

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



BOARD OF CURATORS

Minutes of Board of Curators Meeting  
Columbia, Missouri  
December 14-15, 2006

**Board of Curators Development Meeting**

An open meeting of the University of Missouri Board of Curators convened at 8:35 A.M., on Thursday, December 14, 2006, in the Columns Room 208 A&B of the Reynolds Alumni Center, on the University of Missouri-Columbia campus, pursuant to public notice given of said meeting. Don Walsworth, Vice Chair of the Board of Curators, presided over the meeting.

Curators Present:

The Honorable Thomas E. Atkins  
The Honorable Marion H. Cairns  
The Honorable John H. Carnahan III  
The Honorable Anne C. Ream, O.D.  
The Honorable Doug Russell  
The Honorable Cheryl D.S. Walker  
The Honorable Don Walsworth  
The Honorable David G. Wasinger

The Honorable Angela M. Bennett, J.D., was absent from the meeting.

Also Present:

Ms. Maria C. Kerford, Student Representative to the Board of Curators  
Dr. Elson S. Floyd, President  
Mr. Marvin E. "Bunky" Wright, General Counsel  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Review of July 2007 Board Retreat Initiatives

The Board of Curators discussed board initiatives for 2007 in follow-up to the retreat held in July 2006.

No action was taken by the Board of Curators during this session. The meeting concluded at 11:15 A.M.

An open meeting of the University of Missouri Board of Curators convened at 9:40 A.M., on Friday, December 15, 2006, in Columns Room III, Reynolds Alumni Center, on the University of Missouri-Columbia campus, pursuant to public notice given of said meeting. Angela M. Bennett, J.D., Chair of the Board of Curators, presided over the meeting.

Curators Present:

The Honorable Thomas E. Atkins  
The Honorable Angela M. Bennett, J.D.  
The Honorable Marion H. Cairns  
The Honorable John H. Carnahan III  
The Honorable Anne C. Ream, O.D.  
The Honorable Doug Russell  
The Honorable Cheryl D.S. Walker  
The Honorable Don Walsworth  
The Honorable David G. Wasinger

Also Present:

Ms. Maria C. Kerford, Student Representative to the Board of Curators  
Dr. Elson S. Floyd, President  
Mr. Marvin E. "Bunky" Wright, General Counsel  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Dr. Gary K. Allen, DVM, Vice President for Information Technology  
Dr. Guy H. Bailey, Chancellor, University of Missouri-Kansas City  
Dr. John F. Carney III, Chancellor, University of Missouri-Rolla  
Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia  
Dr. John C. Gardner, Vice President for Research and Economic Development  
Dr. Thomas F. George, Chancellor, University of Missouri-St. Louis  
Mr. R. Kenneth Hutchinson, Vice President for Human Resources  
Mr. Stephen C. Knorr, Vice President for Government Relations  
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration

Dr. Stephen W. Lehmkuhle, Executive Vice President for Academic Affairs  
Mr. James H. Ross, Chief Executive Officer of University of Missouri Health Care  
Mr. David R. Russell, Chief of Staff  
Mr. Scott Charton, Director of Communications

### **General Business**

Board Chair Report – Angela M. Bennett, J.D. (transcription on file)

University President's Report – Dr. Elson S. Floyd (transcription on file)

Roundtable Discussion, Secretary Spellings Report – Board of Curators and UM Chancellors (report and meeting presentation slides on file)

Roundtable Discussion, International Programs – presentation by Dr. Joel Glassman, Associate Provost for Academic Affairs, UM-St. Louis Panel Members: Dr. Handy Williamson, Jr., Vice Provost for International Programs and Strategic Initiatives, UM-Columbia; Dr. Daniel C. Stoll, Director of International Academic Affairs, UM-Kansas City; Dr. Henry Wiebe, Dean, School of Extended Learning, UM-Rolla (slide presentation on file)

It was recommended by President Floyd, moved by Curator Carnahan and seconded by Curator Ream, that the Wellness Program of the University of Missouri bear the name of the Thomas E. Atkins Wellness Program.

Roll call vote:

Roll Call vote:

Curator Atkins abstained.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted was absent for the vote.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried by a vote of seven and zero.

## Consent Agenda

It was endorsed by President Floyd, moved by Curator Walker and seconded by Curator Walsworth, that the consent agenda items be approved as follows:

1. the minutes of the following Board of Curators meetings be approved and filed in the permanent records of the University of Missouri:

September 27, 2006, Executive Committee Meeting

October 5-6, 2006, Board of Curators Meeting

November 15, 2006, Special Meeting of the Board of Curators

2. the research proposal approved by the Spinal Cord Injuries Research Program Advisory Board be approved as follows:

Spinal Cord Injuries and Congenital or Acquired Disease Processes Research Program, Proposal Recommended for Funding, 2006:

Evaluation of Spinal Cord White Matter Injury Using Diffusion Tensor Imaging	\$50,000
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Joong Hee Kim

Biomedical MR Laboratory

Washington University School of Medicine

Total funding recommended	\$50,000
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3. One new member be approved for the Spinal Cord Injuries and Congenital or Acquired Disease Processes Research Program Advisory Board, as follows, for term to begin January 1, 2007:

David Brody, M.D., Ph.D., Department of Neurology, Washington University School of Medicine, be appointed to fill the position vacated by Dr. Martin Childers.

(Biographical material on Dr. Brody is on file with the Office of Academic Affairs.)

It is also recommended that David Gray, Ph.D., be appointed as the Chair of the Advisory Board.

4. Section 300.040 of the Collected Rules and Regulations concerning Faculty Bylaws of the University of Missouri-St. Louis, be modified as described herein, as on file with the minutes of this meeting.

5. Section 140.010 of the Collected Rules and Regulations, Investment Policy for Short-Term Funds, be amended and approved, as on file with the minutes of this meeting.

Roll call vote on the consent agenda:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell was absent for the vote.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried by a vote of eight and zero.

#### **Academic and Student Affairs Committee**

Doug Russell, Chair  
Marion H. Cairns  
David G. Wasinger  
Maria Kerford, ex officio

Curator Doug Russell, Chair of the Academic and Student Affairs Committee, provided a brief recap of the committee meeting on December 14, 2006, having received a complete briefing from the Senior Vice President for Academic Affairs on the following items:

- Enrollment Management Plans (presentation on file)
- Academic Course Development, Approval, Life Cycle (presentation on file)
- Doctor of Philosophy of Systems Engineering, UMR (degree proposal on file)
- Doctor of Philosophy of Public Affairs, UMC (degree proposal on file)

It was recommended by Senior Vice President Lehmkuhle, endorsed by

President Floyd, recommended by the Academic and Student Affairs Committee, moved by Curator Russell and seconded by Curator Carnahan, that the following action be approved:

that the University of Missouri-Rolla be authorized to submit the attached proposal for a Doctor of Philosophy of Systems Engineering (as on file with the

minutes of this meeting) to the Coordinating Board of Higher Education for approval.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried unanimously.

It was recommended by Senior Vice President Lehmkuhle, endorsed by President Floyd, recommended by the Academic and Student Affairs Committee, moved by Curator Russell and seconded by Curator Walker, that the following action be approved:

that the University of Missouri-Columbia be authorized to submit the attached proposal for a Doctor of Philosophy of Public Affairs (as on file with the minutes of this meeting) to the Coordinating Board of Higher Education for approval.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried unanimously.

**Compensation and Human Resources**

Thomas E. Atkins, Chair

John M. Carnahan III

Cheryl D. S. Walker

Curator Tom Atkins, Chair of the Compensation and Human Resources Committee, provided a brief recap of the committee meeting on December 14, 2006, having received a complete report from the Vice President for Human Resources on the following items:

- Collected Rules and Regulations, 330.015 Policy on Conflict of Interest, and Collected Rules and Regulations, 420.030 Conflict with the Interests of Federal Grant Agencies, UM (information on file)
- University of Missouri Wellness Program Update
- Consensual Amorous Relationship Policy

It was recommended by Vice President Hutchinson, endorsed by President Floyd, recommended by the Compensation and HR Committee, moved by Curator Atkins and seconded by Curator Walker, that the following be approved, effective immediately, as section 330.065 of the Collected Rules and Regulations:

**330.065 Consensual Amorous Relationship Policy**

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. In that regard, consensual amorous relationships between members of the University community are prohibited when one participant has direct evaluative or supervisory authority over the other because such relationships create an inherent conflict of interest. Examples of such relationships that are prohibited include, but are not limited to, employee (faculty, staff or student)/student and supervisor (faculty, staff or student)/subordinate, when those relationships involve direct evaluative or supervisory authority. In such cases, the individual in the evaluative or supervisory position has an obligation to disclose the consensual amorous relationship to his or her administrative superior and to cooperate with the administrative superior in removing himself or herself from any such evaluative or supervisory activity in order to eliminate the existing or potential conflict of interest.

Should a violation of this policy be claimed by a person involved in the consensual amorous relationship, the matter shall be investigated by the

appropriate University official or, if that person elects to file a grievance, under the appropriate University grievance procedure. Should any employee or student not involved in the consensual amorous relationship claim to have been adversely affected personally by a violation of this policy, the situation will be investigated by the appropriate University official or, if that person elects to file a grievance, under the appropriate University grievance procedure. A violation of this policy, 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 in the most serious circumstances, following appropriate processes for such discipline.

For purposes of this policy, consensual amorous relationships exist when two individuals mutually and consensually understand a relationship to be romantic and/or sexual in nature except when those two individuals are married to each other. Direct evaluative or supervisory authority exists when one participant is personally involved in evaluating, assessing, grading, or otherwise determining the other participant's academic or employment performance, progress or potential.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried unanimously.

### **External Affairs**

Marion H. Cairns, Chair  
Doug Russell  
Don Walsworth  
Angela M. Bennett, J.D., ex officio  
Dr. Elson S. Floyd, ex officio

Curator Marion Cairns, Chair of the External Affairs Committee, provided a brief recap of the committee meeting on December 14, 2006, having received a complete

report from the Vice President for Government Relations and the Director of Communications on the following items:

- Government Relations Update (information on file)
- Overview of University Communications (information on file)
- Discuss 2007 Committee Agenda

### **Finance and Audit**

Anne C. Ream, O.D., Chair

Doug Russell

Don Walsworth

Curator Anne Ream, Chair of the Finance and Audit Committee, provided a brief recap of the committee meeting on December 14, 2006, having received a complete briefing on the following items:

- Fiscal Year 2006 Financial Status Report, UM
- Fiscal Year 2006 External Audit Report, UM
- Asset/Liability Analysis Implementation of Recommendations, UM
- Endowment and Retirement Trust Fund Performance, UM
- Alternative Investments, UM
- Revision to the Collected Rules and Regulations, 140.011 Investment Policy for Endowment Fund, UM and 140.012 Investment Policy for Retirement, Disability and Death Plan, UM

No action was taken by the Board of Curators on Revision to Collected Rules and Regulations 140.011 or 140.012.

### **Governance**

John M. Carnahan III, Chair

Anne C. Ream, O.D.

Cheryl D. S. Walker

Angela M Bennett, J.D., ex officio

Dr. Elson S. Floyd, ex officio

Curator John Carnahan, Chair of the Governance Committee, provided a brief recap of the committee meeting on December 14, 2006, having received a complete briefing on the following items:

- Charters for Board of Curators Standing Committees
- Duties of the Treasurer under the Missouri Statutes and applicable Regulations
- Report on 2007 New Curator Orientation Process

- Continuing Education for Curators
- Develop 2007 Agenda for Governance Committee
- Draft calendar of 2007 Governance Committee meetings

### **Physical Facilities and Management Services**

Cheryl D. S. Walker, Chair

Anne C. Ream, O.D.

David G. Wasinger

Curator Cheryl Walker, Chair of the Physical Facilities and Management Services Committee, provided a brief recap of the committee meeting on December 14, 2006, having received a complete briefing on the following:

- Energy Conservation, UM
- New RADIL Facility at Discovery Ridge, UM/UMC

### **Resources and Planning**

David G. Wasinger, Chair

Thomas E. Atkins

John M. Carnahan III

Curator David Wasinger, Chair of the Resources and Planning Committee, provided a brief recap of the committee meeting on December 14, 2006, having received a complete briefing on the following:

- Strategic Planning for the University of Missouri (planning updates on file)

### **General Business**

It was moved by Curator Walsworth and seconded by Curator Carnahan, that the following resolution recognizing the outstanding and dedicated service of Thomas E. Atkins, to the University of Missouri Board of Curators, be approved:

#### **RESOLUTION**

WHEREAS, Thomas E. Atkins served the people of Missouri with distinction as a member of the University of Missouri Board of Curators from July 13, 2001, to December 31, 2006; and

WHEREAS, Curator Atkins served as Vice President of the Board from January 1, 2004, through December 31, 2004, and as President of the Board from January 1, 2005, through December 31, 2005; and

WHEREAS, during his tenure, Curator Atkins was chair of the Compensation and Human Resources Committee; chair of the Academic and Student Affairs Committee; a member of the Resources and Planning Committee for two years; a member of the Finance Committee for two years, including one year as chair; a member of the Finance and Human Resources Committee for two years, one year ex officio, and one year as chair, a member of the Physical Facilities Committee for three years, including one year as chair; and a member of the Executive Committee for four years, including one year as chair and one year ex officio; and

WHEREAS, as an alumnus of the University of Missouri-Columbia, Curator Atkins received, among other honors, a Faculty/Alumni Award and a Distinguished Service Award in recognition of his long and distinguished service to that campus; and

WHEREAS, Curator Atkins' 50 years of experience as a successful businessman and developer benefited the Board in the areas of management and finance; and

WHEREAS, Curator Atkins believed that the University's research programs are the key to solving scientific problems and stimulating our state's economy and helped to focus the University's efforts in such key areas as business incubators and research parks; and

WHEREAS, Curator Atkins was an advocate of establishing strategic planning goals that extended beyond financial matters to include improving the environment for students, faculty and staff; and

WHEREAS, his concern with people also was reflected in his championing of the University of Missouri Wellness Initiative, intended to create a world-class wellness program; and

WHEREAS, the Board and the University benefited immensely from Curator Atkins' resolute and inspiring leadership during an important period in the life of the University:

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

AND ALSO, that his future relations with the University of Missouri be formally recognized by bestowing the title of "Curator Emeritus" upon Thomas E. Atkins; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of the December 15, 2006, meeting and that a duly inscribed copy thereof be furnished to Thomas E. Atkins.

Roll call vote:

Curator Atkins abstained.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried by a vote of eight and zero.

It was moved by Curator Russell and seconded by Curator Walker, that the following resolution recognizing the outstanding and dedicated service of Angela M. Bennett, J.D., to the University of Missouri Board of Curators, be approved:

#### RESOLUTION

WHEREAS, Angela M. Bennett, J.D., served the people of Missouri with distinction as a member of the University of Missouri Board of Curators from April 12, 2001, to December 31, 2006; and

WHEREAS, Curator Bennett served as Vice President of the Board from January 1, 2005, through December 31, 2005, and as Chair of the Board from January 1, 2006, through December 31, 2006; and

WHEREAS, during her tenure she was a member of the Finance Committee for one year; the Information and Technology Committee for two - years, including one year as chair; the Academic and Student Affairs Committee for four years, including one year as chair; and a member of the Executive

Committee for four years, including one year as chair and one year ex officio; and

WHEREAS, as an alumna of the University of Missouri-Kansas City, where she received three degrees including a Juris Doctor, Curator Bennett received, among other honors, the UM-Kansas City Alumni Achievement Award in Law, and in 2006 the Alumni Service Award, which is the University of Missouri-Kansas City's highest award for distinguished service to the campus; and

WHEREAS, Curator Bennett's exceptionally wide range of legal expertise, acquired in private practice and in public posts, significantly benefited the Board; and

WHEREAS, during her tenure on the Board, Curator Bennett was a vocal and persuasive advocate on behalf of the University's professional schools, which train a significant percentage of Missouri's doctors, dentists, pharmacists and lawyers; and

WHEREAS, during her term as Board Chair, Curator Bennett sought to carry the University's message of good works to the public by setting aside a portion of every Board meeting to highlight the accomplishments of University students, faculty and staff; and

WHEREAS, to help compensate for weakened state financial support, Curator Bennett encouraged the University to seek additional funding sources such as federal grants which essentially doubled during her tenure; and

WHEREAS, reflecting her belief in the importance of higher education to the future of peoples, Curator Bennett represented the Board during ceremonies marking the 20<sup>th</sup> anniversary of the University's cooperative program with University of the Western Cape in the nation of South Africa:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Curators, on behalf of the students, faculty, staff and alumni of the University of Missouri, and on behalf of the citizens of the State of Missouri, does hereby adopt this resolution in sincere appreciation of the dedicated and devoted service of Angela M. Bennett, J.D.;

AND ALSO, that her future relations with the University of Missouri be formally recognized by bestowing the title of "Curator Emeritus" upon Angela M. Bennett, J.D.; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of the December

15, 2006, meeting and that a duly inscribed copy thereof be furnished to Angela M. Bennett, J.D.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett abstained.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried by a vote of eight and zero.

It was moved by Curator Walker and seconded by Curator Walsworth, that the following resolution recognizing the outstanding and dedicated service of Anne C. Ream, O.D., to the University of Missouri Board of Curators, be approved:

#### RESOLUTION

WHEREAS, Anne C. Ream, O.D., served the people of Missouri with distinction as a member of the University of Missouri Board of Curators from June 1, 2001, to December 31, 2006; and

WHEREAS, during her tenure she was a member of the Governance Committee; the Conflict of Interest Committee for one year; the Finance and Audit Committee, which she chaired, for one year; the Physical Facilities and Management Services Committee for two years; the Resources and Planning Committee for one year; the Executive Committee for one year; the Finance Committee for two years, including one year as chair; and the Academic and Student Affairs Committee for five years, two of those as chair; and

WHEREAS, as a member of the first graduating class at the University of Missouri-St. Louis School of Optometry, Curator Ream was the first optometrist to receive the UM-St. Louis Distinguished Service Award; and

WHEREAS, as the owner of an optometric practice with offices in four locations, Curator Ream brought her valuable business expertise to the Board; and

WHEREAS, because of her familiarity with the wants and needs of Missourians, in particular those from rural communities, Curator Ream has been an ardent supporter of University of Missouri Extension, which serves every county in the state; and

WHEREAS, Curator Ream recognized that the quality of the University's service to the people of Missouri ultimately rests on the quality of its teaching and research and sought to encourage public investment in higher education; and

WHEREAS, as a Curator, she put the interests of students first, as reflected by her many years of service on the Academic and Student Affairs Committee; and

WHEREAS, in all her actions on behalf of the University, Curator Ream advocated and demonstrated her heartfelt belief in the countless benefits afforded by public higher education; and

WHEREAS, the University also benefited from Curator Ream's previous experiences with the General Assembly where she had lobbied on behalf of the Missouri Optometric Association:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Curators, on behalf of the students, faculty, staff and alumni of the University of Missouri, and on behalf of the citizens of the State of Missouri, does hereby adopt this resolution in sincere appreciation of the dedicated and devoted service of Anne C. Ream, O.D.;

AND ALSO, that her future relations with the University of Missouri be formally recognized by bestowing the title of "Curator Emeritus" upon Anne C. Ream, O.D.; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of the December 15, 2006, meeting and that a duly inscribed copy thereof be furnished to Anne C. Ream, O.D.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream abstained.  
Curator Russell voted yes.  
Curator Walker voted yes.

Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried by a vote of eight and zero.

Upon the motion of Curator Walker, Curator Walsworth was nominated to serve as Chair of the Board of Curators for the term January 1, 2007 to December 31, 2007. The nomination was seconded by Curator Russell.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth abstained.  
Curator Wasinger voted yes.

The motion carried by a vote of eight and zero.

Upon the motion of Curator Cairns, Curator Walker was nominated to serve as Vice Chair of the Board of Curators for the term January 1, 2007, through December 31, 2007. The nomination was seconded by Curator Walsworth.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker abstained.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried by a vote of eight and zero.

Curator Angela Bennett was presented the President's gavel by Curator Don Walsworth. Curator Bennett presented The University of Missouri, A Centennial History, a book by Jonas Viles, to Chair-Elect Walsworth. Brief acceptance remarks were made by Curator Walsworth (transcription on file).

It was moved by Curator Carnahan and seconded by Curator Walker, that there shall be a closed meeting and closed vote(s) of the Board of Curators, on December 15, 2006, for consideration of:

1. 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
2. Section 610.021(2), RSMo, relating to matters identified in that provision, which include leasing, purchase, or sale of real estate; and
3. 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.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger voted yes.

The motion carried unanimously.

There being no further business for consideration by the University of Missouri Board of Curators, the open meeting was adjourned at 1:35 P.M., on Friday, December 15, 2006.

### **BOARD OF CURATORS CLOSED MEETING**

The Board of Curators continued business in an executive session beginning at 1:55 P.M., on Friday, December 15, 2006, in the Donrey Room 211 of the Reynolds Alumni Center, on the University of Missouri-Columbia campus, pursuant to public notice given of said meeting.

#### Curators Present:

The Honorable Thomas E. Atkins  
 The Honorable Angela M. Bennett, J.D.  
 The Honorable Marion H. Cairns  
 The Honorable John H. Carnahan III  
 The Honorable Anne C. Ream, O.D.  
 The Honorable Doug Russell  
 The Honorable Cheryl D.S. Walker  
 The Honorable Don Walsworth  
 The Honorable David G. Wasinger

#### Also Present:

Ms. Maria Kerford, Student Representative to the Board of Curators  
 Dr. Elson S. Floyd, President  
 Mr. Marvin E. Wright, General Counsel  
 Ms. Kathleen M. Miller, Secretary of the Board of Curators  
 Mr. R. Kenneth Hutchinson, Vice President for Human Resources  
 Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration  
 Mr. Rick Finholt, Director, Missouri Research Park

<sup>146</sup> Property-Sale of Fee Interest, UM – This item has been excluded from the minutes and will be presented to the Board of Curators for approval following completion of transaction of subject matter.

<sup>147</sup> Personnel-Employee Grievance Appeal – This item has been excluded from the minutes due to the confidential subject matter.

Litigation Update – General Counsel Wright

Present:

The Honorable Thomas E. Atkins  
The Honorable Angela M. Bennett, J.D.  
The Honorable Marion H. Cairns  
The Honorable John H. Carnahan III  
The Honorable Anne C. Ream, O.D.  
The Honorable Doug Russell  
The Honorable Cheryl D.S. Walker  
The Honorable Don Walsworth  
The Honorable David G. Wasinger  
Ms. Maria Kerford, Student Representative to the Board of Curators  
Mr. Marvin E. Wright, General Counsel  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Mr. R. Kenneth Hutchinson, Vice President for Human Resources

It was moved by Curator Russell and seconded by Curator Walsworth, that the following resolution be approved:

the Board of Curators admires and respects the service that Dr. Elson S. Floyd has provided to the University of Missouri since that date in January 2003 we were fortunate enough that he assumed the position of President of the University of Missouri. His service to our University and the people of the State of Missouri is appreciated without reservation. We look forward to working with him on a smooth transition during the coming months and prior to his assuming the Presidency of Washington State University. Dr. Floyd has been a valuable spokesperson for the University. We congratulate Washington State University.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.

Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was voted yes.

The motion carried unanimously.

It was moved by Curator Carnahan and seconded by Curator Walker, that the Board of Curators meeting, December 14-15, 2006, be adjourned.

Roll call vote:

Curator Atkins voted yes.  
Curator Bennett voted yes.  
Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Ream voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was voted yes.

The motion carried unanimously.

There being no further business to be considered by the Board of Curators, the meeting was adjourned at 3:00 P.M., on Friday, December 15, 2006.

Approved by the Board of Curators  
on January 26, 2007.

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Kathleen M. Miller  
Secretary of the Board of Curators