology 150 Year Anniversary be approved:

RESOLUTION

WHEREAS, Missouri University of Science and Technology (Missouri S&T) was established in 1870 as the Missouri School of Mines and Metallurgy and was one of the first technological learning institutions west of the Mississippi River; and

WHEREAS, Missouri S&T's 150-year heritage of discovery, creativity and innovation continues to attract world-class students, faculty and staff from Missouri and around the world; and

WHEREAS, Missouri S&T has over 7,600 students from across the U.S. and around the world engaged in 99 Degree Programs in 40 areas of study, including business, computer science, engineering, sciences, education, humanities and liberal arts; and

WHEREAS, Missouri S&T is home to award-winning student design teams that give students the opportunity to develop their problem-solving, teamwork and business skills while designing and building race cars, robots, rockets, Mars rovers and more; and

WHEREAS, Missouri S&T's 65,000 alumni use their skills by looking beyond the surface, merging creativity and analysis, and developing innovative solutions for societal challenges; and

WHEREAS, Missouri S&T is home to the Kummer Institute for Student Success, Research and Economic Development. The institute will transform Missouri S&T and the state by cultivating leadership and technological innovation; promoting an entrepreneurial mindset; fostering expansion of academic-industry partnerships to address emerging needs of industry; and creating jobs and economic growth for the region; and

WHEREAS, Missouri S&T is highly recognized for providing an outstanding return on investment, is ranked as the No. 1 public engineering university in the nation, and is the No. 1 university in Missouri for alumni salary potential; and

WHEREAS, Missouri S&T is committed to environmental sustainability and home to one of the nation's most comprehensive geothermal energy systems, which has reduced energy usage by over 50 percent campus wide; and

WHEREAS, Missouri S&T provides significant economic development to the state of Missouri through high-impact research, engineering, business, the sciences, education, and the humanities:

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, hereby adopts this resolution to honor Missouri University of Science and Technology for 150 years of extraordinary accomplishments as an institution of higher learning; 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 Chancellor Mohammad Dehghani as representative of the entire Missouri S&T community.

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

Strategic Theme Discussion – Investments to Achieve and Sustain Excellence in Student Success, Research and Engagement – Presented by President Choi, Senior Associate Vice President Steve Graham and MU, UMKC, UMSL and Missouri S&T Provosts and Vice Provosts for Student Success (slides on file)

A presentation and discussion were held centered around the following objectives:

- Update regarding future recommendations for faculty workload and promotion & tenure policies
- Student success investments and results towards retention, graduation rates and placement opportunities.

Good and Welfare of the Board

Draft June 24, 2021 Board of Curators meeting agenda – no discussion (on file)

Resolution for Executive Session of the Board of Curators Meeting, April 22, 2021

It was moved by Curator Graham and seconded by Curator Williams, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting April 22, 2021 for consideration of:

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

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

Roll call vote of the Board:

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

The motion carried.

The public session of the Board of Curators meeting recessed at 1:33 P.M. on April 22, 2021.

Board of Curators Meeting – Executive Session

A meeting of the University of Missouri Board of Curators was convened in executive session at 2:20 P.M., on Thursday, April 22, 2021, via Zoom video and at remote locations via conference telephone, pursuant to public notice given of said meeting. Curator Darryl M. Chatman, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Julia G. Brncic
The Honorable Darryl M. Chatman
The Honorable Maurice B. Graham
The Honorable Todd P. Graves
The Honorable Greg E. Hoberock
The Honorable Jeffrey L. Layman
The Honorable David L. Steelman
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present

Dr. Mun Y. Choi, President, University of Missouri
Mr. Stephen J. Owens, General Counsel

Ms. Cindy Harmon, Secretary of the Board of Curators
Mr. Remington Williams, Student Representative to the Board of Curators
Ms. Kamrhan Farwell, Chief Marketing and Communications Officer
Ms. Marsha Fischer, Vice President for Human Resources and Chief Human Resources Officer
Ms. Christine Holt, Chief of Staff, UM System
Mr. Ryan D. Rapp, Vice President for Finance and Chief Financial Officer

General Business

Wrestling Program Move to Big 12 Conference, MU – presented by President Choi and Athletic Director, Jim Sterk (information on file)

It was recommended by President Choi, moved by Curator Wenneker and seconded by Curator Layman, that:

Pursuant to Collected Rule and Regulation 270.060.H, the Board of Curators approves University of Missouri – Columbia’s proposal to change Mizzou Wrestling’s conference affiliation back to the Big 12 Conference effective July 1, 2021 on the same or substantially similar terms as those presented to the Board during its meeting of April 22, 2021, with the final agreements subject to approval by General Counsel as to legal form.

Roll call vote of the Board:

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

The motion carried.

Review Consent Agenda – Executive Session – No discussion.

Consent Agenda – Executive Session

It was endorsed by University of Missouri President Mun Y. Choi, moved by Curator Graham and seconded by Curator Brncic, that the following items be approved by consent agenda:

Action

1. ³²¹Property Lease, MU – this item is closed and may be made public when completed.

Roll call vote of the Board:

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

The motion carried.

Governance, Compensation and Human Resources Committee – Executive Session

Change in Appointment, Vice President and Chief Financial Officer Ryan Rapp – presented by President Choi

It was recommended by President Choi and the Governance, Compensation and Human Resources Committee, moved by Curator Williams and seconded by Brncic, that

pursuant to Collected Rule and Regulation (CRR) 320.020, the Board approves the change in appointment of UM System Vice President for Finance, Chief Financial Officer and Treasurer Ryan Rapp to Executive Vice President of

Finance & Operations, Chief Financial Officer and Treasurer of the University of Missouri.

Roll call vote of Board of Curators:

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

The motion carried.

General Business

Property Sale, MU – presented by Vice President Rapp

This item was tabled for more information. No action taken by the Board.

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

No action taken by the Board.

General Counsel's Report – presented by General Counsel Owens

No action taken by the Board.

Curator's Report

No action taken by the Board.

Adjourn, Board of Curators Meeting and Committee Meetings, April 22, 2021

It was moved by Curator Graham and seconded by Curator Brncic that the Board of Curators meeting and committee meetings, April 22, 2021, be adjourned.

Roll call vote of the Board:

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

The motion carried.

There being no other business to come before the Board of Curators, the meeting was adjourned at 3:35 P.M. on Thursday, April 22, 2021.

Respectfully submitted,



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

Approved by the Board of Curators on June 24, 2021.