

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



BOARD OF CURATORS

Minutes of Board of Curators Meeting  
Kansas City, Missouri  
November 29-30, 2007

**Board of Curators Open Session**

An open session of the University of Missouri Board of Curators convened at 9:20 A.M., on Thursday, November 29, 2007, in Pierson Auditorium-University Center, on the University of Missouri-Kansas City campus, pursuant to public notice given of said meeting. Don Walsworth, Chairman of the Board of Curators, presided over the meeting.

Curators Present:

The Honorable Marion H. Cairns  
The Honorable John H. Carnahan III  
The Honorable Warren K. Erdman  
The Honorable Bo Fraser  
The Honorable Judith G. Haggard  
The Honorable Doug Russell  
The Honorable Cheryl D.S. Walker  
The Honorable Don Walsworth  
Student Representative Anton H. Luetkemeyer

The Honorable David G. Wasinger was absent from the meeting.

Also Present:

Dr. Gordon H. Lamb, Interim 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. Thomas F. George, Chancellor, University of Missouri-St. Louis

Dr. Steven W. Graham, Interim Vice President for Academic Affairs  
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  
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 University Communications  
Mr. Steve Owens, General Counsel Designate  
Dr. Michael F. Nichols, Vice President Designate

## **General Business**

University President's Report – Dr. Gordon H. Lamb (transcription on file)

Chancellor's Dialogue-Annual Campus Advancement Report –

Chancellor Carney (handout on file)  
Chancellor George (handout on file)  
Chancellor Bailey (handout on file)  
Chancellor Deaton (handout on file)

## **Consent Agenda**

It was endorsed by Interim President Lamb, moved by Curator Walker and seconded by Curator Cairns, that the following items (as on file) be approved by consent agenda:

1. Minutes of the Board of Curators meeting(s):  
Board of Curators Meeting, October 4-5, 2007  
Board of Curators Meeting, November 9, 2007
2. Degrees, Fall Semester 2007, UMC, UMKC, UMR, UMSL
3. Amendment to Collected Rules and Regulations 10.070B9 Appointed Staff Officers-General Counsel of the University
4. ~~Amendment to Collected Rules and Regulations 170.060 – University Identification and Symbols~~
5. Amendment to Collected Rules and Regulations 300.030 – Faculty Bylaws of the University of Missouri-Rolla
6. Amendment to Collected Rules and Regulations 100.020 – Patent and Plant Variety Regulations
7. Amendment to Collected Rules and Regulations 100.030 – Copyright Regulations
8. Amendment to Collected Rules and Regulations 220.020 – Diplomas and Certificates

9. Amendment to Collected Rules and Regulations 230.070 – Educational Assistance Program for University Employees, Other than Graduate Teaching and Research Assistants
10. Amendment to Collected Rules and Regulations 310.015 – Procedures for Review of Faculty Performance
11. Amendment to Collected Rules and Regulations 310.080 – Regular Faculty Workload Policy
12. Amendment to Collected Rules and Regulations 320.090 – Emeritus Designation
13. Amendment to Collected Rules and Regulations 330.015 – Policy on Conflict of Interest
14. Amendment to Collected Rules and Regulations 340.120 – Leave for Legal Proceedings
15. Amendment to Collected Rules and Regulations 340.180 – Class Attendance
16. Amendment to Collected Rules and Regulations 390.010 – Discrimination Grievance Procedure for Students
17. Amendment to Collected Rules and Regulations 420.010 – Research Misconduct

At the request of Curator Carnahan, item number four was removed from the Consent Agenda for discussion under General Business.

Roll call vote on the consent agenda items one through three and five through seventeen:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

It was recommended by Interim President Lamb, moved by Curator Carnahan and seconded by Curator Russell, that the Collected Rules and Regulations 170.060 be modified to reflect the amendments and modifications as shown in the following final text:

### **Collected Rules and Regulations**

**Information Management**  
**Chapter 170: Communications**

**170.060 University Identification and Symbols**

Bd. Regs. 1949; Bd. Min. 1-19-68, p. 33,610; Bd. Min. 2-16-73, p. 36,592; Bd. Min. 12-19-75; Bd. Min. 7-29-88; Bd. Min. 12-2-88; Bd. Min. 7-18-96, Bd. Min. 6-1-07.

- A. **The University Seal** – The official seal of the University of Missouri as adopted in March, 1903, is and shall be the only seal used by the University on any campus thereof, except, that the administration is authorized to furnish for the registrar on each campus an embossing stamp for the purpose only of certifying student records and transcripts, each of which shall clearly designate its intended purpose.

Standards governing the use of the University seal are detailed in the document, Guidelines for Display of the Official Seal of the University of Missouri, approved by the Board of Curators in July, 1996, which is available from the campus publication office, the UM System Office of University Relations, and on the Internet at: <http://www.umsystem.edu/ums/departments/ur/umseal/>.

- B. **Name Identification** – The official and legal name of the University of Missouri is embodied in state statute as “The Curators of the University of Missouri.” This name shall appear in all official and legal documents of the University. The organizational units that comprise the University of Missouri consist of the following:
1. University of Missouri System – This name shall refer to the unified, state-wide, multi-campus University of Missouri System and the administration for the System. First reference shall be the University of Missouri System. Second and subsequent references may be UM System, University System, or University. In addition, the UM System officials may have occasion from time to time to refer to the entire university as the University of Missouri.
  2. Campuses of the University of Missouri System – Reference to each respective campus of the University shall be as described in this section:
    - a. University of Missouri-Columbia: For the purposes of official correspondence, first reference to the UM campus in Columbia shall be to the University of Missouri-Columbia. Second and subsequent references may be to the University of Missouri, MU or Mizzou. In recognition of the historic status of the Columbia campus as the first campus to bear the name of the University of Missouri, the University of Missouri-Columbia may use the form “University of Missouri” in written communications (print and electronic) relating to student and faculty recruitment, advancement (fundraising, alumni relations, marketing),

intercollegiate athletics, and other similar public relations functions.

- b. Missouri University of Science and Technology: For purposes of official correspondence, first reference to the UM campus in Rolla shall be to the Missouri University of Science and Technology. Second and subsequent references may be Missouri S&T (effective January 1, 2008).
  - c. University of Missouri-Kansas City: For purposes of official correspondence, first reference to the University of Missouri campus located in Kansas City shall be to the University of Missouri-Kansas City. Second and subsequent references may be UMKC.
  - d. University of Missouri-St. Louis: For purposes of official correspondence, first reference to the University of Missouri campus in St. Louis shall be to the University of Missouri-St. Louis. Second and subsequent references may be UMSL.
  - e. The respective campuses may also use the following forms for mascots:
    - (1) Missouri Tigers
    - (2) UMKC Kangaroos
    - (3) Missouri S&T Miners (effective January 1, 2008)
    - (4) UMSL Tritons
3. The Office of the President and staff will be identified as the System administration.
- C. **University Colors** -- The following colors shall be the official colors of the respective campuses of the University of Missouri System and shall be used in academic dress and in athletic uniforms:
- o University of Missouri-Columbia -- Black and Gold
  - o University of Missouri-Kansas City -- Royal Blue and Gold
  - o Missouri S&T (effective January 1, 2008) -- Silver and Gold
  - o University of Missouri-St. Louis -- Red and Gold
- D. **University Flag** -- Each campus shall have a flag which shall be divided diagonally from the upper left hand corner to the lower right hand corner with the top half (upper right) being gold and the lower half (lower left) being the other color of the campus and shall bear in the center the official University seal.

1. **Use of University Flag** -- The University Flag shall be used only on occasions of ceremony, particularly when the President, Deans, and Faculty appear in their academic gowns or on other such formal occasions designated by the President. When the University Faculty marches in academic procession this official flag should be carried in front of the column by some person officially designated. It shall be kept at all times in the Office of the President.

- E. **Use of University Stationery** -- No person or persons operating a company or business of any description shall use University stationery in its business correspondence, whereby it is made to appear to the people of the State that the business is a part of the University.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

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

Curator Doug Russell, Chair  
Curator Marion H. Cairns  
Curator Judith G. Haggard  
Curator David G. Wasinger  
Student Representative Tony Luetkemeyer, ex officio

Exchange Agreements – presented by Interim Vice President Graham

Academic Course Life Cycle – presented by Interim Vice President Graham

Report on Centers and Institutes – presented by Interim Vice President Graham and the Chancellors (handouts on file)

Academic and Student Affairs Committee Goals and Objectives for 2008 – no discussion

- Monitor – through annual reports to the committee – endowed chairs and professorships, student success, parental notification, and English language proficiency

- Review national trends in higher education and identify the implications for the University of Missouri
- Identify appropriate performance measures that are consistent with accountability measures being utilized nationally (e.g. Voluntary System of Accountability)
- Identify state, regional, and national enrollment trends and develop appropriate University of Missouri responses to these trends
- Review progress of strategic academic initiatives such as *Preparing to Care for Missouri Citizens*
- Committee, through Committee Chair, brings forward recommendations for discussion by the Board in Board meetings

### **Compensation and Human Resources**

Curator Cheryl D. S. Walker, Chair

Curator Marion H. Cairns

Curator John M. Carnahan III

Curator Bo Fraser

Update on Human Resources Plan – presented by Vice President Hutchinson (letter on file)

Wellness Program Update – presented by Dr. Laura Schopp, Program Director (information letter on file)

Compensation and Human Resources Committee Goals and Objectives for 2008 – no discussion

- Establish President's, Chancellors' and Vice Presidents' performance assessment program, including alignment with identified performance attributes and measurements.
- Continue faculty and staff benefit design and competitiveness assessment.
- Assess recruitment and retention challenges, including competitive faculty and staff pay programs and funding.
- Assess revised Human Resource organization to strengthen University of Missouri.
- Develop training in employment discrimination law and policy compliance programs.
- Committee, through Committee chair, brings forward recommendations for discussion by the board in Board meetings.

## **External Affairs**

Curator Marion H. Cairns, Chair  
Curator Warren K. Erdman  
Curator Doug Russell  
Curator Don Walsworth, ex officio  
Student Representative Tony Luetkemeyer, ex officio  
Interim President Dr. Gordon H. Lamb, ex officio

Government Relations Update – presented by Vice President Knorr (no report on file)

Earned Media, Quarterly Report – (on file)

External Affairs Committee Goals and Objectives for 2008 – no discussion

- Promote the critical role of the University in our state's future and its reputation around the world.
- Monitor and support initiatives to tell the University's story through effective communications planning, proactive media relations, community outreach and relationship building.
- Initiate activities to inform legislators about the positive impact that higher education and the University of Missouri have on the culture, health and economic well-being of Missouri and its citizens.
- Communicate to the state's leaders and the public that the University must compete on a national scale for world-class faculty and resources to support quality teaching, research and the growth of intellectual capital.
- Promote actions within the Board and the University that result in a high level of credibility with legislative leaders and the public.
- Introduce the incoming President of the UM System to our state's citizens, elected officials, leaders of commerce and education, alumni and friends.
- Encourage and support the President's efforts to organize a statewide coalition of advocates and ambassadors for the University of Missouri.
- Seek opportunities to demonstrate the University's commitment to accountability.
- Monitor advancement efforts of campuses and explore ways that the UM System can play a role in development efforts in support of the entire University.

- Committee members, through the Committee Chair, bring forward recommendations for discussion by the full Board.

**Finance and Audit**

Curator Doug Russell, Chair

Curator Marion H. Cairns

Curator Bo Fraser

Curator Cheryl D. S. Walker

Fiscal Year 2007 Financial Status Report, UM – presented by Vice President Krawitz (on file)

Fiscal Year 2007 External Audit Report, UM – presented by Vice President Krawitz, and Susan Eickhoff, KPMG (on file)

University of Missouri Health Care Quarterly Report – presented by Mr. Ross, CEO, and Mr. Necas, CFO (slides on file)

Absolute Return Managers for the Retirement and Endowment Funds, UM – presented by Vice President Krawitz and Investments Advisor Robin Pellish, Rocaton (report on file)

Debt Capacity Update, UM – report scheduled for Physical Facilities and Management Services

Finance and Audit Committee Goals and Objectives for 2008 – no discussion

- Set financial performance measures and comparator groups.
- Review annually financial performance and performance on financial measures relative to benchmarks.
- Annually review University actions to improve operational efficiency.
- Support reorganization of Finance and Administration functions across the system where indicated to achieve efficiencies.
- Monitor endowment management including asset allocation, growth and returns.
- Monitor retirement trust fund management including asset allocation, returns and funding status (joint with HR & Compensation Committee).
- Monitor debt financing (joint with Physical Facilities Committee).
- Review operating and capital financing needs and initiatives to identify funding.

- Monitor progress on State Higher Education Funding Model.
- Committee, through Committee Chair, brings forward recommendations for discussion by the Board in Board meetings.

**Governance**

Curator John M. Carnahan III, Chair

Curator Warren K. Erdman

Curator David G. Wasinger

Curator Don Walsworth, ex officio

Interim President Dr. Gordon H. Lamb, ex officio

It was moved by Curator Erdman and seconded by Curator Carnahan, that the minutes of the September 20, 2007, Board of Curators Governance Committee meeting (as on file) be approved.

Roll call vote:

Curator Carnahan voted yes.

Curator Erdman voted yes.

Curator Wasinger was absent.

The motion carried by a vote of two and zero.

It was moved by Curator Erdman and seconded by Curator Carnahan, that the Governance Committee waive the 30-day required notice for consideration of the proposed bylaws change (Paragraph 10.030C 2b (2)) by the Board of Curators.

Roll call vote:

Curator Carnahan voted yes.

Curator Erdman voted yes.

Curator Wasinger was absent.

The motion carried by a vote of two and zero.

It was moved by Curator Erdman and seconded by Curator Walker, that the Governance Committee recommend to the Board of Curators that the Bylaws of the

Board of Curators be amended by modifying that portion of Paragraph 10.030 D 2b (2) which refers to University of Missouri-Rolla, be changed to read Missouri University of Science and Technology, (as indicated in the following text), effective January 1, 2008.

## **Collected Rules and Regulations**

### **Administration**

#### **Chapter 10: Board of Curators**

##### **10.030 Board Bylaws**

As adopted the 7th day of November, 1969, in place of Bylaws adopted November 12, 1965, and amended January 19, 1968, and amended November 8, 1968; see also 172.100 R.S.Mo. (1969); Amended Bd. Min. 12-14-79; Amended Bd. Min. 12-7-90; Amended Bd. Min. 7-15-94; Amended Bd. Min. 5-23-96; Amended Bd. Min. 9-26-97; Amended Bd. Min. 5-17-02; Amended Bd. Min 5-31-02; Amended Bd. Min. 11/21/02, Amended Bd. Min. 4/8/05, Amended Bd. Min. 7/21/06, Amended Bd. Min. 10/6/06, Amended Bd. Min. 4/6/07.

- A. Article I Definitions
- B. Article II The Board Authority and Responsibilities
- C. Article III The Board of Curators
- D. Article IV Organization of the University
  - 1. President of the University
  - 2. Campuses of the University
    - a. General

(1) Campuses of the University of Missouri shall be established by the Board of Curators. Each campus shall be a unit of the University.

(2) Such campus officers as may be deemed necessary may be appointed by the Board of Curators upon recommendation of the President.

- b. **Individual Campuses** -- Until otherwise provided by the Board of Curators, there are the following campuses of the University: (to include the sites, academic program, and administrative staff as now constituted)

(1) University of Missouri-Columbia.

(2) Missouri University of Science and Technology.

- (3) University of Missouri-Kansas City.
- (4) University of Missouri-St. Louis.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

New Curator Orientation Update and Review – presented by Curator Carnahan

Board of Curators Quarterly Budget Report – presented by Vice President Krawitz

Agenda Template for January 2008 Board of Curators Meeting (on file)

University of California Monitor Group Report – Vice President Krawitz will prepare an executive summary and comparative report for the Governance Committee.

Governance Committee Goals and Objectives for 2008 – no discussion

- Develop a process for assessment of the board performance, in cooperation with Board Chair and Vice Chair.
- Periodically review the Board Bylaws.
- The Vice Chair and the Governance Committee can coordinate and enhance the internal operation of the Board of Curators.
- The President's strategic vision and implementation plan for achieving the mission of the institution must be in constant focus for the Governance Committee to effectively fulfill its mission.
- Evaluate effective use of the consent agenda.
- Board focus should be on strategic issues.

- Make recommendations to the full board with respect to the improvement of performance by the board by recommending modifications in board operations and processes.

The Governance Committee recommends that the Board of Curators host a reception with the UMR Trustees in conjunction with the upcoming Board of Curators meeting in Rolla.

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

Curator Cheryl D. S. Walker, Chair

Curator Judith G. Haggard

Curator David G. Wasinger

eProcurement Implementation Report and Demonstration – Presented by Associate Vice President Cooper

Debt Capacity Update – presented by Vice President Krawitz (slides on file)

Physical Facilities and Management Services Committee Goals and Objectives for 2008  
– no discussion

- Review and approve campus master plans every three years.
- Review annually campus capital priorities and financing.
- Review annually facility performance measures relative to benchmarks.
- Review system/campus plans for crisis management and records and facilities retention and security.
- Review adequacy of and need for research facilities.
- Monitor investment in physical facilities to achieve the appropriate balance between new facilities and maintenance, repair and renovation of existing facilities.
- Monitor debt financing (joint with Finance & Audit Committee).
- Review and encourage continual development of the University's crisis management plan and initiatives.
- Committee, through Committee Chair, brings forward recommendations for discussion by the Board in Board meetings.

It was recommended by Chancellor Deaton, endorsed by Interim President Lamb, recommended by the Physical Facilities and Management Services Committee, moved by Curator Fraser and seconded by Curator Walker, that the following action be approved:

the schematic design prepared by Treanor Architects, Kansas City, Missouri, for the Hudson, Gillett, and Rollins Halls Renovation, at the University of Missouri-Columbia.

Funding is from:

Revenue Bonds	\$38,145,000
Campus Funds	<u>\$850,000</u>
Total Funding	\$38,995,000

Roll call vote:

Curator Cairns voted yes.  
 Curator Carnahan voted yes.  
 Curator Erdman voted yes.  
 Curator Fraser voted yes.  
 Curator Haggard voted yes.  
 Curator Russell voted yes.  
 Curator Walker voted yes.  
 Curator Walsworth voted yes.  
 Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

It was recommended by Chief Executive Officer Ross, endorsed by Interim President Lamb, recommended by the Physical Facilities and Management Services Committee, moved by Curator Walker and seconded by Curator Haggard, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to approve a sole-source lease agreement with Stryker Endoscopy, for up to \$615,000 for equipment used in minimally invasive surgical procedures, for the University of Missouri Health Care.

Funding is from UMHC Operating Room Surgery Services:	\$615,000
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Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

It was recommended by Chief Executive Officer Ross, endorsed by Interim President Lamb, recommended by the Physical Facilities and Management Services Committee, moved by Curator Haggard and seconded by Curator Walker, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to approve a sole-source management agreement with Premier Anesthesia, LLC, Alpharetta, Georgia, for administrative and management services as it relates to the School of Medicine's Department of Anesthesiology, for University of Missouri Health Care.

Funding is from UMHC Anesthesiology General Operating:       \$1,656,000

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

**Resources and Planning**

David G. Wasinger, Chair

Thomas E. Atkins

John M. Carnahan III

Interim Vice President Graham briefly reported on the UM Performance Report which was presented in detail to the Resources and Planning Committee on November 20, 2007.

**General Business**

Good and Welfare of the University – Curator Haggard commended the University of Missouri Tigers for their winning football season. The Board asked that Chancellor Deaton convey the Board’s statement of pride and commendation to the team and coaches.

Board Chair Report – Chairman Walsworth (transcription on file)

It was recommended by Interim President Lamb, moved by Curator Russell and seconded by Curator Cairns, that the following resolution in appreciation of Marvin E. “Bunky” Wright, General Counsel, be approved:

**RESOLUTION**

WHEREAS, Marvin E. “Bunky” Wright, General Counsel, has served the University of Missouri System from 1967 to 1979, as Counsel in the Office of the General Counsel, and from March 1, 1998 to the present as General Counsel; and

WHEREAS, throughout his service to the University, Mr. Wright has demonstrated outstanding intellect and wisdom, unwavering integrity and uncommonly good judgment in providing legal advice to University Curators, presidents and others in the University community to assist them in achieving the University’s goals within the boundaries of a constantly changing and ever-expanding legal environment; and

WHEREAS, throughout his long years of service, Mr. Wright has shown the value of candid, straightforward legal advice delivered without harsh words or condescension and frequently communicated along with a slice of self-deprecating humor helping all to realize that despite the weighty responsibilities and challenges facing University leaders neither he nor they should fall into the trap of taking themselves “too seriously”; and

WHEREAS, in addition to his tireless efforts on behalf of the University, Mr. Wright has served the legal profession in Missouri and across the nation by providing leadership as President of the Boone County Bar Association, the Missouri Bar and the National Association of College and University Attorneys and, in addition, has served as a member of the Board of Governors for the Missouri Bar, a member of the Board of Directors of the Missouri Association of Hospital Attorneys and as a Missouri delegate to the American Bar Association, thereby earning the respect of his peers in the legal profession; and

WHEREAS, Mr. Wright was recently honored by the Missouri Bar and the Missouri Bar Foundation which bestowed upon him the Spurgeon Smithson Award, given annually to Missouri judges, teachers of law and/or lawyers deemed "to have rendered outstanding service toward the increase and diffusion of justice"; and

WHEREAS, Mr. Wright has demonstrated by example the importance of public service to his local community, to the State of Missouri and to the nation and, in so doing, has encouraged his family, his friends and his colleagues, both inside and outside the University, to engage in similar public service because of his deeply held belief that organizational and community goals are more important to society than individual achievements and successes; and

WHEREAS, Mr. Wright's love for and loyalty to the University of Missouri has remained constant and obvious to all who know him as he has worked to promote the University and to help other University leaders demonstrate to all the crucial role the University plays in their lives and the lives of their children, grandchildren and future generations; and

WHEREAS, Mr. Wright has been an invaluable, loyal and trusted advisor to a succession of Curators, University presidents, chancellors, administrators, faculty and staff who have learned to value his candor and wisdom even if occasionally they wished the answers they received from him had been different; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Curators, on its behalf, on behalf of administrators, faculty, staff, students 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 more than 20 years of dedicated and devoted service of Marvin E. "Bunky" Wright to the University; and

BE IT FURTHER RESOLVED, that upon his retirement as General Counsel, Mr. Wright shall be and is hereby bestowed the honorary title of General Counsel Emeritus; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of the November 30, 2007,

meeting and that a duly inscribed copy thereof be furnished to Marvin E. "Bunky" Wright.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

It was recommended by Interim President Lamb, moved by Curator Fraser and seconded by Curator Walker, that the following resolution honoring R. Kenneth Hutchinson, Vice President for Human Resources, be approved:

#### RESOLUTION

WHEREAS, R. Kenneth Hutchinson, Vice President for Human Resources, served the University of Missouri system with distinction from April 28, 1966, to December 31, 2007; and

WHEREAS, from an entry-level position on the Kansas City campus he rose through the ranks, becoming the University's chief human resources officer in 1978 with responsibility for all four campuses; and

WHEREAS, throughout his career Hutchinson has been a persuasive advocate on behalf of the best interests of those who comprise the University's heart, its dedicated faculty and staff; and

WHEREAS, benefit improvements included a 50 percent reduction in educational fees for employees' dependents and spouses who attend the University, and the introduction of a comprehensive wellness program, to cite just two examples; and

WHEREAS, the improved benefits have helped the University recruit and retain outstanding employees despite growing national and international competition for the best people; and

WHEREAS, Hutchinson's advocacy also encompassed the interests of the men and women who helped lay the foundation for today's University of Missouri, retired faculty and staff; and

WHEREAS, during his tenure the financial condition of the Retirement Fund was bolstered and many improvements were made to the retirement plan, including a recent pension increase; and

WHEREAS, although Hutchinson presided over a wide variety of benefit upgrades for active and retired employees, he did so while remaining a vigilant steward of the University's limited resources; and

WHEREAS, in 1993, as the nation faced rapidly growing health insurance costs, Hutchinson guided the University's adoption of the more efficient managed health care approach; and

WHEREAS, he also spearheaded a successful effort to oppose merging the University's health care plan with the state's, a change which would have added millions of dollars to the University's costs; and

WHEREAS, Hutchinson's expertise received special recognition when he became the first human resources officer from higher education to be elected a Fellow of the prestigious National Academy of Human Resources; and

WHEREAS, Hutchinson has been a loyal, trusted advisor to the Board of Curators and to a succession of University presidents, in addition to leading or serving on key University committees; and

WHEREAS, thanks to his 41 years of service, the University of Missouri system's human resource policies today provide a model that many other institutions strive to emulate:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Curators, on behalf of the faculty, staff, retirees, students 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 R. Kenneth Hutchinson;

AND ALSO, that his future relations with the University of Missouri be formally recognized by bestowing the title of "Vice President Emeritus" upon R. Kenneth Hutchinson; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Curators cause this resolution to be spread upon the minutes of the November 30, 2007, meeting and that a duly inscribed copy thereof be furnished to R. Kenneth Hutchinson.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

Upon the motion of Curator Walsworth, Curator Cheryl Walker was nominated to serve as Chair of the Board of Curators for the term of January 1, 2008 through December 31, 2008. The nomination was seconded by Curator Cairns.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

Upon the motion of Curator Cairns, Curator Bo Fraser was nominated to serve as Vice Chair of the Board of Curators for the term January 1, 2008, through December 31, 2008. The nomination was seconded by Curator Haggard.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser abstained.  
Curator Haggard voted yes.

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

The motion carried by a vote of seven and zero with one abstention.

It was moved by Curator Haggard and seconded by Curator Cairns, that there shall be a closed session and closed vote(s) of the Board of Curators, on November 29-30, 2007, 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 (3), RSMo, relating to matters identified in that provision, which include hiring, firing, disciplining, or promoting of particular employees; and
4. 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
5. Section 610.021 (13), RSMo, relating to matters identified in that provision, which include individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

Curator Don Walsworth was presented the Chairman's gavel by Curator Cheryl Walker. Curator Walsworth presented The University of Missouri, A Centennial History, a book by Jonas Viles, to Chair-Elect Walker. Brief acceptance remarks were made by Curator Walker.

There being no further business for consideration by the University of Missouri Board of Curators, the open session was adjourned at 4:30 P.M., on Thursday, November 29, 2007.

#### **BOARD OF CURATORS CLOSED SESSION**

The Board of Curators continued business in a closed session beginning at 4:50 P.M., on Thursday, November 29, 2007, in the Chancellor's Dining Room of the University Center, on the University of Missouri-Kansas City campus, pursuant to public notice given of said meeting.

##### Curators Present:

The Honorable Marion H. Cairns  
The Honorable John H. Carnahan III  
The Honorable Warren K. Erdman  
The Honorable Bo Fraser  
The Honorable Judith G. Haggard  
The Honorable Doug Russell  
The Honorable Cheryl D.S. Walker  
The Honorable Don Walsworth  
Student Representative Anton H. Luetkemeyer

The Honorable David G. Wasinger was absent from the meeting.

##### Also Present:

Dr. Gordon H. Lamb, Interim President  
Mr. Marvin E. "Bunky" Wright, General Counsel  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Dr. Steven W. Graham, Interim Vice President for Academic Affairs  
Mr. R. Kenneth Hutchinson, Vice President for Human Resources  
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration  
Mr. Steve Owens, General Counsel Designate  
Mr. Bill Cooper, Associate Vice President for Management Services

It was recommended by Chancellor Deaton, endorsed by Interim President Lamb, recommended by the Academic and Student Affairs Committee, moved by Curator Cairns and seconded by Curator Haggard, that the following recommendations be approved:

upon the recommendation of the Provost and the Dean of the School of Law, Professor Michelle Arnopol Cecil shall be named to the position of University of Missouri Curators' Teaching Professor, effective January 1, 2008. Professor Cecil will receive a \$10,000 annual stipend as long as she holds this position. \$5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining \$5,000 available for normal professional expenses associated with teaching, research, or creative activities; and

that upon the recommendation of the Provost and the Director of Fine Arts, Professor Suzanne Burgoyne shall be named to the position of University of Missouri Curators' Teaching Professor, effective January 1, 2008. Professor Burgoyne will receive a \$10,000 annual stipend as long as she holds this position. \$5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining \$5,000 available for normal professional expenses associated with teaching, research, or creative activities; and

that upon the recommendation of the Provost and the Dean of the School of Law, Professor Stephen D. Easton shall be named to the position of University of Missouri Curators' Teaching Professor, effective January 1, 2008. Professor Easton will receive a \$10,000 annual stipend as long as he holds this position. \$5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining \$5,000 available for normal professional expenses associated with teaching, research, and creative activities.

Complete nomination materials are on file with the Office of Academic Affairs.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

Interim Vice President Graham excused himself from the meeting.

It was recommended by Chief Executive Officer Ross, endorsed by Interim President Lamb, recommended by the Physical Facilities and Management Services Committee, moved by Curator Cairns and seconded by Curator Russell, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to sell approximately 143 acres, near Mount Vernon, in Lawrence County, Missouri, to the City of Mount Vernon, for the University of Missouri Health Care, for \$560,000.

The legal description is as follows:

The East Half of (E ½ ) of the Northwest Quarter (NW ¼); the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼); and the North 25 acres of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼); all being located in Section 24, Township 28, Range 27, Lawrence County, Missouri.

Proceeds credited to Missouri Rehabilitation Center Funds: \$560,000

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard voted yes.  
Curator Russell voted yes.  
Curator Walker voted yes.  
Curator Walsworth voted yes.  
Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

The University closed on February 5, 2008, on the sale of 143 acres, Lawrence County, Missouri, to the City of Mount Vernon, for \$560,000 for University of Missouri Health Care.

The property is deed # C452. The acreage covered by this deed was 262.44. Therefore, 119.44 acres remain on this deed.

It was recommended by Interim President Lamb, recommended by the Physical Facilities and Management Services Committee, moved by Curator Haggard and seconded by Curator Cairns, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to transfer 1.16 acres at Missouri Research Park, St. Charles County, Missouri, to the Missouri Highways and Transportation Commission, for the construction of an eastbound ramp from U.S. Highway 40 to the Missouri Research Park for the University of Missouri.

The legal description is as follows:

A tract of land being part of Fractional Section 34, Township 46 North, Range 3 East, St. Charles County, Missouri and being more particularly described as follows:

BEGINNING at the northeastern corner of Lot 25 of Missouri Research Park Plat 1 as recorded in Plat Book 42, Pages 81 – 88 of the St. Charles County, Missouri Records, also being the southeast corner of Lot 23 of said Missouri Research Park Plat 1 said point being on the western right-of-way line of Missouri State Highway 40-61 (I-64); thence along said western right-of-way line South  $24^{\circ}40'33''$  East a distance of 143.42 feet to a point; thence South  $62^{\circ}33'50''$  East a distance of 181.23 feet to a point; thence along a curve to the left having a radius of 4019.83 feet, an arc length of 73.91 feet, a chord of which bears South  $31^{\circ}00'05''$  East a chord distance of 73.91 feet to a point; thence along property now or formerly of the Missouri Highway and Transportation Commission as recorded in Deed Book 2074, Page 1019 South  $56^{\circ}12'05''$  West a distance of 297.57 feet to a point on the eastern line of the aforementioned Lot 25; thence leaving said Missouri Highway and Transportation property and along the eastern line of said Lot 25 North  $01^{\circ}29'21''$  West a distance of 442.86 feet to the POINT OF BEGINNING and containing 50,621 square feet or 1.16 acres more or less.

Roll call vote:

- Curator Cairns voted yes.
- Curator Carnahan voted yes.
- Curator Erdman voted yes.
- Curator Fraser voted yes.
- Curator Haggard voted yes.
- Curator Russell voted yes.
- Curator Walker voted yes.
- Curator Walsworth voted yes.
- Curator Wasinger was absent.

The motion carried by a vote of eight and zero.

Documents associated with transfer of 1.16 acres at Missouri Research Park, St. Charles County, Missouri, to the Missouri Highways and Transportation Commission for construction of an eastbound ramp from U. S. Highway 40 to the Missouri Research Park for the University of Missouri have been executed.

The effective date of the deed issued by the University was December 17, 2007. Prior to this transfer, Deed C0087 contained 575.56 acres. With this transfer, 575.40 acres remain.

<sup>160</sup> Property-Acceptable Use, UM – This item has been excluded from the minutes and will be presented to the Board of Curators for approval upon completion of transaction of subject matter.

Vice President Krawitz and Associate Vice President Cooper excused themselves from the meeting.

Personnel, UMHC – presented by Interim President Lamb and Vice President Hutchinson (no report on file)

Personnel, UM – presented by Chairman Walsworth and Vice President Hutchinson (no report on file)

Chairman Walsworth called a recess of the closed session at 5:30 P.M., on Thursday, November 29, 2007, until 9:00 A.M., on Friday, November 30, 2007.

Chairman Walsworth reconvened the closed session of the Board of Curators meeting at 9:30 A.M., on Friday, November 30, 2007, in the Chancellor's Dining Room of the University Center, on the University of Missouri-Kansas City campus, pursuant to public notice given of said meeting.

Curators Present:

The Honorable Marion H. Cairns

The Honorable John H. Carnahan III

The Honorable Warren K. Erdman

The Honorable Bo Fraser

The Honorable Judith G. Haggard

The Honorable Doug Russell

The Honorable Cheryl D.S. Walker

The Honorable Don Walsworth

The Honorable David G. Wasinger, via conference telephone

Student Representative Anton H. Luetkemeyer

Also Present:

Dr. Gordon H. Lamb, Interim President  
Mr. Marvin E. "Bunky" Wright, General Counsel  
Ms. Kathleen M. Miller, Secretary of the Board of Curators  
Mr. R. Kenneth Hutchinson, Vice President for Human Resources  
Mr. Steve Owens, General Counsel Designate

Personnel, UM – Consultant Oral Report

Personnel, UMHC – Consultant Oral Report on University of Missouri Health Care  
(individual personnel)

Chairman Walsworth was absent from the room during the report and discussion.

Litigation Report – General Counsel Wright (report on file with the Office of General Counsel)

Personnel, UM – Chairman Walsworth

It was moved by Curator Cairns and seconded by Curator Walker, that the Board of Curators meeting, November 29-30, 2007, be adjourned.

Roll call vote:

Curator Cairns voted yes.  
Curator Carnahan voted yes.  
Curator Erdman voted yes.  
Curator Fraser voted yes.  
Curator Haggard 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 to be considered by the Board of Curators, the meeting was adjourned at 12:20 P.M., on Friday, November 30, 2007.

Respectfully,

A handwritten signature in cursive script, appearing to read "Kathleen M. Miller".

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Kathleen M. Miller  
Secretary of the Board of Curators

Approved by the Board of Curators on February 1, 2008.