

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



BOARD OF CURATORS

Minutes of the Board of Curators Meeting
Clinton Club, Mizzou Arena, University of Missouri-Columbia Campus
Columbia, Missouri
October 22-23, 2009

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the University of Missouri Board of Curators was convened in public session at 4:18 P.M., on Thursday, October 22, 2009, in the Clinton Club of the Mizzou Arena, on the University of Missouri-Columbia Campus, pursuant to public notice given of said meeting. Curator Bo Fraser, Chairman of the Board of Curators, presided over the meeting.

Present

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

The Honorable Don M. Downing was absent due to a death in the family.

Also Present

Mr. Gary D. Forsee, President, University of Missouri System
Mr. Stephen J. Owens, General Counsel
Ms. Kathleen M. Miller, Secretary of the Board of Curators
Dr. Gary K. Allen, Vice President for Information Technology
Provost Kent Wray, Ph.D., for Dr. John F. Carney III, Chancellor, Missouri University of Science and Technology
Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia
Dr. Thomas F. George, Chancellor, University of Missouri-St. Louis

Dr. Steven Graham, Senior Associate Vice President for Academic Affairs
Mr. Stephen C. Knorr, Vice President for Government Relations
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration
Mr. Leo E. Morton, Chancellor, University of Missouri-Kansas City
Dr. Michael F. Nichols, Vice President for Research and Economic Development
Dr. Betsy Rodriguez, Vice President for Human Resources
Dr. David R. Russell, Senior Associate Vice President and Chief of Staff
Ms. Cindy Pollard, Associate Vice President of Strategic Communications
Ms. Jennifer Hollingshead, Assistant Director University Communications
Media Representatives

It was moved by Curator Haggard and seconded by Curator Wasinger, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting, on Thursday, October 22, 2009, and as needed on Friday, October 23, 2009, for consideration of:

- **Section 610.021(1), RSMo**, relating to matters identified in that provision, which include legal actions, causes of action or litigation, and confidential or privileged communications with counsel; and
- **Section 610.021(2), RSMo**, relating to matters identified in that provision, which include leasing, purchase, or sale of real estate; and
- **Section 610.021(3), RSMo**, relating to matters identified in that provision, which include hiring, firing, disciplining, or promoting of particular employees; and
- **Section 610.021(12), RSMo**, relating to matters identified in that provision, which include sealed bids and related documents and sealed proposals and related documents or documents related to a negotiated contract; and
- **Section 610.021(13), RSMo**, relating to matters identified in that provision, which include individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment; and
- **Section 610.021(17), RSMo**, relating to matters identified in that provision, which include confidential or privileged communications between a public governmental body and its auditor.

Roll call vote:

Curator Bradley voted yes.

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

The motion carried.

Meeting Break – 4:20 P.M., October 22, 2009

BOARD OF CURATORS MEETING – EXECUTIVE SESSION

A meeting of the University of Missouri Board of Curators was convened in executive session at 4:30 P.M., on Thursday, October 22, 2009, in the Clinton Club of the Mizzou Arena, on the University of Missouri-Columbia campus, pursuant to public notice given of said meeting. Curator Bo Fraser, Chairman of the Board of Curators, presided over the meeting.

Present

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

The Honorable Don M. Downing was absent due to a death in the family.

Also Present

Mr. Gary D. Forsee, President, University of Missouri System
Mr. Stephen J. Owens, General Counsel
Ms. Kathleen M. Miller, Secretary of the Board of Curators
Provost Kent Wray, Ph.D., for Dr. John F. Carney III, Chancellor, Missouri University of Science and Technology
Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia

Dr. Thomas F. George, Chancellor, University of Missouri-St. Louis
Dr. Steven Graham, Senior Associate Vice President for Academic Affairs
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration
Mr. Leo E. Morton, Chancellor, University of Missouri-Kansas City
Dr. David R. Russell, Senior Associate Vice President and Chief of Staff
Mr. John Tverdek, PricewaterhouseCoopers, Internal Auditor

Curators' Professorship: Professor Nicholas Leventis, Missouri S&T – presented by Senior Associate Vice President Graham

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

upon the recommendation of Chancellor Carney, the Provost and Executive Vice Chancellor for Academic Affairs, and the Department of Chemistry, Professor Nicholas Leventis shall be named to the position of University of Missouri Curators' Professor, effective January 1, 2010. Professor Leventis will receive a \$10,000 annual stipend as long as he holds this position. \$5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining \$5,000 available for professional expenses associated with his teaching, research, or creative activities. In accordance with Collected Rules and Regulations, 320.070, this appointment is for a period of five years, which may be renewed at the discretion of the chancellor.

(Complete nomination materials are on file with the Office of the Chancellor.)

Curators' Teaching Professorship: Professor James A. Drallmeier, Missouri S&T – presented by Senior Associate Vice President Graham

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

upon the recommendation of Chancellor Carney, the Provost and Executive Vice Chancellor for Academic Affairs, and the Department of Mechanical and Aerospace Engineering, Professor James A. Drallmeier shall be named to the position of University of Missouri Curators' Teaching Professor, effective January 1, 2010. Professor Drallmeier will receive a \$10,000 annual stipend as long as he holds this position. \$5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining \$5,000 available for professional expenses associated with his teaching, research, or creative activities. In accordance with Collected Rules and Regulations, 320.070, this appointment is for a period of five years, which may be renewed at the discretion of the chancellor.

(Complete nomination materials are on file with the Office of the Chancellor.)

Roll call vote:

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

The motion carried.

¹⁹⁴It was recommended by Vice President Krawitz, endorsed by President Forsee, moved by Curator Russell and seconded by Curator Bradley, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to sell approximately 0.51 acres adjacent to Lot 20, Missouri Research Park to CRG-MRP, LLC for \$7.00 s.f. (\$156, 289), for the University of Missouri System.

Proceeds credited to: Missouri Research Park Funds \$156,289

Roll call vote:

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

The motion carried.

On January 11, 2010, the University of Missouri closed on the sale of 0.51 acres adjacent to Lot 20, Missouri Research Park to CRG-MRP,LLC. The deed is #C0087N for this sold parcel.

¹⁹⁵ Grand Center, Inc. Agreement, UMSL – presented by President Forsee (with background information provided by Curator Goode)

It was recommended by Chancellor George, endorsed by President Forsee, recommended by the Finance Committee, moved by Curator Carnahan and seconded by Curator Wasinger, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to enter into an agreement with Grand Center, Inc., for the transfer of 3651 Olive Street, St. Louis, Missouri, for the University of Missouri-St. Louis, under the following terms:

1. The University will take title to 3651 Olive Street, St. Louis, by the end of 2009 for a purchase price of \$10.00

Roll call vote:

Curator Bradley voted no.
Curator Carnahan voted yes.
Curator Downing was absent.
Curator Erdman voted yes.
Curator Fraser voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.

Curator Russell voted yes.
Curator Wasinger voted yes.

The motion carried with a vote of seven in favor and one opposed.

An agreement with Grand Center, Inc., for the transfer of 3651 Olive Street, St. Louis, Missouri, to the University of Missouri on behalf of the University of Missouri-St. Louis was fully executed on December 14, 2009. The property was deeded to the University of Missouri by Grand Properties, Inc., and closing occurred December 17, 2009. The purchase price was \$10.00. This 0.43 acre site is Deed # S178.

The remainder of this recommendation is provided in the excerpt of closed minutes at the end of this document and will not be made public until transactions are complete.

The Board of Curators meeting-executive session was recessed at 5:35 P.M., on Thursday, October 22, 2009, to be continued upon conclusion of the public session on Friday, October 23, 2009.

Board of Curators Working Dinner

Providence Point, Columbia, Missouri

6:00 – 8:00 P.M.

Thursday, October 22, 2009

Present

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

The Honorable Don M. Downing was absent due to a death in the family.

Also Present

Mr. and Mrs. Gary D. Forsee
Mr. Stephen J. Owens
Ms. Kathleen M. Miller

Dr. Gary K. Allen
Provost Kent Wray for Dr. John F. Carney III
Provost Glen Cope
Dr. Brady J. Deaton
Provost Brian Foster
Dr. Thomas F. George
Dr. Steven Graham
Provost Gail Hackett
Mr. Stephen C. Knorr
Ms. Natalie "Nikki" Krawitz
Mr. Leo E. Morton
Dr. Michael F. Nichols
Dr. Betsy Rodriguez
Dr. David R. Russell
Ms. Cindy Pollard
Mr. David Welter, presenter
Mr. Jim Moody, presenter
Media Representative

Program:

Missourians for Higher Education – presented by David Welte (handouts on file)

Missouri Budget Report – presented by Jim Moody (slide set on file)

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the University of Missouri Board of Curators was convened in public session at 9:00 A.M., on Friday, October 23, 2009, in the Clinton Club of the Mizzou Arena, on the University of Missouri-Columbia Campus, pursuant to public notice given of said meeting. Curator Bo Fraser, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley
The Honorable John M. Carnahan III
The Honorable Warren K. Erdman
The Honorable Bo Fraser
The Honorable Wayne Goode
The Honorable Judith G. Haggard
The Honorable Doug Russell
The Honorable David G. Wasinger

Student Representative Laura A. Confer

The Honorable Don M. Downing was absent due to a death in the family.

Also Present

Mr. Gary D. Forsee, President, University of Missouri System
Mr. Stephen J. Owens, General Counsel
Ms. Kathleen M. Miller, Secretary of the Board of Curators
Dr. Gary K. Allen, Vice President for Information Technology
Provost Kent Wray, Ph.D., for Dr. John F. Carney III, Chancellor, Missouri University of Science and Technology
Dr. Brady J. Deaton, Chancellor, University of Missouri-Columbia
Dr. Thomas F. George, Chancellor, University of Missouri-St. Louis
Dr. Steven Graham, Senior Associate Vice President for Academic Affairs
Mr. Stephen C. Knorr, Vice President for Government Relations
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration
Mr. Leo E. Morton, Chancellor, University of Missouri-Kansas City
Dr. Michael F. Nichols, Vice President for Research and Economic Development
Dr. Betsy Rodriguez, Vice President for Human Resources
Dr. David R. Russell, Senior Associate Vice President and Chief of Staff
Ms. Cindy Pollard, Associate Vice President of Strategic Communications
Ms. Jennifer Hollingshead, Assistant Director University Communications
Media Representatives

Resolution Presentation to Dr. and Mrs. Gordon H. Lamb by Board Chairman Fraser

Board Chairman's Report – presented by Chairman Fraser (transcription on file)

University President's Report – presented by President Forsee (transcription and slides with text on file)

Chancellors' Reports (slides on file)

University of Missouri-Kansas City – presented by Chancellor Morton
University of Missouri-St. Louis – presented by Chancellor George
Missouri University of Science and Technology – presented by Provost Wray
University of Missouri-Columbia – presented by Chancellor Deaton

University of Missouri Health System Report – presented by Hal Williamson, M.D. and Mr. Kevin Necas (slides on file)

Consent Agenda

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

1. Minutes of the Board of Curators Meetings:

Board of Curators meeting, July 24, 2009,
Board of Curators Executive Committee meeting, July 16, 2009, and
Board of Curators special meeting, September 16, 2009

2. Degrees, Fall Semester 2009

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

3. 2009 Security Resolution, MU

Resolution

The Curators of the University of Missouri agree that the following individuals occupying the designated offices shall constitute a Security Executive Committee with full authority and responsibility for the negotiation, execution and administration of Department of Energy, Nuclear Regulatory Commission, or User Agency classified contracts as described in DoD 5520.22-M, "National Industrial Security Program":

University of Missouri President, Gary D. Forsee
Chancellor, University of Missouri-Columbia, Brady J. Deaton, Ph.D.
Provost, University of Missouri-Columbia, Brian L. Foster, Ph.D.
Facility Security Officer, University of Missouri System and University of Missouri-Columbia, Leon M. Hoffsette

The members of this Security Executive Committee have been processed for a personnel security clearance for access to classified information to the level of the facility security clearance granted to this institution, as provided for under the aforementioned security program.

The said Security Executive Committee is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the Department of Defense or User Agencies, the Department of Energy, or the Nuclear Regulatory Commission of the security program awarded to the Curators of the University of Missouri.

The following officers and members of the University of Missouri Board of Curators shall not be required, shall not have, and can be effectively excluded from, access to all classified information in the possession of the Curators of the University of Missouri, and do not occupy positions that would enable them to affect adversely the policies and practices of the Curators of the University of Missouri in the performance of classified contracts for the Department of Defense or User Agencies, the Department of Energy, or the Nuclear Regulatory Commission of its security program, awarded to the Curators of the University of Missouri, and need not be processed for a personnel security clearance:

All nine members of the Board of Curators:

David R. Bradley
John M. Carnahan III
Don M. Downing
Warren K. Erdman
Buford M. "Bo" Fraser
Wayne Goode
Judith G. Haggard
Doug Russell
David G. Wasinger

Vice President for Finance and Administration, Natalie "Nikki"
Krawitz

Vice President for Information Technology, Gary K. Allen, DVM, Ph.D.

Vice President for Human Resources, Betsy Rodriguez, Ph.D.

Vice President for Government Relations, Stephen C. Knorr

Vice President for Research and Economic Development,
Michael F. Nichols, Ph.D.

Chancellor, University of Missouri-Kansas City, Leo E. Morton

Chancellor, University of Missouri-St. Louis, Thomas F. George, Ph.D.

Chancellor, Missouri University of Science and Technology,
John F. Carney III, Ph.D.

Senior Associate Vice President for Academic Affairs, Steven Graham,
Ph.D.

Senior Associate Vice President and Chief of Staff,

David R. Russell, Ph.D.

4. Amendment to Collected Rules and Regulations 110.005 Use of Facilities and Equipment: Acceptable Use Policy, UM

revisions shall be made adding a 4th circumstance that would allow access to personal electronic resources for “legitimate business needs” and to update the Acceptable Use Policy to reflect changes in legal terminology information, as follows:

Collected Rules and Regulations
Facilities and Equipment Management
Chapter 110: Use of Facilities and Equipment
110.005 Acceptable Use Policy
October 23, 2009

This policy applies to all users including faculty, staff, students, and guest users of University of Missouri computer networks, equipment, or connecting resources.

- A. **University Inspection of Personal Electronic Information** – All information technology resources, including computer networks, equipment and connected resources, provided by the University of Missouri are the property of the University. The University values the principles of academic freedom and privacy and does not condone casual inspection of the information contained within or transmitted via these resources. However, electronic information on University networks or equipment, including, but not limited to, electronic mail and personal information, is subject to examination by the University including but not limited to the following circumstances:
1. It is necessary to maintain or improve the functioning of University computing resources;
 2. There is a suspicion of misconduct under University policies, or suspicion of violation of Federal or State laws;
 3. It is necessary to comply with or verify compliance with Federal or State law including e-discovery procedures; or
 4. If it will serve a legitimate business need of the University.
- B. **Acceptable Use Guidelines**
1. Responsibilities of Users of University Computer Resources:
 - a. Respect the intellectual property rights of authors, contributors, and publishers in all media.
 - b. Protect user ID, password, and system from unauthorized use.

- c. Adhere to the terms of software licenses and other contracts. Persons loading software on any University computer must adhere to all licensing requirements for the software. Except where allowed by University site licenses, copying software licensed for University use for personal use is a violation of this policy.
 - d. Adhere to other University and campus policies, including the Collected Rules and Regulations of the University of Missouri, and, if applicable, the University Business Policy Manual, Human Resources Manual and policies established for a specific resource.
 - e. Adhere to data access policies of the University or those established by law.
 - f. Use University computer resources in a manner that is compliant with University policies and State and Federal law.
2. Prohibited Uses of University Computer Resources:
- a. Unauthorized or excessive personal use. Use may be excessive if it overburdens a network, results in substantial use of system capacity, or otherwise subjects the institution to increased costs or risks (employees additionally may be subject to discipline for unauthorized or excessive personal use of computer resources.)
 - b. Uses that interfere with the proper functioning of the University's information technology resources.
 - c. Uses that unreasonably interfere with the ability of others to make use of University computer resources.
 - d. Attempting to gain or gaining unauthorized access to the computer system, or files of another.
 - e. Use of University computer resources to infringe the intellectual property rights of others.
 - f. Use of University computer resources for personal profit, except as permitted under the University's conflict of interest policy.

C. Enforcement of Acceptable Use Policy -- Violation of the Acceptable Use Policy may result in a denial of access to University information technology resources and other appropriate disciplinary actions.

5. Medtronic O-Arm System Sole Source Agreement, Procurement, UMHC

the Vice President for Finance and Administration shall be authorized to approve a sole-source contract with Medtronic, Inc., Louisville, Colorado, to purchase one O-Arm System at a total cost of \$1,110,500 for University of Missouri Health Care.

Funding is from:

UH General Equipment	\$846,000
Clinical Engineering/Vendor Service Contracts	<u>264,500</u>

Total Funding \$1,110,500

6. Parental Notification Annual Report

the annual report (as on file with the minutes of this meeting) was received and accepted by the Board of Curators.

7. Retroactive Degrees, UMKC

the action of awarding retroactive degrees to two candidates, Andrea Meyer and Jerome Stigler, who fulfill the requirements for such degrees, as recommended by the provost and chancellor of the University of Missouri-Kansas City campus, shall be approved, and that the names of said students and supporting material be included in the records of this meeting.

8. Revisions to Collected Rules and Regulations 20.140 Academic Calendar

the Collected Rules and Regulations 20.140 regarding the academic calendar shall be modified to have the University of Missouri-St. Louis begin the spring semester on the Tuesday after Martin Luther King Day and correct the Rolla campus name.

9. Spinal Cord Injuries and Congenital or Acquired Disease Processes Research Program Proposals

the two research proposals as follows:

SPINAL CORD INJURIES AND CONGENITAL OR ACQUIRED DISEASE
PROCESSES RESEARCH PROGRAM
PROPOSALS RECOMMENDED FOR FUNDING
2010

I. Morphine Modulation of Oligodendrocyte Progenitors \$50,000
Maturation and Myelination in a Rat Model of SCI
Mariana M. Beltcheva
Department of Biochemistry and Molecular Biology
St. Louis University

II. Custom Integrated Circuit for Brain Computer Interface \$50,000
Daniel W. Moran
Department of Biomedical Engineering
Washington University

Total funding recommended \$100,000

Roll call vote of Consent Agenda:

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

The motion carried.

Academic, Student and External Affairs

A recap of the October 22, 2009, Academic, Student and External Affairs Committee meeting was provided by Committee Chairwoman Haggard.

Information

Caring for Missourians Update (10-02-09 Draft of Institutional Plans for the Council of Public Higher Education in Missouri , COPHE, packet on file)

Community College Trends (slides on file)

“A Vision of Students Today”: <http://www.youtube.com/watch?v=48Xnxgjt0k>

The minutes of the June 4, 2009, Board of Curators Academic, Student and External Affairs Committee meeting were approved by the Committee on October 22, 2009, as on file with the minutes of this meeting.

Bachelor of Arts in Film Studies, MU

It was recommended by Senior Associate Vice President Graham, endorsed by President Forsee, recommended by the Academic, Student and External Affairs

Committee, moved by Curator Wasinger and seconded by Curator Carnahan, that the following action be approved:

the University of Missouri-Columbia shall be authorized to submit the proposal for a Bachelor of Arts in Film Studies (as on file with the minutes of this meeting) to the Coordinating Board for Higher Education for approval.

M. S. and Ph.D. in Clinical and Translational Science, MU

It was recommended by Senior Associate Vice President Graham, endorsed by President Forsee, recommended by the Academic, Student and External Affairs Committee, moved by Curator Wasinger and seconded by Curator Carnahan, that the following action be approved:

the University of Missouri-Columbia shall be authorized to submit the proposal for an M. S. and Ph.D. in Clinical and Translational Science (as on file with the minutes of this meeting) to the Coordinating Board for Higher Education for approval.

Roll call vote on both degree programs, Bachelor of Arts in Film Studies, MU, and M. S. and Ph.D. in Clinical and Translational Science, MU:

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

The motion carried.

Audit

A recap of the October 22, 2009, Audit Committee meeting-public session was provided by Committee Chairman Carnahan.

Information

Review of Internal Audit Engagement Letter (on file)

Review of Internal Audit Annual Audit Plan

Semi-annual Internal Audit Follow-up Report

Internal Audit Quarterly Report (handout on file includes two preceding reports)

Fiscal Year 2009 External Audit Report (slides; Draft 2009 Financial Report ; Draft 10/13/2009 University Health System Financial Statements June 30, 2009, and 2008, With Independent Auditors' Report Thereon; and University of Missouri Independent External Audits for Fiscal Year Ended June 30, 2009; on file)

Also on file: University of Missouri System Status of Management Responses to Internal Audit Findings, October 2009, and University of Missouri System Executive Expense Reports, October 2009

The minutes of the June 4, 2009, and July 14, 2009, Board of Curators Audit Committee meetings were approved by the Committee on October 22, 2009, as on file with the minutes of this meeting.

Audit Committee Charter Matrix

It was recommended by Vice President Krawitz, endorsed by President Forsee, moved by Curator Carnahan and seconded by Curator Goode, that the Audit Committee Charter Matrix (as on file with the minutes of this meeting) shall be approved.

Roll call vote:

Curator Bradley voted yes.
Curator Carnahan voted yes.
Curator Downing was absent.
Curator Erdman voted yes.
Curator Fraser voted yes.
Curator Goode voted yes.

Curator Haggard voted yes.
Curator Russell voted yes.
Curator Wasinger voted yes.

The motion carried.

Compensation and Human Resources

A recap of the October 22, 2009, Compensation and Human Resources Committee meeting-public session was provided by Committee Chairman Erdman.

The minutes of the August 20, 2009, Board of Curators Compensation and Human Resources Committee meeting were approved by the Committee on October 22, 2009, as on file with the minutes of this meeting.

Amendment to Collected Rules and Regulations 230.070 Educational Assistance Program for University Employees, Other than Graduate Teaching and Research Assistants

It was recommended by Vice President Rodriguez, endorsed by President Forsee, moved by Curator Erdman and seconded by Curator Bradley, that the following action be approved:

Collected Rules and Regulations 230.070 Educational Assistance Program for University Employees, Other than Graduate Teaching and Research Assistants shall be amended to ensure consistency of terms across the Collected Rules and Regulations and to remove process detail, as follows:

Collected Rules and Regulations
Programs, Courses and Student Affairs
Chapter 230: Student Fees

230.070 Educational Assistance Program for University Employees, Other than Graduate Teaching and Research Assistants

Bd. Min. 2-19-71, p. 35,487; Amended Bd. Min. 3-18-77, 6-18-82; Amended Bd. Min. 12-12-86, 12-7-90; Amended Bd. Min. 5-23-03; Amended Bd. Min. 11-29-07; Amended Bd. Min. 10-23-09

- A. **All employees classified at least 75 percent FTE** -- with an indicated appointment duration of at least 6 months and regularly scheduled to work a minimum average of 30 hours per week may enroll for not more than six credit hours per semester (a maximum of three during the summer session or intersession) in college level, credit courses. Those appointed on a full-time, nine-month basis, however, may enroll for not more than the maximum number of hours allowable by that campus during the summer session, provided they do not hold an appointment for the summer session.
1. These employees:
 - a. Shall be permitted to receive credit for courses taken within the regulations of the University of Missouri;
 - b. Will pay 25 percent of the normal Tuition and Supplemental Fees when enrolling with the intention of receiving academic credit for the course(s). He (or she) will pay the normal amount on all other fees. No Tuition nor Supplemental Fee is required if the employee audits courses on his or her own or at the request of the department head.
 2. Employees must file an application to enroll with the Registrar and meet the student admission requirements.
- B. **Teaching and Research Staff (academic) enrolling in college classes are subject to the following condition:**
1. Prior to registering, each semester, the employee must submit to the dean of the school or division where he (or she) works, or to the Provost or designee on campuses with no schools or colleges, a request (Form #UM 84-1) approved by the department chairman where he (or she) works, indicating the course(s) to be taken.
- C. **Administrative, Service and Support Staff (non-academic) enrolling in college classes are subject to the following conditions:**
1. Immediately prior to registration, the employee must have completed a six-month period of continuous employment. If the course work is part of the required job training procedure for the work to be done by the employee, the six-month employment requirement may be waived.
 2. The course(s):
 - a. Must be taken outside scheduled working hours, or
 - b. An equivalent adjustment must be made in the employee's work schedule to make up the time away from work, or
 - c. An equivalent adjustment must be made in the employee's pay, or
 - d. The time away from work must be deducted from an employee's vacation.

3. When an employee is requested by the department head to enroll in a course(s) which is (are) directly related to his (or her) assigned University responsibilities, the time away from work to attend classes shall be considered as part of his (or her) regular work schedule.
4. Class attendance shall not take priority over the work to be performed except as outlined above.
5. Prior to registering, each semester, an employee must submit to the campus Human Resource Services Office a request (Form #UM84-1), approved by his department head, the dean or director or by the Provost or designee on campuses with no schools or colleges, indicating the course(s) to be taken, its (their) purpose, and how the time is to be adjusted.
6. An employee who has retired under the University of Missouri Retirement, Disability and Death Benefit Plan, will be permitted to register and receive credit for courses without payment of fees, providing there is space available. Such retired employee must meet the student admission requirements. The retired employee shall also present to the Registrar the Retirement Identification Card at time of registration.

Effective with the fall semester of 2003, on or about September 1, 2003, Collected Rules and Regulation, Section 230.070 shall be amended as follows:

D. Tuition Reduction for Spouses and Dependents

1. Definitions
 - a. Employee: Employees must be currently employed as a benefit eligible employee with five years of continuous, full-time service immediately prior to the deadline for registration fee payment and must remain a University of Missouri employee through the beginning of the course in which the spouse/dependent is enrolled. If the employee separates from the University, the spouse/dependent may complete the semester in which enrolled.
 - b. Eligible Spouse: The legal spouse of an Employee, excluding a divorced spouse or a spouse separated by contract or decree from the Employee. Employees eligible for the Educational Assistance Program are excluded from the definition of Eligible Spouse.
 - c. Eligible Dependent Child or Children: Eligible Dependent Child or Children must meet the criteria required under the definitions of "Child or Children" and "Dependent" based on the terms and conditions of the University of Missouri Medical Benefits Plan with the exception that foster children shall not be eligible under this

- program. Employees eligible for the Educational Assistance Program are excluded from the definition of Eligible Dependent.
- d. Course: University of Missouri college credit course is defined as any undergraduate, graduate, or professional credit course offered by the institution up to a total of 140 credit hours per eligible spouse or dependent child(ren). University programs of study, which blend undergraduate and graduate courses, are included and may be accessed up to the 140 credit hour limit.
 - e. Fees: Tuition only. Activity fees, books and other expenses are the responsibility of the participant. Application for this tuition reduction must be made at the time of registration. No tuition reduction will be granted for courses previously completed. The regular refund policy of the University applies in cases of withdrawal from a course.
2. Benefit
- a. The University will provide a benefit equal to a 50% reduction of tuition for an Eligible Spouse or an Eligible Dependent Child of Eligible Employees for up to 140 credit hours of University of Missouri college credit courses per Eligible Spouse or Eligible Dependent Child. The tuition benefit will not exceed 50% if both spouses or both parents are Eligible Employees. For all courses (undergraduate, graduate, or professional), the rate of such tuition reduction shall be based upon the tuition charged to a resident student for undergraduate courses.

Roll call vote:

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

The motion carried.

Amendment to Collected Rules and Regulations 340.030 Sick Leave

It was recommended by Vice President Rodriguez, endorsed by President Forsee, moved by Curator Erdman and seconded by Curator Bradley, that the following action be approved:

Collected Rules and Regulations 340.030 Sick Leave shall be amended for temporary response to possible pandemic flu and removal of unnecessary language, as follows:

Collected Rules and Regulations
Personnel
Chapter 340: Employee Absences

340.030 Sick Leave

Bd. Min. 2-28-68, amended 9-17-76, amended 0-7-79, amended Bd. Min. 7-3-82; Bd. Min. 7-30-82; Bd. Min. 7-15-86; Bd. Min. 3-11-94; amended Bd. Min. 9-26-97; amended Bd. Min. 7-17-98; amended Bd. Min. 7-19-02; amended Bd. Min. 7-23-04; amended Bd. Min. 10-23-09

- A. **Accrual** -- Regular Administrative, Service and Support employees and certain non-regular Teaching and Research employees as approved by the Chancellor and President accrue sick leave at the rate of 12 working days per year accrued over each pay period.
1. Sick leave is accrued from the beginning of employment.
 2. Credit for sick leave accumulates during vacations, sick leave, excused absence with pay and any leave of absence without pay granted for an on-the-job injury compensable under Workers' Compensation. Sick leave accruals will be available to the employee only after returning to work in regular status.
- B. **Using Sick Leave**
1. Reasonable time may be used for the purpose of medical or dental appointment. Requests for such time off shall be made as far in advance as possible.
 2. An employee may use up to 12 days of accumulated sick leave each calendar year for illness in the immediate family; however, until August 31, 2010, such limitation will not apply due to the possibility of an outbreak of H1N1 flu. An employee may use up to 12 days of accumulated sick leave each calendar year for the purpose of placement of an adoptive child in the employee's home or the care of that child immediately after placement.

3. Disability due to pregnancy will be treated as any other illness or disability.
- C. **Termination** -- Upon termination of employment, employees shall not receive payment for accrued sick leave and accruals will be cancelled.
- D. **Retirement** -- Employees will receive additional creditable service in calculating retirement benefits for all unused accumulated sick leave.

Roll call vote:

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

The motion carried.

Amendment to Collected Rules and Regulations 340.040 Holidays

It was recommended by Vice President Rodriguez, endorsed by President Forsee, moved by Curator Erdman and seconded by Curator Bradley, that the following action be approved:

Collected Rules and Regulations 340.040 Holidays shall be amended to ensure appropriate coverage and compensation on holidays for University of Missouri Health Care, as follows:

Collected Rules and Regulations
Personnel
Chapter 340: Employee Absences

340.040 Holidays

Bd. Min. 6-28-68; Amended Bd. Min. 11-19-71; Amended Bd. Min. 3-23-73; Amended Bd. Min. 9-20-74; Amended Bd. Min. 4-25-75; Amended Bd. Min. 9-9-77; Amended 9-7-79; Amended 11-13-81; Amended 7-30-82, effective 9-1-82; Bd. Min. 12-12-69; Amended Bd. Min. 11-13-81; Bd. Min. 7-15-86; Bd. Min. 1-25-90; Amended 9-26-97; Amended 7-19-02; Amended 10-23-09

A. **Observance of Holidays** -- The following holidays are observed by regular administrative, service and support employees of the University.

- New Year's Day - January 1
- Martin Luther King, Jr., Day - third Monday in January (effective January, 1992)
- Memorial Day (last Monday in May)
- Independence Day - July 4
- Labor Day
- Thanksgiving Day and the Friday following
- Christmas Day - December 25

1. Holidays are considered to extend over a 24-hour period.

a. Premium pay for the holiday will be paid for all hours worked on the day of the officially recognized holiday. For University Health Care employees only: If a holiday falls on a weekend, all regular employees who work in a department which operates Monday through Friday will observe a Saturday holiday on the preceding Friday and a Sunday holiday on the following Monday. All regular employees who work in a department that operates 24 hours a day, 7 days a week will observe the holiday on the actual date of the holiday. In no instance may employees receive premium pay for both the weekend designated holiday and the actual holiday.

2. When a holiday falls on Sunday, the following Monday is observed as the holiday. When a holiday falls on a Saturday, the preceding Friday will be observed as the holiday.

3. Employees working on a 75 percent - 99 percent full-time equivalence will receive holiday pay on a pro-rata basis.

B. **President's Authority** -- The President may designate other holidays.

C. **Special Religious Holidays** -- The observance of special religious holidays may be permitted by the head of a department. In such cases, time off is charged to accumulated vacation leave, personal days, compensatory time or leave without pay.

Roll call vote:

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

The motion carried.

Amendment to Collected Rules and Regulations 340.130 Work-Incurred Injury or Illness

It was recommended by Vice President Rodriguez, endorsed by President Forsee, moved by Curator Erdman and seconded by Curator Bradley, that the following action be approved:

Collected Rules and Regulations 340.130 Work-Incurred Injury or Illness shall be amended to ensure appropriate use of paid leave, as follows:

Collected Rules and Regulations
Personnel
Chapter 340: Employee Absences

340.130 Work-Incurred Injury or Illness

Bd. Min. 4-19-69, p. 34,549; Bd. Min. 7-15-86; Bd. Min. 7-13-00; Bd. Min 10-23.09

A. Workers' Compensation

1. **Eligible Employees** -- All academic and non-academic employees of the University, both full-time and part-time, (including student employees) are extended coverage.
2. **Conditions of Coverage** -- Workers' Compensation provides for the payment of medical expenses and compensation to any employee, who receives personal injuries arising out of, and in the course of, his or her employment or who incurs an occupational disease in the

course of his or her employment. A death benefit is payable should the accident or disease result in death.

- a. Missouri statutes, and not the University or the University's claims administrator, determine if medical expenses and compensation are payable and, if payable, the length and amount of such benefits.
- b. A waiting period of three days is prescribed by law, whereby no benefit for lost wages is payable unless the disability lasts longer than 14 days, in which case payment for the three day waiting period shall be allowed.

3. Administrative Regulations

- a. It is the responsibility of the employee's Supervisor to submit a *Report of Injury* (UMWC3 10/99) within 24 hours of the injury. (1) The department submitting the report shall cooperate fully with the claims administrator in order to expedite the claims process.
- b. After an employee has returned to work following a work-incurred injury or illness, the department is responsible for notifying the Campus Workers' Compensation Coordinator of any subsequent absences for which the employee does not receive regular pay due to the same injury or illness.
- c. All matters regarding coverage, or the claim, should be referred to the Campus Workers' Compensation Coordinator.

- B. Absence Due to Work-Incurred Injury or Illness** -- It is the policy of the University that an injured employee shall be excused from work without loss of pay, vacation, personal leave or sick leave in order to obtain medical attention on the day the accident occurs and any subsequent treatment related to that injury during days the employee is working.
1. All such absences shall be limited to the time required to obtain the necessary medical attention.
 2. An employee may be required to furnish satisfactory proof of such medical attention.
 3. In the event an injured employee is unable to return to work, as recommended by the physician, such employee will be granted leave without pay. The employee may elect to use accumulated vacation, personal leave, or sick leave in accordance with the policy. The leave may be extended until such time as he or she is able to return to work, or for a maximum period of one year.

NOTE: The three-day waiting period begins the first regularly

scheduled work day following the injury or day of first medical treatment for all full-time employees. The waiting period for employees who work part-time or on an irregular schedule will be the first three calendar days following the injury or date of first medical treatment.

4. During the three-day waiting period, a full-time employee may charge any absence to accumulated vacation, personal leave, or sick leave.
5. Following the three day waiting period, an injured employee may elect to use accumulated vacation, personal leave, or sick leave subject to the following restrictions, in addition to the benefit received from Workers' Compensation:
 - 8 hours or less of vacation per day, OR
 - 8 hours or less of personal leave per day, OR
 - A combination of vacation or personal leave up to 8 hours per day, OR
 - Enough sick leave to make up the difference between what is paid by Workers' Compensation and the employee's regular pay.
6. An injured employee who is unable to return to work and who has been granted a leave of absence shall continue to accumulate seniority and retirement and shall be permitted to accumulate vacation and sick leave for a period not to exceed one year. Such vacation and sick leave accumulations will be credited to the account of the employee only upon return to an employment status.

Roll call vote:

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

The motion carried.

Finance

A recap of the October 22, 2009, Finance Committee meeting was provided by Committee Chairman Russell.

Information

Fiscal Year 2009 Financial Status Report (slides on file)

Endowment and Retirement Funds Performance Review (slides on file)

Endowment Fund Asset Allocation (Rocaton report on file)

The minutes of the June 4, 2009, Board of Curators Finance Committee meeting were approved by the Committee on October 22, 2009, as on file with the minutes of this meeting.

Hiring High Yield and Bank Loan Investment Managers, UM

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

the Vice President for Finance and Administration shall be authorized to hire High Yield and Bank Loan managers Shenkman Capital Management, and Oaktree Capital Management for up to a total of 12% of the University of Missouri Retirement, Disability and Death Benefit Plan.

Agreements entered into by the University are subject to review and approval by the Vice President for Finance and Administration and General Counsel.

Roll call vote:

Curator Bradley voted yes.
Curator Carnahan voted yes.
Curator Downing was absent.
Curator Erdman voted yes.
Curator Fraser voted yes.

Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Wasinger voted no.

The motion carried by a vote of seven in favor and one opposed.

Hiring Emerging Market Debt Investment Managers, UM

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

the Vice President for Finance and Administration shall be authorized to hire Emerging Market Debt managers Capital Guardian Trust Company, and Wellington Management Company for up to a total of 5% of the University of Missouri Retirement, Disability and Death Benefit Plan.

Agreements entered into by the University are subject to review and approval by the Vice President for Finance and Administration and General Counsel.

Roll call vote:

Curator Bradley voted yes.
Curator Carnahan voted yes.
Curator Downing was absent.
Curator Erdman voted yes.
Curator Fraser voted yes.
Curator Goode voted yes.
Curator Haggard voted yes.
Curator Russell voted yes.
Curator Wasinger voted no.

The motion carried by a vote of seven in favor and one opposed.

Power Plant Turbine Maintenance Sole Source Agreement, Procurement, MU

It was recommended by Chancellor Deaton, endorsed by President Forsee, moved by Curator Russell and seconded by Curator Wasinger, that the following action be approved:

the Vice President for Finance and Administration shall be authorized to enter into a sole source contract with Dresser Rand-Wellsville Product Center, Wellsville, New York for maintenance overhaul of the Power Plant's Dresser Rand Steam Turbine Generator Number 9 at an estimated cost of \$1,165,080, for the University of Missouri-Columbia.

Funding is from Campus Facilities Reserve for Non-Capital Repairs:
\$1,165,080

Roll call vote:

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

The motion carried.

Governance

A recap of the August 21, 2009, Governance Committee meeting was provided by Committee Chairman Erdman.

The minutes of the August 21, 2009, Board of Curators Governance Committee meeting were approved by the Committee on October 22, 2009, as on file with the minutes of this meeting.

Resources and Planning

A recap of the August 20, 2009, Resources and Planning Committee meeting was provided by Committee Chairman Wasinger.

The minutes of the August 20, 2009, Board of Curators Resources and Planning Committee meeting were approved by the Committee on October 22, 2009, as on file with the minutes of this meeting.

General Business

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

There being no further business to come before the Board of Curators in the public session, the meeting concluded at 12:00 P.M., on Friday, October 23, 2009.

BOARD OF CURATORS MEETING – EXECUTIVE SESSION

A meeting of the University of Missouri Board of Curators was convened in executive session at 12:30 P.M., on Friday, October 23, 2009, in the Stalcup Room of the Mizzou Arena, on the University of Missouri-Columbia campus, pursuant to public notice given of said meeting. Curator Bo Fraser, Chairman of the Board of Curators, presided over the meeting.

Present

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

The Honorable Don M. Downing was absent due to a death in the family.

Also Present

Mr. Gary D. Forsee, President, University of Missouri System
Mr. Stephen J. Owens, General Counsel
Ms. Kathleen M. Miller, Secretary of the Board of Curators

Performance Assessments Report on General Counsel Owens and Secretary Miller – presented by Curator Erdman, Chairman of the Compensation and Human Resources Committee

Litigation Report – presented by General Counsel Owens

President's Personnel Report – presented by President Forsee

It was moved by Curator Carnahan and seconded by Curator Russell, that the meeting of the Board of Curators, October 22-23, 2009, shall be adjourned.

Roll call vote:

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

The motion carried.

There being no further business to come before the Board of Curators, Chairman Fraser declared the meeting adjourned at 1:35 P.M., on Friday, October 23, 2009.

Respectfully submitted,

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

Kathleen M. Miller
Secretary of the Board of Curators

Approved by the Board of Curators on December 11, 2009.