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

BOARD OF CURATORS

Minutes of the Board of Curators Meeting
Thursday, June 29, 2023

A Health Affairs Committee meeting was held June 22, 2023 in conjunction with the June 29, 2023 Board meeting.

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the Board of Curators was convened in public session at 8:00 A.M. on Thursday, June 29, 2023, in Stotler Lounge I, II and III of Memorial Union on the University of Missouri - Columbia campus, Columbia, Missouri, pursuant to public notice given of said meeting. Curator Michael A. Williams, Chair of the Board of Curators, presided over the meeting.

Present
The Honorable Robert D. Blitz
The Honorable Julia G. Brncic
The Honorable Robert W. Fry
The Honorable Todd P. Graves
The Honorable Keith A. Holloway
The Honorable Jeffrey L. Layman
The Honorable Jeanne C. Sinquefield
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present
Dr. Mun Y. Choi, President, University of Missouri
Mr. Mark A. Menghini, General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Dr. C. Mauli Agrawal, Chancellor, University of Missouri–Kansas City
Mr. Ben Canlas, Interim Vice President for Information Technology
Dr. Richard Barohn, Executive Vice Chancellor for Health Affairs
Dr. Mohammad Dehghani, Chancellor, Missouri University of Science and Technology

Ms. Marsha Fischer, Vice President for Human Resources and Chief Human Resources Officer
Mr. Chad Higgins, Interim Vice Chancellor for Extension and Engagement
Dr. John Middleton, Associate Vice President for Academic Affairs and Chief of Staff
Ms. Michelle M. Piranio, Chief Audit and Compliance Officer
Mr. Ryan D. Rapp, Executive Vice President for Finance and Operations, Chief Financial Officer and Treasurer
Dr. Kristin Sobolik, Chancellor for University of Missouri-St. Louis
Mr. Christian Basi, Director of Media Relations
Media representatives

General Business

Resolution for Executive Session of the Board of Curators Meeting

It was moved by Curator Graves and seconded by Curator Holloway, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting June 29, 2023 for consideration of:

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

Roll call vote of the Board:

Curator Blitz voted yes.
Curator Brncic voted yes.
Curator Fry voted yes.

Curator Graves voted yes.
Curator Holloway voted yes.
Curator Layman voted yes.
Curator Sinquefield voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

The public session of the Board of Curators meeting recessed at 8:05 AM on Thursday, June 29, 2023.

Board of Curators Meeting – Executive Session

A meeting of the University of Missouri Board of Curators was convened in executive session at 8:12 A.M., on Thursday, June 29, 2023, in Room North 201A of Memorial Union, pursuant to public notice given of said meeting. Curator Michael A. Williams, Chair of the Board of Curators, presided over the meeting.

Present
The Honorable Robert D. Blitz
The Honorable Julia G. Brncic
The Honorable Robert W. Fry
The Honorable Todd P. Graves
The Honorable Keith A. Holloway
The Honorable Jeffrey L. Layman
The Honorable Jeanne C. Sinquefield
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present
Dr. Mun Y. Choi, President, University of Missouri
Mr. Mark A. Menghini, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Mr. Ryan D. Rapp, Executive Vice President for Finance and Chief Financial Officer
Ms. Valerie Slayton, Senior Executive Assistant

General Business

Curators Only Report

No action taken by the Board.

The executive session of the Board of Curators meeting recessed at 10:00 AM on Thursday, June 29, 2023.

Public Session

A meeting of the Board of Curators was reconvened in public session at 10:10 A.M. on Thursday, June 29, 2023, in Stotler Lounge I, II and III of Memorial Union on the University of Missouri - Columbia campus, Columbia, Missouri, pursuant to public notice given of said meeting. Curator Michael A. Williams, Chair of the Board of Curators, presided over the meeting.

Present
The Honorable Robert D. Blitz
The Honorable Julia G. Brncic
The Honorable Robert W. Fry
The Honorable Todd P. Graves
The Honorable Keith A. Holloway
The Honorable Jeffrey L. Layman
The Honorable Jeanne C. Sinquefield
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present
Dr. Mun Y. Choi, President, University of Missouri
Mr. Mark A. Menghini, General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Dr. C. Mauli Agrawal, Chancellor, University of Missouri–Kansas City
Mr. Ben Canlas, Interim Vice President for Information Technology
Dr. Richard Barohn, Executive Vice Chancellor for Health Affairs
Dr. Mohammad Dehghani, Chancellor, Missouri University of Science and Technology
Ms. Marsha Fischer, Vice President for Human Resources and Chief Human Resources Officer
Mr. Chad Higgins, Interim Vice Chancellor for Extension and Engagement
Dr. John Middleton, Associate Vice President for Academic Affairs and Chief of Staff
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Dr. Kristin Sobolik, Chancellor for University of Missouri-St. Louis
Mr. Christian Basi, Director of Media Relations
Media representatives

General Business

Board Secretary Harmon administered the oath of office for Curators Robert W. Fry and Jeanne Cairns Sinquefield.

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

Chair Williams recognized the inaugural recipients of the Remington R. Williams Student Leader of the Year Awards. The awardees for 2023 include:

- Rishabh Mahendra, MU
- Gabrielle Balaa, MU
- Ethan Joly, MU
- Jonathan Jain, MU
- Shonte Reed, UMKC
- Martin De La Hunt, Missouri S&T
- Alexander Entwistle, UMSL

Rishabh Mahendra and Shonte Reed were present and recognized during the meeting. The other awardees will be recognized at the next Board meeting held at their university.

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

President Choi presented a report that included updates for ecah university regarding:

- Enrollment and Student Success
- Faculty Success
- Research and Development
- Philanthropy

Review of Consent Agenda – No discussion.

Consent Agenda

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

CONSENT AGENDA

Action

A. Minutes, April 20, 2023 Board of Curators Meeting
B. Minutes, April 20, 2023 Board of Curators Committee Meetings
C. Minutes, May 18, 2023 Board of Curators Special Meeting and Committee Meetings
D. Minutes, May 24, 2023 Board of Curators Special Meeting
E. Degrees, Summer Semester 2023 for all campuses
F. Amendment, Collected Rule and Regulation 300.030, Faculty Bylaws of Missouri University of Science and Technology

A. Minutes, April 20, 2023 Board of Curators Meeting – as provided to the Curators for review and approval.

B. Minutes, April 20, 2023 Board of Curators Committee Meetings – as provided to the Curators for review and approval.

C. Minutes, May 18, 2023 Board of Curators Special Meeting and Committee Meetings – as provided to the Curators for review and approval.

D. Minutes, May 24, 2023 Board of Curators Special Meeting – as provided to the Curators for review and approval.

E. Degrees, Summer Semester 2023 for all universities -

that the action of the President of the University of Missouri in awarding degrees and certificates to candidates recommended by the various faculties and committees of the four University of Missouri System campuses who fulfill the requirements for such degrees and certificates at the end of the Summer Semester 2023, shall be approved, and that the lists of said students who have been awarded degrees and certificates be included in the records of the meeting.

F. Amendment, Collected Rule and Regulation 300.030, Faculty Bylaws of Missouri University of Science and Technology

Chapter 300: Faculty Bylaws

300.030 Faculty Bylaws of the Missouri University of Science and Technology

Bd. Min. 6-25-71, p. 35,936; Amended Bd. Min. 10-12-73, p. 36,845; Bd. Min. 10-31-75, p. 37,462; Bd. Min. 11-13-81, 5-7-82 & 6-22-84; Bd. Min. 6-13-86; Bd. Min. 6-24-88; Bd. Min. 6-23-89; Bd. Min. 10-13-89; Bd. Min. 8-3-90, 7-30-92; Amended Bd. Min. 3-20-97; Bd. Min. 3-

22-02; Bd. Min. 10-16-03; Bd. Min. 11-29-07; Bd. Min. 1-29-10; Bd. Min. 4.11.19; Amended Bd. Min. 4-20-23; Amended Bd. Min. 6-29-23.

A. **Preamble** The faculty of the Missouri University of Science and Technology in order to facilitate communications and to provide for effective academic governance, for participation in decision making, and for shared responsibility in academic affairs, do establish and subscribe to these Bylaws.

B. **Executive Authority**
   1. **University**—The President of the University of Missouri is its chief executive and academic officer.
   2. **Campus**—The Chancellor of the Missouri University of Science and Technology is the chief executive and academic officer of the campus. The Provost is the executive officer for academic affairs.

C. **General Faculty**
   1. **Membership**—The General Faculty of the Missouri University of Science and Technology consists of all tenured, tenure-track, and ranked non-tenure track full-time faculty members, the President, the Chancellor, the Vice- Chancellor of Graduate Studies and Research, the Provost, the Vice-Provost and Dean of each college, the Registrar, the Dean of the Library, and any other person who may be elected by a two-thirds majority vote of the General Faculty. Voting members of the General Faculty are the full time tenured and tenure-track faculty of the Missouri University of Science and Technology. All members of the General Faculty have the right to participate in discussions.
   2. **Duties, Powers, Responsibilities & Privileges**—The primary functions of the faculty are education, research, and service. The responsibilities and duties of the faculty are those derived from its authority to organize as granted by the Board of Curators. It shall have such other authority as delegated to it by the President and/or the Chancellor. The General Faculty is responsible for academic programs concerning the Missouri University of Science and Technology or those involving more than one Department, and for matters affecting the welfare of the institution, including but not limited to: academic standards and courses of instruction; and general standards to be met by educational, research, and service programs. Participatory authority and functions of the faculty are expressed through faculty involvement in the campus committee structure including those committees which govern academic and administrative matters affecting the campus, faculty and students. The faculty participates in the selection of administrative officers. The faculty participates in the monitoring of administrative and academic operating procedures. The faculty may make recommendations to the Chancellor on: institutional facilities, personnel and resources, professional standards, e m p l o y m e n t

qualifications, tenure, promotion, salary, retirement, and other factors affecting faculty morale and welfare; and student affairs including health, welfare, conduct, and morale of the students.

3. **Faculty Rights**
   a) **Academic Rights**—Each faculty member has the right to freedom of inquiry, discourse, teaching, research and publication, as well as the responsibilities correlative with this right (as prescribed by The University of Missouri Board of Curators Collected Rules and Regulations).
   b) **Civil Rights**—Faculty members are not required to relinquish any of their constitutional rights (as prescribed by The University of Missouri Board of Curators Collected Rules and Regulations).
   c) **Employment Rights**—Faculty members shall have rights consistent with their continuous appointment or term appointment (during the term), except for cause, retirement or financial exigencies (as stated in The Curators of the University of Missouri Collected Rules and Regulations).
   d) **Notification of Appointment**—Faculty members shall be notified of their appointments promptly (as stated in The Curators of the University of Missouri Collected Rules and Regulations).
   e) **Right to be Kept Informed**—The faculty shall be kept informed of actions and activities of committees and the executive officers of the General Faculty, and of other occurrences that pertain to the Missouri University of Science and Technology. Where possible such information shall be made available to the faculty before being made available to the general public.
4. **Officers of the General Faculty**—The officers of the General Faculty shall consist of the President of the University, the Chancellor, the President of the Faculty Senate, a Secretary, and a Parliamentarian.
   a) **Chancellor**—The Chancellor of the Missouri University of Science and Technology is the presiding officer of the General Faculty. The Chancellor presides at meetings of the General Faculty but may extend this right to the President of the University when present.
   b) **President**—The President of the Faculty Senate presides at meetings of the General Faculty in the absence of or at the discretion of the Chancellor.
   c) **Secretary**—The Secretary is appointed by the Chancellor and need not be a member of the General Faculty. The Secretary keeps minutes of the proceedings of the General Faculty meetings. The Secretary is

required to distribute an agenda prior to each meeting, and the minutes after each meeting, to all members of the General Faculty.

d) **Parliamentarian**—The Parliamentarian is appointed by the Chancellor and must be a member of the General Faculty.

5. **Meetings**—All meetings are called by the Chancellor. A quorum shall consist of ten (10) percent of the voting members when business described in the published agenda is being considered and fifty (50) percent of the voting members when other items of business are being considered.

a) **Regular Meetings**—There shall be at least three (3) regular meetings of the General Faculty each academic year.

b) **Special Meetings**

(1) Special meetings are called upon the request of the President of the University; of the Chancellor; of the Faculty Senate; and by written petition of five (5) percent of the members of the General Faculty.

(2) All Special Meetings shall be called within ten (10) school days after the request is presented to the Chancellor.

(3) Only topics designated in the call for a Special Meeting may be discussed or acted upon at said meeting.

c) **Notice of Meetings**—Notice of all meetings of the General Faculty shall be sent to each member of the General Faculty at least five (5) school days prior to the meeting. Such notice includes the agenda for the meeting.

d) **Restriction on Voting at Regular Meetings**—In general, business coming before the General Faculty for action at a regular meeting shall be placed on the agenda before coming to a vote. Any other matters may be placed before the General Faculty and acted upon at a regular meeting without being placed on the agenda, unless five (5) voting members of the General Faculty request a delay. If such a request for delay is presented, the presiding officer shall delay the vote until the next regular meeting of the General Faculty at which time the matter will automatically be placed on the agenda, unless the matter has been acted upon at a special meeting before the next regular meeting is held.

e) **Minutes of Meetings**—Minutes of all General Faculty meetings will be distributed by the Secretary to all members of the General Faculty within ten (10) school days after the meeting.

f) **Rules of Order**—Unless otherwise addressed in these bylaws, meetings of the General Faculty are conducted in accordance with Robert's Rules of Order.

D. **Faculty Organizations**—The primary functional unit of the faculty is the Department. For its governing purposes the faculty is further organized into the General Faculty, the Graduate Faculty, the Faculty Senate, Standing Committees, Judicial Committees, and Special Programs.

1. **Departments**

a) **Organization and Membership**

(1) Departments are the primary functional units of the campus. The program of a department is conducted by its faculty through the chairperson, who has general responsibility over the department. The chairperson shall act as the administrative representative of the department in its official relations with the University.

(2) Members of the department are those members of the faculty who hold the rank of Instructor or above in the department, and such other persons who teach in or conduct research in the department structure and are accepted by a majority vote of the department members.

(3) Academic departments are those that are responsible to conduct teaching, research, and service on behalf of the University.

b) **Academic Department Reorganization**

(1) There shall be a process followed for academic unit reorganization. Unit(s) in this document shall refer to college, department, program, or special programs as defined in the Missouri University of Science and Technology Faculty Bylaws.

(2) Affected unit(s) shall refer to the academic department(s) considered in a reorganization, which could vary in number and that would be reorganized as a result of this process.

(3) There shall be separate procedures for reorganization of departments as defined in b(1) above where the Faculty/Units or the Administration are the impetus for the change. Administration refers to Chancellor, Provost, or Vice-Provost and Dean.

(4) The process shall be agreed upon by the Chancellor, Provost, Vice- Provost and Deans, and Faculty Senate.

c) **Operation and Meetings**

(1) Department meetings are held throughout the academic year and are conducted according to democratic procedures. All matters concerning the department are open to discussion.

(2) When a department position is to be filled, knowledge of the qualifications of the applicants is to be made available to the department members. Their opinions on the choice of candidates shall be sought by the chair before final recommendations for appointment are submitted.

d) **Responsibility and Authority**

(1) Faculty members direct and perform the work of instruction, coordinate and conduct research within the department, and provide service within the University, to the academic community, and to the public.

(2) Faculty members are also concerned about the internal administration of the department and should be kept fully informed consistent with Section 20.110 of The Curators of the University of Missouri Collected Rules and Regulations about all matters related to the department excepting only matters that are explicitly protected by written university policy, or confidentiality, or privacy laws that prevent disclosure.

(3) Proposals for changes in curriculum or courses may be initiated by the department and submitted to the Curricula Committee.

(4) Each department, acting in accordance with the Collected Rules and Regulations established by the Board of Curators and Campus Policies, shall have delegated directly to it by the General Faculty jurisdiction over matters primarily of interest only to that department. This includes but is not limited to: entrance requirements for degree programs; the curricula of the department; action concerning petitions for changes in prescribed courses of study presented by individual students enrolled in the department; decisions concerning the scholastic standing of students enrolled in the department; recommendations to the General Faculty concerning the granting of degrees to students enrolled in the department; and primary responsibility for maintaining and improving the academic excellence of the department.

(5) All academic coursework shall be offered by departments, with the exception of courses offered through Special Programs.

2. **Special Programs**

a) **Definition of Special Programs.** Special Programs are academic programs that are highly interdisciplinary, or for some other reason may not readily conform to the Department structure.

b) **Creation of Special Programs.** The Provost may propose, with the appropriate academic rationale and suggested structure, that a Special Program be formed or an existing Special Program be changed. The Provost forwards the proposed program, or changes to an existing program, with his/her recommendations, and the suggested constituencies from which the Program Representatives will be drawn, to the Faculty Senate for approval.

c) **Governance of Special Programs.** Each Special Program will be governed by a Board of Program Representatives. The mechanism for selection of the Program Representatives must be delineated in the Special Program proposal from full time, ranked, faculty – to be elected by and from the faculty of the participating Academic Departments. The election of Program Representatives shall be conducted by the Provost, or his/her designee. The Provost will inform the Faculty Senate of the composition of the Program Representatives upon initial creation of the Program, and annually thereafter.

d) **Program Leader.** The Program Representatives shall normally select a Program Leader from their ranks. The Program Leader is authorized, upon a vote of the Program Representatives, to submit curricula changes to the Provost, then the Campus Curricula Committee and then the Faculty Senate for approval. The Program Leader may act as the approval authority for items within the purview of the Program.

e) **Scope of Special Programs.** Special Programs shall not duplicate, or infringe, on Academic Department responsibilities. Special Programs shall not offer Bachelors, Masters, Ph.D., or Eng.D. degrees, but may offer Certificates, Minors, or other acknowledgements of a student's participation in a Special Program.

f) **Modification and Deletion of Special Programs.** Requests to alter the number of Program Representatives, method of selection of Program Representatives, or the Academic Departments that they represent, must be approved by both the Provost and the Faculty Senate. Elimination of a Special Program also requires the approval of the Provost and Faculty Senate.

3. **Graduate Faculty**

a) **Responsibility and Authority**—The Graduate Faculty is responsible for maintaining an environment that will encourage the pursuit of scholarly work beyond the Bachelor's degree and for implementing the policies of the Board of Curators in the administration of graduate studies at Missouri S&T.

b) **Membership and Activities—**Rules regarding membership, activities, and subcommittees of the Graduate Faculty are established by the Rules and Regulations of the Graduate Faculty**.**

4. **Faculty Senate**

a) **Authority and Responsibility**—The Faculty Senate is the legislative and policy-making body of the General Faculty. It carries out the responsibilities of the Faculty (see above: §C.2) not specifically reserved to the General Faculty and shall

consider all matters referred to it by the Board of Curators, the President of the University, the Chancellor, and the individual faculty members. The Faculty Senate, as the primary representative faculty voice, shall advise the administration and the faculty on the implementation of policies concerning the educational and research operations of the campus and other matters affecting the welfare of the campus, the faculty and the students.

b) **Membership and Voting Rights**

(1) Members of the Faculty Senate are elected during the second semester of the academic year and serve from August 1 until the end of their term.

(2) Faculty representatives are elected from and by each department as follows: each department elects one representative for the first ten (10), or fraction thereof, full-time faculty members in that department, and an additional representative for each additional ten (10) full-time faculty members in that department, rounded off to the nearest ten (10) faculty members, with five (5) being rounded upward.

(3) Ex officio non-voting members of the Faculty Senate consist of the Officers of the Faculty Senate (as described in in §D.4.c. below) as described elsewhere in these Bylaws, the President of the University, the Chancellor, the Provost, the Vice Provost and Dean of the Colleges, the Registrar, the Staff Council President, the Student Council President and Vice President, and the Council of Graduate Students President. Faculty Senate officers who are also elected departmental representatives will retain their voting rights. However, the chairperson of the Faculty Senate meeting normally does not vote at meetings unless required to break a tie.

(4) All members of the General Faculty are eligible to vote for, be elected to, and serve on the Faculty Senate.

(5) **Terms of Office**

(a) Departmental representatives serve two-year (2-year) terms. Any departmental representative unable to serve during a given semester may be replaced by special election in the department. The elected replacement either finishes the original term or serves for the semester in question, at the discretion of the department.

(b) Departmental representatives are permitted to allow a proxy member of their department to serve in their stead should they need to miss a meeting.

(c) Student members are selected to a 1-year term.

c) **Officers of the Faculty Senate**—The officers of the Faculty Senate consist of a Past President, the President, the President-Elect, the Parliamentarian, and the Secretary, all of whom must be members of the General Faculty. Department chairs and other persons who devote 50% or more of their time to administrative duties shall not be eligible to serve as Faculty Senate Officers. The new officers are elected annually. The election is held during the last regular meeting of the second semester of the academic year, and officers begin their duties August 1.
(1) The President presides at the meetings of the Faculty Senate. The President is the official spokesperson of the Faculty Senate and maintains open communications with the faculty, administration, staff, and students. The President is responsible for supervising all authority delegated by the Faculty Senate and for executing the decisions made by the Faculty Senate.
(2) The President-Elect serves in the capacity of the President during the latter's absence, or upon the President's request.
The President-Elect is also an assistant to the President.
(3) The Parliamentarian makes recommendations to the President (or his/her/their delegate) on questions of parliamentary procedure for the Faculty Senate.
(4) The Secretary is responsible for all records, minutes, resolutions, and correspondence of the Faculty Senate. The Secretary supervises the publications of the agenda and the minutes of the meetings. The minutes shall be distributed by the Secretary of the Faculty Senate to all members of the General Faculty within ten (10) school days after the meeting.

d) **Meetings and Rules of Order**
(1) The Faculty Senate meets on Thursdays (determined by the Faculty Senate) at 2:00 p.m., at least three times each semester and once during the summer term. Faculty Senate members shall be relieved from other time-conflicting duties, and this time is considered to be a part of their full-time effort.
(2) The agenda of the Faculty Senate meetings is distributed to all faculty members no later than 5 school days in advance of the meetings.
(3) Meetings of the Faculty Senate are conducted in accordance with Robert's Rules of Order. Should a conflict arise among Robert's Rules of Order, the Faculty Bylaws of the General Faculty, and the Procedural and general Resolutions for the Faculty Senate and General Faculty, the order of precedence shall be firstly The Curators of the University of Missouri Collected Rules and Regulations, secondly the Faculty Bylaws,

thirdly the Procedural and general Resolutions for the Faculty Senate and General Faculty, and finally Robert's Rules of Order.
(4) Faculty Senate meetings are open to the public except as prohibited by law, but only the Senators are entitled to vote.
(5) Two-thirds of the voting membership of the Faculty Senate constitutes a quorum.
(6) A session of the Faculty Senate is defined as meetings occurring between 1 August and 31 July of the academic year.
(7) The effective date of all actions is thirty (30) days after the action has been communicated to the faculty, unless four-fifths of the Faculty Senate members approve a motion that an action become effective immediately or unless action to veto or amend is initiated by the General Faculty within the thirty (30) day period. No action taken by the Faculty Senate shall be implemented prior to its certification at a meeting of the General Faculty if a petition to veto or to amend such action is submitted to the Chancellor by more than ten (10) percent of the members of the General Faculty.

e) **Special Meetings**—Special Meetings are to be called upon the request of the President of the University; the Chancellor; the President of the Faculty Senate; or, by written petition of five percent (5%) of the Senators of the Faculty Senate.
(1) All special meetings shall be called within ten (10) school days after the request is presented to the President of the Faculty Senate.
(2) Only topics designated in the call for a special meeting may be discussed or acted upon at said meeting.

f) **Electronic Voting**— Electronic voting on issues that do not require significant discussion is permitted by the approval of a majority of the Faculty Senate officers. Voting may be done by E-mail, online survey, or other tool deemed appropriate by the officers and these actions are to be included in the minutes of the next scheduled meeting. All electronic ballots shall keep voting open for at least one (1) week or until a majority decision of all Senators is obtained. If within that time, ten percent (10%) of the Senators object to the electronic vote to the President of the Faculty Senate, the electronic vote shall be cancelled and the issue referred to an in-person faculty senate meeting.

g) **Delegation of Authority**
(1) Since the authority of the Faculty Senate is delegated to it by the General Faculty, the actions and policies enacted by the Senate are subject to over-rule by the General Faculty.

(2) All authority delegated by the Faculty Senate to committees or individuals is subject to change or over-rule by the Faculty Senate.
(3) Standing Committees of the General Faculty shall report to the Faculty Senate at regular meetings upon one week's notification by the President or President-Elect of the Faculty Senate.

5. **Standing Committees:**
   a) Each standing Committee formulates and recommends actions and policies related to the scope of their mandated areas. Authority to act is limited to the specific mandates for which this power is delegated in the following sections of these Bylaws or by the functions prescribed by The Curators of the University of Missouri Collected Rules and Regulations.
   b) Standing committees report to and through the Faculty Senate unless otherwise provided for in these Bylaws.
   c) A faculty member shall concurrently serve on no more than two (2) Standing Committees, excluding the Rules, Procedures and Agenda (RP&A) Committee. If any department lacks sufficient faculty members for representation on all Faculty Senate committees, that department may select representatives to serve on committees of its choice until such time as the number of faculty members increases to the point where the department can be represented on all committees.
   d) All full- or part-time students in good standing are eligible to serve on standing committees that include one (1) or more student members.
   e) The Chancellor may appoint one non-voting member to any standing committee, for a one-year (1-year) term.
   f) Chairs of standing committees shall be tenured faculty. Department chairs, and other persons who devote 50% or more of their time to administrative duties shall not be eligible to serve as standing committee chairs. Standing committee chairpersons shall be elected annually, from and by the membership of the standing committee, unless otherwise provided for in these Bylaws.
   g) For each academic year, the membership and chair of each standing committee should be finalized by April 30 of the previous academic year. Standing Committees will be responsible for their duties from August 1 through July 31 of the following year.
   h) The Rules, Procedures and Agenda (RP&A) Committee has the authority to call a meeting of any standing committee. Upon a determination by the RP&A that a standing

committee is not acting in a timely manner to resolve an issue to which it has been referred to address, the RP&A can call a meeting of the committee and appoint an ad hoc chair for that meeting.

i) Judicial Committees are not subject to the provisions applicable to Standing Committees.

6. **Faculty Standing Committees**

a) **Academic Freedom and Standards Committee (AF&SC)**

(1) This committee is concerned with the academic freedom of faculty and promoting academic excellence. It recommends and reviews policies concerning requirements for admission, graduation and academic standards.

(2) Each department may nominate one faculty member for service on the Academic Freedom and Standards Committee. The Faculty Senate will select from these nominees eight (8) faculty members to serve on the committee. Faculty members serve a two-year (2-year) term with approximately one half elected each year.

b) **Administrative Review Committee (ARC)**

(1) This committee sets policies and procedures for reviews of campus administrators ranking from Chancellor to Department Chair. The committee recommends the evaluation questionnaires and a plan/schedule for conducting reviews to the Faculty Senate. The committee conducts the reviews; oversees the sending of the evaluation forms to the evaluating persons; oversees the collection and collation of the resulting evaluations; and, along with the officers of the Faculty Senate, reviews and forwards the results of the evaluation to the Faculty Senate and the supervisors of the individual evaluated.

(2) The committee consists of six (6) representatives nominated by the Rules, Procedures and Agenda Committee (with the possibility of nominations from the floor) and elected by a vote of the Faculty Senate. Committee members serve for two (2) years, terms to be staggered with the election of three (3) faculty members each year, and shall be full-time, tenured faculty members with an administrative component of 50% or less.

c) **Budgetary Affairs Committee (BAC)**

(1) This committee makes recommendations to the Faculty Senate, the Chancellor and the Vice-Chancellor of Finance and Operations or the equivalent administrative office on matters concerning the long- range vision of the campus; plans to fulfill this vision; and budgetary matters as a consequence of the vision. These recommendations include, but are not limited to: all matters of a budgetary nature; and policies and priorities for

strategic and tactical plans with goals of teamwork, fiscal transparency and shared governance. The committee studies the Campus budget, keeps informed of its preparation and status, and consults with and advises the Chancellor on all matters pertaining to budgetary affairs.
(2) Each department may nominate one faculty member for service on the Budgetary Affairs Committee. The committee consists of two (2) faculty members elected from and by the Faculty Senate, four (4) elected by the Faculty Senate from the Department nominations, two from and by the Graduate Faculty, one (1) student chosen by the Student Council, and one (1) administrative member appointed by the Chancellor. Elected members serve for a two-year (2-year) term, one half being elected each year.

d) **Campus Curricula Committee (CCC)**
(1) This committee acts as an advisor and coordinator in regard to the disciplinary appropriateness and quality of curricular proposals, policies, and all course offerings. Proposals for curricula and course changes shall be submitted to the CCC via the Discipline-Specific Curricula Committee (DSCC) associated with the proposal. The DSCC recommendations shall be submitted with the proposal. Special Programs are not normally associated with a DSCC, and may submit proposals directly to the Campus Curricula Committee. Within 10 school days after receipt of the proposal, the CCC shall distribute copies to all departments via their DSCC representatives. Counter proposals submitted to the committee by the departmental representative of the concerned department should be considered when the original proposals are discussed. The recommendation of the committee shall be forwarded to the Faculty Senate for appropriate action.
(2) The CCC will submit proposals for new graduate programs or any changes to existing graduate programs to the Graduate Faculty committee for approval prior to being considered by the Faculty Senate.
(3) The committee consists of representatives from the Faculty Senate, Graduate Faculty committee and DSCC committees. Two (2) faculty members will be elected from and by the Faculty Senate, each serving a two-year (2-year) term. The Senate will attempt to stagger the terms of the representatives. The Curricula Committee of the Graduate Faculty Committee will elect one (1) representative to serve a two-year (2-year) term. The program leader of each DSCC will be an ex-officio, voting, member of the CCC.

e) **Committee for Effective Teaching (CET)**

(1) This committee makes recommendations to the Faculty Senate and the Provost, regarding the instruments to be used for evaluations of teaching, the procedures for conducting these evaluations, and policies related to the public disclosure of the evaluation results. The scope of the committee's responsibilities includes evaluation of all aspects of teaching in courses providing academic credit.

(2) In addition to student evaluations, the committee is to consider alternate methods of evaluating teaching, may suggest methods and programs for improving teaching, and makes recommendations on the selection process and criteria for campus-wide teaching awards.

(3) The committee consists of one (1) faculty member, elected from, and by, each department desiring representation, one (1) student selected by the Student Council, and one (1) graduate student selected by the Council of Graduate Students. Faculty representatives serve three-year (3-year) terms, and students serve a one (1) year term. In addition, the Provost may appoint up to three (3) non-voting members to this committee.

f) **Discipline-Specific Curricula Committee (DSCC)**

(1) A DSCCs assists in coordinating curricular proposals generated by the degree programs as specified in the charter of that DSCC.

(2) The Provost may propose, with appropriate academic rationale and suggested structure, changes to the DSCC(s). The Provost forwards the proposals with his/her recommendations, and the suggested constituencies from which the committee members will be drawn by the following rules, to the Faculty Senate for approval.

(a) Every DSCC shall be identified by a discipline name.

(b) Every degree program shall be associated with one, and only one, DSCC. These associations will be stated in the charter of each DSCC, and may be altered only with the approval of the Provost and the Faculty Senate.

(c) Each DSCC program leader shall serve a (1) one-year term, and be elected from, and by, its members. Each DSCC program leader shall serve as a voting member of the CCC.

g) **Environmental Health, Safety, and Security Committee (EHSS)**

(1) This committee reviews and makes recommendations to the Faculty Senate, the Chief of Police, and appropriate administrative officials concerning policies, priorities, and

training related to environmental health, safety, and physical security on campus.

(2) The voting members of the committee consist of one (1) person elected from each academic department desiring representation, two (2) representatives of the Department of Environmental Health and Safety, the Chief of Campus Police or his/her appointee, one (1) administrative member appointed by the Vice Chancellor for Finance and Operations, one (1) student selected by the Student Council, one

(1) graduate student selected by the Council of Graduate Students, and one (1) representative of Staff Council. In addition, the Provost may appoint one (1) non-voting member to this committee. Department representatives serve for a two-year (2-year) term with approximately one third elected each year. The remaining committee members shall be elected, or appointed, annually.

(3) The chairperson of the committee is elected by and from the committee's voting membership. The chairperson should work closely with the Environmental Health and Safety and Campus Police departments to keep the committee and campus constituents abreast of both acute and long-term issues facing the university.

h) **Facilities Planning Committee (FPC)**

(1) This committee studies and makes recommendations to the Faculty Senate and appropriate administrative official(s) concerning policies and priorities for physical facilities, including buildings, equipment, and land acquisition and use. The committee also makes recommendations to the Faculty Senate on policies pertaining to parking, security, traffic and matters affecting campus safety.

(2) Each Department may nominate one (1) faculty member for service on the Facilities Planning Committee. The committee shall consist of three (3) faculty members elected from and by the Faculty Senate; four (4) members elected by the Faculty Senate from a list of departmental nominees; one (1) administrative member appointed by the Chancellor, one (1) student selected by the Student Council, one (1) graduate student selected by the Council of Graduate Students, and one (1) non-voting member selected by the Chief Information Officer. Each faculty member shall serve for a two-year (2-year) term with approximately one-half of the faculty membership to be selected each year. The remaining committee members shall be elected, or appointed, annually.

i) **Honorary Degrees Committee (HDC)**

(1) This committee meets at least annually, and reviews current and previous recommendations from the Campus for honorary degrees. The committee shall submit its recommendations first to the Faculty Senate and then to the Chancellor. After appropriate review by the Chancellor, recommendations are forwarded to the University of Missouri (UM) System Honors Committee. All names shall be held in strict confidence, with public announcements to be made only by the University of Missouri Board of Curators or the Chancellor.

(2) Each Department may nominate one (1) faculty member for service on the Honorary Degrees committee. The committee consists of the Provost and four (4) members elected by the Faculty Senate from the list of department nominees. Elected committee members serve one-year (1-year) terms.

j) **Information Technology / Computing Committee (ITCC)**

(1) This committee advises the Provost and the Chief Information Officer on the formulation and implementation of information technology (IT) and computing activities on campus. These activities include but are not limited to networking, email, academic computing, electronic data bases, web publishing, distance learning, electronic classrooms, academic software and procurement of equipment for faculty, student and staff desktops and campus IT/computing facilities.

(2) The voting members of the committee consist of one (1) person elected from each academic department desiring representation, the Director of the Library or his/her appointee, two students selected by the Student Council, and one graduate student selected by the Council of Graduate Students. The non-voting members of the committee include the Provost, the Vice Chancellor for Finance and Operations and the Chief Information Officer. Department representatives serve for a three-year (3-year) term with approximately one third elected each year. The representative of the library serves for a three-year (3-year) term, while students serve for one year.

k) **Intellectual Property Committee (IPC)**

(1) This committee, in conjunction with Technology Transfer and Economic Development, is concerned with the formulation and implementation of policies and procedures related to intellectual property. It reviews and makes recommendations to the Faculty Senate, Chancellor and Provost on patent and copyright matters.

(2) The committee consists of seven (7) members of which six (6) are faculty members elected by the Faculty Senate and one

(1) is an administrative member appointed annually by the Provost, which can be the Director of Technology Transfer and Economic Development or its proxy. The faculty members shall serve for two (2) years with three (3) members elected each year. The committee shall be chaired by a faculty member. Priority for nominated members should be those with patent and/or copyright experience and appropriate representation from engineering, liberal arts, management and science academic departments.

l) **Intercampus Faculty Cabinet**

(1) IFC is a University of Missouri System Faculty Cabinet comprised of faculty representatives from each of the U.M. System campuses that serves as a liaison committee between the President and his staff and the four campus faculties.

(2) Membership of this committee is comprised of the Past President, President, and President-Elect of the Faculty Senate. In the event that one of these officers cannot serve on the IFC, the Faculty Senate will elect the replacement campus representative for a one (1) year term.

m) **Library and Learning Resources Committee (LLRC)**

(1) This committee makes recommendations to the Faculty Senate and appropriate administrative officials with respect to the administration of the Library and Learning Resources facilities and on rules governing use by students, faculty, and others. It shall consider all problems concerning the operation of the Library and its facilities.

(2) Each Department may nominate one (1) faculty member for service on the Library and Learning Resources Committee. The committee consists of eight (8) elected by the Faculty Senate from the list of department nominees with each faculty member serving a two-year (2-year) term with approximately one half to be elected each year; one graduate student selected by the Council of Graduate Students and one undergraduate student to be selected by the Student Council and the Dean of the Library.

n) **Personnel Committee (PC)**

(1) This committee recommends to the Faculty Senate general policies on the conditions of appointment, employment, compensation, and retirement of faculty and administrative officers. It also recommends reporting schemes and procedures regarding the annual salary and wage raise pool.

(2) Each Department may nominate one faculty member for service on the Personnel Committee. The committee consists of

two faculty members elected from and by the Faculty Senate, four (4) elected by the Faculty Senate from the list of department nominees, one (1) faculty member elected from and by the Graduate Faculty, one (1) faculty member selected by the Staff Council, and one (1) administrative member appointed by the Chancellor. Elected members serve a two-year (2-year) term with approximately one half elected each year.

o) **Public Occasions Committee (POC)**

(1) This committee makes general plans for University-sponsored assemblies, programs and public occasions such as Open House Days, Homecoming, and Commencement. It recommends policy for faculty and student programs, guest speakers and ad hoc events. It also supervises the academic calendar.

(2) The committee consists of six (6) faculty members elected from and by the General Faculty, one administrator appointed by the Chancellor, three (3) students selected by the Student Council, and one (1) student selected by the Council of Graduate Students. Faculty members shall serve for a two-year (2-year) term with one half elected each year.

(3) The Commencement subcommittee of the POC is charged with planning and overseeing the implementation of plans for Commencement ceremonies and other events related to Commencement. This subcommittee is appointed with the authority of the Faculty Senate, given that its activities require assistance from individuals outside the POC. The subcommittee will report to the POC, and not directly to Faculty Senate. An annual report of activities of the Commencement subcommittee will be included in the annual report submitted by the POC.

(4) Two (2) members elected by and from the POC are to serve on the Commencement subcommittee. As is the norm for events within the jurisdiction of the POC, changes deemed significant, as determined by the two subcommittee members, to the form or function of the Commencement ceremonies are subject to approval by Faculty Senate.

p) **Rules, Procedures and Agenda Committee (RP&A)**

(1) This committee oversees the application of these Bylaws, any Rules and Regulations of bodies established by them, and the process of Bylaw amendment as described elsewhere in these Bylaws. It may investigate and make recommendations on procedure to the Faculty Senate.

(2) The committee is responsible for the conduct and supervision of Faculty Senate and General Faculty elections. It shall receive nominations from the faculty for elections, adding, but not deleting, names as necessary to provide candidates for all offices and committees and shall obtain the consent of all nominees. The committee shall also be responsible for submitting slates of candidates nominated for serving on the standing committees for Faculty Senate elections, appropriately distributed among the disciplines. In the event that nominations for committees from departments are fewer than the number of positions to be filled, RP&A may add additional departmental nominees to fill the positions which would otherwise become vacant.
(3) It is the responsibility of this committee to prepare the agenda for Faculty Senate meetings and to assist the Secretary of the General Faculty in the preparation of the agenda for General Faculty meetings.
(4) The voting members of the committee consists of the Past President, the President, President-Elect, Secretary, and Parliamentarian of the Faculty Senate; one graduate student selected by the Council of Graduate Students; one student selected by the Student Council; and the chairs of the following standing committees: Academic Freedom and Standards, Budgetary Affairs, Curricula, Facilities Planning, Personnel, Student Affairs, and Tenure Policy. Other Faculty Standing Committee chairs are ex-officio non- voting members.
(5) The Past President officer of the Faculty Senate is the chairperson of RP&A. If the Past President is unable to serve, the Faculty Senate will elect a chairperson.

q) **Student Affairs Committee (SAC)**

(1) This committee makes recommendations to the Faculty Senate regarding relationships between students and Missouri S&T, including, but not limited to, the following: student-teacher relationships; student-administration relationships; scheduling of classes and examinations; budgeting and distribution of funds paid by students for student activities; rules and regulations pertaining to student housing, health and services for students, University counseling services, departmental advisement practices; rules and regulations pertaining to student organizations, including varsity and intramural athletics; oversight and discipline of student organizations, including review of all sanctions, withdrawals

or denials; operations of the University Center; student publications; and civil rights of all students.

(2) Each department may nominate one (1) faculty member for service on the Student Affairs committee. The committee consists of four (4) faculty members elected by the Faculty Senate from the list of departmental nominees, one (1) faculty member elected by and from the Faculty Senate; four (4) students selected by the Student Council; and one (1) student selected by the Council of Graduate Students. The Director of Student Life, the Vice Chancellor for Student Affairs, and the Registrar are ex-officio non-voting members of the committee.

r) **Student Awards and Financial Aids Committee (SA&FAC)**

(1) This committee recommends policies regarding the administration of student awards and financial aids, including loans and scholarships, consistent with specifications of the respective donors and grantors. It shall be the duty of the committee to consider and rule on appeals that may be submitted by students regarding awards and financial aids.

(2) The committee consists of three (3) faculty members elected from and by the Faculty Senate, two (2) faculty members elected from and by the General Faculty, two (2) undergraduates selected by the Student Council, one (1) graduate student selected by the Council of Graduate Students, the Provost, the Director of Student Financial Aid, and such other appointees as the Chancellor names. Each member has voice and vote when considering new or revised policy. When considering student appeals, only the elected faculty members, the Provost and the Director of Student Financial Aid have voice and vote. At the request of the appealing student, the undergraduate members—for an undergraduate—or graduate student member—for graduate students—may participate with voice and vote. Faculty members are elected for two-year (2-year) terms; students are selected annually.

s) **Tenure Policy Committee (TPC)**

(1) This committee is concerned with the tenure rights of faculty. It functions according to the principles stated in the Academic Tenure Regulations adopted by the University of Missouri Board of Curators. It may also make recommendations for policy changes through the Faculty Senate to the Board of Curators. It also serves as the judicial hearing committee for cases of research dishonesty and make recommendations of Dismissal for Cause (section 310.060 of The

Curators of the University of Missouri Collected Rules and Regulations) to the Provost.

(2) This committee consists of one (1) faculty member from each academic department whose faculty is eligible for tenure. The faculty of each academic department shall, during the second semester of each academic year, elect one of its eligible faculty members to membership on the TPC to serve for the following academic year, and also elect an alternate faculty member who shall serve whenever the regular committee member is unable to serve.

(3) Faculty members shall be elected from the eligible Professors on continuous appointment. If there are no eligible Professors within a department, then faculty members shall be elected from the eligible Associate Professors. Vice Provosts, department chairs, and other persons who devote 50% or more of their time to administrative duties shall not be eligible for membership on the TPC.

7. **Judicial Committees**

a) Equity Resolution Hearing Panel (ERHP)

(1) Per Chapter 600 of The Curators of the University of Missouri Collected Rules and Regulations, the Faculty Senate shall annually propose a list of twenty (20) faculty members to the Chancellor, from which ten (10) are selected by the Chancellor to serve in the panelist pool. The Chancellor also selects staff members to serve in the panelist pool. The University thereby creates and will annually train a pool of not less than ten (10) faculty and ten (10) administrators and/or staff to serve as hearing panel members in the Hearing Panel Resolution Process. Service in the panelist pool is a renewable one- year term.

(2) Hearing Panels at Missouri S&T will include at least one faculty member and one administrator or staff member. Up to two (2) alternates from the pool may be designated to observe the process and to serve as a panel member if a panel member becomes unavailable.

b) **Grievance Hearing Panel (GHP)**

(1) This panel is concerned with the fair and equitable resolutions of faculty grievances with the University. It functions according to the principles stated in the Academic Grievance Procedure (section 370.010) adopted by the University of Missouri Board of Curators. It may also make recommendations for policy changes through the Faculty Senate to the Board of Curators.

(2) The GRP is not involved in Equity Resolution Processes, which are covered under section 600 of The Curators of the University of Missouri Collected Rules and Regulations.
(3) One (1) panel or two (2) panels of two (2) faculty members are elected by the Faculty Senate from nominations from academic departments to three years renewable terms on a rotational schedule. Whether one (1) or two (2) panels are populated is subject to determination by majority vote of the Faculty Senate. .

c) Grievance Oversight Committee (OC)

(1) A member of the OC will be appointed to each grievance case following receipt of a Grievance Filing Form by the GRP. The OC representatives are observers of the confidential grievance processes: The OC representative may not participate in the deliberations or rendering of findings and recommendations by the GRP but provides a summative, evaluative report of each grievance process without conveying substantive information. The representatives also monitor the implementation of remedies that result from a grievance process.
(2) Three (3) members are elected to three-year terms on a yearly, staggered basis by the Faculty Senate from departmental nominees.
(3) One (1) member is elected to OC from and by the Faculty Senate not as an oversight representative but rather to serve as the chairperson for the committee, who assigns members to grievances and who prepares the annual report to Faculty Senate as required by section 370.010 of The Curators of the University of Missouri Collected Rules and Regulations.

d) **Parking, Security and Traffic Committee (PS&T)**

(1) The committee oversees application of rules and regulations concerning parking and traffic. It functions according to the principles stated in The Curators of the University of Missouri Collected Rules and Regulations.
(2) Each Department may nominate one (1) faculty member for service on the Parking, Security and Traffic committee. The committee shall be composed of twelve (12) faculty members elected by the Faculty Senate from the list of department nominees for a two-year (2-year) term with one-half being elected each year, two (2) undergraduate students selected by the Student Council, one (1) graduate student selected by the Council of Graduate Students, one (1) member selected by the Staff Council, and one (1) member selected the Director of the

Physical Plant. Student terms shall be for one (1) year. The Director of the University Police shall be a member ex-officio. Two (2) additional committee members may be appointed by the Chancellor.

(3) The PS&T shall elect one of the faculty committee members as chairperson for a one (1) year term.

e) **Student Conduct Committee (SCC)**

(1) This committee conducts hearings and makes dispositions under the Rules and Procedures in Student Conduct Matters as provided in Section 200.020 of The Curators of the University of Missouri Collected Rules and Regulations. It may also provide aggregate information regarding its decisions to the Faculty Senate, and make recommendations on policies relating to student discipline to the Faculty Senate for forwarding to the Board of Curators.

(2) The committee consists of members as prescribed by the Board of Curators. All members of the committee shall have the same voting privileges and responsibilities. Faculty members serve two- year (2-year) terms with approximately one half elected each year.

f) **Student Scholastic Appeals Committee (SSA)**

(1) This committee establishes procedures for individual student scholastic appeals. The committee shall consider and rule on all individual cases of appeal relating to student scholastic performance, including but not limited to: graduation with honors, probation and dropping from school, readmission after being dropped for scholastic reasons, scholastic deficiencies and evaluation of credit and transfer of credits, grades and honor points from other campuses to Missouri S&T. It serves as an appeals board for cases of students on scholastic probation who are involved in the activities of organizations.

(2) The committee shall consist of eight (8) members: three (3) faculty members are elected from and by the Faculty Senate; two (2) members are elected from and by the General Faculty; two (2) student members are selected by the Student Council; and one (1) student member is selected by the Council of Graduate Students. Faculty members serve a two-year (2-year) term with approximately one-half elected each year. Student members serve a one-year (1- year) term.

g) **Tuition and Residence Committee (TRC)**

(1) This committee assists the Cashier, when requested, in determining the residence status of a student relative to the required non-resident tuition fees established under the

applicable regulations of the Board of Curators. The committee also considers properly filed appeals by students taking exception to the Cashier's ruling relative to their residence or tuition status.

(2) This committee consists of three (3) faculty members and three (3) administrative members appointed for a one-year (1-year) term by the Chancellor, who shall designate one member as Chairperson.

8. **Special Committees**
   a) Special Committees addressing issues not presently in the purview of the Faculty Standing Committees or Judicial Committees may be authorized as needed by the Chancellor, the General Faculty, the Faculty Senate, the colleges, or departments. However, when the faculty or the administration establishes any committee having campus-wide responsibilities or authority, they shall file with the Secretary of the Faculty Senate a statement specifying the responsibilities, authority, and composition of the committee, timeline of authority for the committee, together with a list of current members.
   b) When deemed appropriate by the Chancellor, by the General Faculty, or by the Faculty Senate, reports of Special Committees shall be distributed to all members of the General Faculty. Each Special Committee shall prepare an annual report to be made available to all faculty members.
   c) Whenever possible, Special Committees shall be organized prior to September 1 and be responsible for their duties from August 1 through July 31 of the following year.

E. **Student Regulations**
1. The Student Council is the official voice for the undergraduate students to the Faculty; the Council of Graduate Students of the Missouri University of Science and Technology is the official voice for the graduate students.
2. Rules and disciplinary regulations, which apply to students, and the "University of Missouri Rules of Procedure in Student Disciplinary Matters" shall be printed in the "Manual of Information" and distributed to all students.
3. Student Participation in Academic Governance
   a) Students shall be eligible to serve on the Faculty Senate and/or on committees as designated by these Bylaws.
   b) Individual students and student organizations may recommend changes in policies governing students to the appropriate committee. These recommendations, when

submitted in writing, must be considered promptly by the committee or referred to the RP&A for proper assignment, and the students kept informed in writing of the disposition of the recommendations.

F. **Rules and Regulations**—All committees and any othe body established by these Bylaws, shall make rules and regulations necessary for the successful operation of their organizations by at least a simple majority of the body. Copies shall be filed with the Secretary of the General Faculty for general availability.

G. **Amending the Bylaws**—Amendments may be proposed by twenty (20) faculty members of the General Faculty by submitting them to the Rules, Procedures, and Agenda Committee. This committee must transmit the proposal to the General Faculty within fifteen (15) school days and then include the proposal in the agenda of the next General Faculty meeting. Voting on the proposed amendment shall be by a mail ballot and shall take place within fifteen (15) school days after completion of its consideration at a meeting of the General Faculty. A two-thirds (2/3) majority of those voting shall be required for the adoption of the proposed amendment. If adopted, the amendment is presented by the Chancellor to the Board of Curators at their next meeting for consideration and will become effective immediately upon approval by the Board of Curators.

H. **Publication of the Bylaws and Committee Membership**—The Secretary of the General Faculty shall maintain, on a publicly accessible, open location (such as a world-wide web site), the current edition of these Bylaws, a list of the officers of the General Faculty, a list of the officers and members of the Faculty Senate, and the membership of all Standing and Judicial committees defined elsewhere in these Bylaws. The name, responsibilities, authority and current members of all other committees which have campus-wide responsibilities or authority will be similarly posted. The information shall be updated within thirty (30) days of any change in committee status.

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

Board of Curators standing committee meetings were convened at 10:42 A.M. and concluded at 12:40 P.M. on Thursday, June 29, 2023. Committee actions were presented to the full Board for action following each Committee vote.

Finance Committee

Curator Graves provided time for discussion of committee business.

Fiscal Year 2024 Operating Budget, UM – presented by Executive Vice President Ryan Rapp (slides and information on file)

It was recommended by the respective Chancellors, endorsed by President Choi, recommended by the Finance Committee, moved by Curator Graves and seconded by Curator Wenneker, that the following recommendations be approved:

- that the President of the University System be authorized to develop the FY2024 budgets in accordance with the attached planning assumptions and financial summaries, which include the allocation of FY2024 state appropriations less 3.0% statutory withholdings.
- that the President of the University System be authorized to: (a) make required changes to working capital and reserve funds and (b) make supplemental allocations within the funds available to several campuses and programs, such allocations to be made on the basis of priority and need. The President will report periodically to the Board of Curators any material changes in sources and uses of current funds;
- that the operating budget for FY2024 and allocation as stated herein can be modified as necessary by the President to bring the same into harmony with the state appropriations as finally approved by the governor and any withholdings in excess of those shown above.

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

Fiscal Year 2025 State Appropriations Request for Operations, UM – presented by Executive Vice President Ryan Rapp (slides and information on file)

It was recommended by Vice President Ryan Rapp, endorsed by President Mun Y. Choi, recommended by the Finance Committee, moved by Curator Graves and seconded by Curator Sinquefield, that the following recommendations be approved:

The President is authorized to file a request for state appropriations for operations as follows:

(1) Increased funding for Core Operations
(2) Submit new requests for any higher education directives that might be identified prior to submission

(3) Submit Other Curator Programs Requests which includes core funding continuing at the same amounts and new requests for State Historical Society; and
(4) Submit requests in Accordance with Legislative Requirements.

Any material deviations from estimates in the paper will be reviewed with the Board.

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

Fiscal Year 2025 State Capital Appropriations Request for Improvements, UM – presented by Executive Vice President Ryan Rapp (information on file)

It was recommended by President Choi, Chancellor Agrawal, Chancellor Dehghani, and Chancellor Sobolik, recommended by the Finance Committee, moved by Curator Graves, and seconded by Curator Sinquefield, that the following action be approved:

That President Choi be authorized to submit to the appropriate state offices the University's Fiscal Year 2025 State Capital Appropriations Request as shown on the accompanying schedules (and as on file with the minutes of this meeting).

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

Approval of Collected Rules and Regulations 140.011 – 140.013, 140.015, 140.017 Investment Policies, UM – presented by Investment Officer Tom Richards (information on file)

It was recommended by Executive Vice President Rapp, endorsed by President Mun Y. Choi, recommended by the Finance Committee, moved by Curator Graves and seconded by Curator Holloway, that the:

Existing investment policies of Collected Rules and Regulations, Section 140.011 - 140.013, 140.015, 140.017, be amended, as noted in the attached documents (and as on file with the minutes of this meeting).

The motion carried unanimously (8-0) by voice vote. Curator Jeff Layman recused himself from the vote.

140.011 Policy for Investment Manager Selection, Monitoring and Retention

Bd. Min. 12-6-91, Amended Bd. Min. 12-9-93; Amended Bd. Min. 11-14-94; Mended Bd. Min. 12-13-96; Amended Bd. Min. 9-26-97; 1-21-98; Revised 2-1-00; Amended Bd. Min. 7-13-00; Amended Bd. Min. 9-27-02; Amended Bd. Min. 11-22-02; Revised 1-5-04; Amended Bd. Min. 9-9-04; Amended Bd. Min. 1-26-07; Amended Bd. Min. 2-6-09; Amended Bd. Min. 12-11-09; Amended 6-17-11 ; Revised in entirety, Bd. Min. 6-26-12; (Note: Board approval on 6-26-12 replaced previous rules 140.010, 140.011, 140.012 and 140.013 with new language and reissued new rules 140.010 through 140.016.) Revised 6-25-15. Amended Bd. Min. 9-28-17; Amended Bd. Min. 6-29-23.

A. **Introduction** - This policy establishes general guidelines for selecting external investment managers, monitoring investment manager effectiveness, identifying issues of concern, and for making decisions concerning investment manager retention. The external investment managers can be broadly grouped into public and private market investments. Public market investments are widely held, generally liquid in nature, most often traded on exchanges, and typically disclose certain financial information to the public on a regular basis. Private market investments are longer-term, often illiquid investment strategies that are privately held by a limited number of owners and investors. The University shall utilize an Investment Consultant for assistance with the application of this policy. This policy applies to the following investment pools:
   140.012 General Pool
   140.013 Endowment Pool
   140.014 Fixed Income Pool
   140.015 Retirement, Disability and Death Benefit Plan
   140.016 Other Postemployment Benefits Plan Trust Fund

B. **Responsibilities and Authorities** - See CRR 140.010 “Policy for Management and Oversight of Selected University Investment Pools.”

C. **Active vs. Passive Management** – Active managers are used most often, with an expectation of value added in excess of passive implementation. In markets that are generally considered efficient, passive strategies may be used to promote a diversified portfolio, while controlling risk and minimizing costs.

D. **Manager Selection** – The manager selection process requires the evaluation of all aspects of a firm’s organization and investment process to assess the probability that the identified firm’s product will successfully meet the objectives of a given investment mandate going forward. A series of quantitative and qualitative factors should be analyzed when evaluating prospective firms. When possible, a suitable manager universe for a given mandate should be screened for potential manager

candidates. The following, as applicable, should be considered in the manager selection process:

1. Organizational Factors
    a. Structure: Does the ownership structure align the employees' interests with those of clients?
    b. Stability: Has the firm been able to retain investment professionals and senior management over time?
    c. Strategic direction: Is the firm's growth rate in assets and personnel appropriate? Is there a clear focus on investment management?
    d. Business viability: Are the firm's growth prospects, assets under management and capital base sufficient to maintain a healthy business?
    e. Assets under management: Are assets sufficient at the product level to accommodate the University's portfolio and, at the other extreme, has excessive asset growth impeded the firm's ability to add value in a given mandate? Generally, the University's combined assets under management across all pools of funds should not exceed 25% of a particular product's total assets under management.

2. Investment Philosophy

    a. Well Defined: Is the investment philosophy clearly defined and consistently applied?
    b. Competitive advantages: Are there any aspects to the investment philosophy that provide a competitive advantage such as information/data sources, unique modeling capabilities, unusual perspectives, depth/quality of analytical resources, and/or experience of investment professionals?
    c. Persistence: Is there something about the investment philosophy that provides conviction that successful performance can be achieved in future markets?

3. Investment Professionals

    a. Relevant experience: Are the investment professionals experienced in managing this type of mandate?
    b. Team experience: Is there significant experience among the professionals as a team?
    c. Skills: Do the investment and research professionals bring complementary skills to the portfolio management process?
    d. Resources: Has the firm given the team the proper resources to succeed? Are the investment professionals distracted by other responsibilities including other products, firm management, sales, client service, etc.?

4. Historical Performance (Public Markets)

a. Performance vs. relevant benchmarks: Has the firm added value on a net basis to the benchmark over market cycles? How much value has been added relative to the risk taken?
b. Performance vs. peers: Has the firm exhibited an ability to outperform peers over market cycles?
c. Consistency: Has the level of performance been consistent and within expectations for the mandate?
d. Risk metrics: Is the level of absolute and relative volatility appropriate given the mandate? Are the risk metrics of the portfolio over time consistent with expectations given the mandate?
e. Performance attribution: What are the sources of over or under-performance (e.g. industry bets, stock selection, style biases) and do they match the manager's investment process and philosophy?

5. Historical Performance (Private Markets)

a. Performance vs. relevant benchmarks/peers: Has the firm or investment team's prior funds performed at or above expectations?
b. Consistency: Has the level of performance of the firm or investment team's prior funds been consistent and within expectations for the investment strategy? Has the investment strategy evolved over time and are the reasons for the evolution logical?
c. Risk: Has the firm or investment team's prior funds effectively mitigated real and anticipated risk?
d. Performance attribution: What are the sources of over- and under-performance across investment cycles?

6. Other

a. Missouri location and/or minority status: The University has an active and ongoing interest in doing business with firms that are owned, controlled, and operated by citizens of the state of Missouri. In addition, the University is committed to supporting the participation of minority and women-owned and controlled asset management firms (as defined in Section 33.750 (3), (4), and (5), RSMo 2000) in the management of its funds. All potential qualified Missouri and/or minority and women-owned candidates under consideration for investment mandates shall meet the University's threshold manager selection criteria.
b. Fees: Are fees competitive and appropriate for the mandate?
c. Fit: How does the manager fit within the overall portfolio and, when applicable, within the asset class or sector?
d. Compliance/Back office: Are compliance and back office systems adequate?

E. **Manager Concentration** - Careful consideration should be given to concentrations of assets under management across all products with a single asset management firm within an individual investment pool as well as in aggregate across all investment pools. Each circumstance should generally be evaluated on an individual basis, taking into account the asset sectors, type of investment vehicles, custody of underlying assets and the overall size and strength of the investment management firm being considered. Additionally, it is recognized that larger concentrations of assets under management with a single investment management firm can often result in lower negotiated management fees, which benefit the investment pools. In all cases, any such fee savings shall be secondary to the consideration of the safety and soundness of invested assets.

F. **Manager Monitoring / Termination** - Each manager should be analyzed on an individual basis, taking into account any specific circumstances affecting the particular relationship. At minimum, the University and Investment Consultant shall review all managers on a quarterly basis. The review process should include, while not being limited to, the following factors:

1. Performance:

    a. Public Markets: An evaluation of performance should focus primarily on trailing three and five year periods, taking into account the manager's expected tracking error versus the agreed-upon benchmark. Over these time horizons, active manager performance, net of fees, is generally expected to outperform the agreed upon benchmark and fall within the top two quartiles of an appropriate peer group.
    b. Private Markets: Performance is measured on an ongoing basis and is evaluated using several different performance calculation metrics. Funds are monitored for progress of acquisitions, asset management, and disposition of assets. The appropriate time horizon for evaluating private market investments is generally the full term of the fund. At the end of a fund's term, it is expected that it will achieve or exceed its initial performance targets, and fall within the top two quartiles of an appropriate peer group. Investment in subsequent fund offerings will be based, in large part, on actual versus expected performance of existing fund investments at the time consideration is being given to subsequent fund offerings.

2. Adherence to Stated Philosophy, Process and Style: The default expectation would be continued adherence to the manager's stated philosophy, process, and style in existence at the time of hiring.

3. Organizational Matters: Stability is the basic expectation. Any material change in the manager's organizational structure, ownership or personnel should be carefully considered. Ongoing oversight by regulatory agencies should also be monitored, as

well as any indications of illegal or unethical behavior.

4. Guidelines: Managers are expected to maintain compliance with guidelines established by the University; exceptions may be granted by the University and Investment Consultant on a case-by-case basis. As circumstances warrant, the manager may provide recommended revisions to the guidelines in writing to the University and Investment Consultant; however, the University and Investment Consultant shall be under no obligation to accept such recommendations.

5. Service and Responsiveness: Managers are expected to be reasonably responsive to the needs of the University and Investment Consultant, including requests for information and/or analysis, requests for periodic meetings to review performance, etc.

To the extent that any significant issues or concerns are identified as part of the review process or at any other time, considering factors including, but not limited to, those noted above, a public markets manager may be terminated based solely on the determination of the University and Investment Consultant. The legal structure of most private markets investments makes it impracticable to attempt an early termination.

Managers may also be terminated from time to time based solely on strategic or operational changes with respect to the overall University portfolio including, but not limited to, changes in asset sectors or changes in portfolio allocations among asset sectors.

Nothing in this policy shall be construed to be for the benefit of any manager or other person or to derogate from or affect the University's right to terminate an investment manager as permitted by the terms of their applicable investment management agreement.

140.012 Investment Policy for General Pool

Bd. Min. 12-6-91; Amended Bd. Min. 12-9-93; Amended Bd. Min. 11-14-94; Amended Bd. Min. 12-13-96; Amended Bd. Min. 9-26-97; 1-21-98; Revised 2-01-00; Amended Bd. Min. 9-27-02; Amended Bd. Min. 11-22-02; Revised 1-5-04; Amended Bd. Min. 9-9-04; Amended Bd. Min. 1-26-07; Amended Bd. Min.2-6-09; Amended Bd. Min. 6-5-09; Amended Bd. Min.6-17-11; Revised in entirety, Bd. Min. 6-26-12. (Note: Board approval on 6-26-12 replaced previous rules 140.010, 140.011, 140.012 and 140.013 with new language and reissued new rules 140.010 through 140.016.) Amended Bd. Min. 1-31-13; Amended Bd. Min. 6-25-15; Amended Bd. Min. 10-1-15; Amended Bd. Min. 10-7-16; Amended Bd. Min. 11-15-18; Amended Bd. Min. 9-24-20; Amended Bd. Min. 4-21-22; Amended Bd. Min. 11-17-22; Amended Bd. Min. 6-29-23.

A. **Introduction** – The General Pool represents the University's cash and reserves, both restricted and unrestricted, including, but not limited to, operating funds, auxiliary funds, service operations funds, self-insurance funds, debt service funds, and plant funds.

B. **Responsibilities and Authorities** – See CRR 140.010, "*Policy for Management and Oversight of Selected University Investment Pools*"

C. **Investment Objectives** – The General Pool shall be managed in a way that both recognizes and balances the underlying needs of the pool, including, but not limited to, accommodation of University cash flow cyclicality, satisfaction of various ongoing liquidity needs, maximization of risk-adjusted investment returns, diversification and preservation of capital.

D. **Authorized Investments** – The General Pool shall be invested as follows:

	Investment Portfolios			
	Liquidity	**Core**	**Strategic**	**Portable Alpha**
Management	Internal/External	External	External	External
Minimum Allocation	20%	0%	0%	0%
Maximum Allocation	100%	60%	45%	15%
Liquidity Objective	High	Moderate	Moderate/Low	Moderate
Volatility Tolerance	Low	Moderate	Moderate/High	Low/Moderate
Return Expectation	Low	Moderate	Moderate/High	Moderate

1. **Liquidity Portfolio**
   The Liquidity portfolio is expected to have very low volatility and low (cash-like) returns. It is the primary source of liquidity for the University's operating cash flow needs, constructed utilizing securities and investment vehicles that primarily have same day liquidity with minimal day-to-day price fluctuations. Exposures will be obtained by investing in the following:
   a. Bank deposits covered by FDIC insurance or otherwise collateralized by U.S. Government and U.S. Government Agency securities.
   b. Money market funds which are SEC 2a-7 compliant and have received the highest possible rating by at least two Nationally Recognized Statistical Rating Organizations.
   c. Commercial Paper which has received a rating of at least A1 / P1 / F1 by two of the Nationally Recognized Statistical Rating Organizations
   d. Repurchase Agreements collateralized by the U.S. Government and U.S. Government Agency securities.
   e. Yield Enhancement Strategies that seek returns higher than, or comparable to, traditional cash investments, while diversifying the risk inherent in

traditional cash investments. To implement these strategies, liquid non-cash-like securities are often purchased in conjunction with a hedge instrument that substantially hedges away the non-cash-like attributes of the securities. Instruments that may be part of such transactions include: U.S. Treasury securities, sovereign bonds issued by G10 countries, and other fixed income securities and precious metals. To hedge away the non-cash like attributes, the following instruments may be used: futures contracts, asset/interest rate swaps, currency forwards, securities lending agreements, and repurchase agreements.

f. Other short-term investment vehicles of similar quality, with an average duration of one year or less.
g. U.S. Treasury securities, U.S. Government Agency securities and U.S. Government guaranteed securities, including but not limited to: all direct obligations of the U.S. Government, Federal Farm Credit Banks, Federal Home Loan Banks, Federal National Mortgage Association, and Federal Home Loan Mortgage Corporation.
h. Internal short-term loans at market interest rates to the University's Central Bank as a substitute for commercial paper which could otherwise be issued externally by the Central Bank under the University's Commercial Paper Notes program. Such short-term loans must be approved by the Vice President for Finance.

2. **Core Portfolio**
The Core portfolio is expected to have moderate volatility with moderate returns, invested primarily in public debt securities and related investment vehicles. It will serve as a secondary source of liquidity, built utilizing excess operating funds not expected to be needed for purposes of funding the operational needs of the University under normal circumstances. This portfolio will be expected to generate higher returns than the Liquidity portfolio through the use of some combination of credit risk, interest rate risk, illiquidity risk and idiosyncratic (active) risk.

a. Public Debt
Specific types of debt exposures include, but are not limited to, sovereign, corporate, inflation-linked, high yield, emerging market, commercial mortgage-backed securities, and residential mortgage-backed securities.

Exposures will be obtained through physical securities as well as derivative instruments commonly accepted by other institutional investors such as futures, swaps, options, forward contracts, and reverse repurchase agreements may be utilized. Exposures may include long/short positions. Public Debt exposures may be used to fund a Portable Alpha Program.

Legal account structures may be in the form of separately managed

accounts, institutional commingled funds, exchange-traded funds and limited partnership agreements.

3. **Strategic Portfolio**
The Strategic portfolio will be built utilizing excess operating funds that should not be needed for liquidity purposes. As compared to the Core portfolio, the Strategic portfolio will have higher return expectations and a higher level of expected volatility. These are truly long-term funds and should be thought of similarly to retirement and endowment funds.

   a. Approved asset classes (as defined by CRR 140.017, "Policy for Allowable Investments"):

      Private Debt
      Real Estate/Infrastructure
      Risk Balanced

   b. Venture Capital
      Investments shall be consistent with the University's mission to foster innovation in support of economic development. Maximum allocation shall be $5 million.

      Investments require unanimous approval by the Executive Vice President for Finance and Operations and the Chief Investment Officer in consultation with the President.

      Utilization of external managers shall be consistent with the guidelines established in CRR 140.011, "*Policy for Investment Manager Selection, Monitoring and Retention.*"

   c. Endowment Pool
      As part of its Strategic Portfolio, the General Pool may invest in the University's Endowment Pool, as established and governed by CRR 140.013, "Investment Policy for Endowment Pool."

4. **Portable Alpha Program**
When any combination of Public Debt exposures within the Core Portfolio are obtained through the use of derivative instruments, a portion of the cash underlying the notional exposures may be used to fund an Alpha Portfolio. At a total portfolio level, the objective of a Portable Alpha Program is to generate excess returns through alpha exposures which, in aggregate, are diversifying to the General Pool overall.

Overall management of the Portable Alpha Program is subject to the provisions of CRR 140.017 "*Policy for Allowable Investments*."

a. Sizing of Alpha Portfolio - Allowable Range
The allowable range for the Alpha Portfolio shall be 0-15% of the total General Pool, which would represent total portfolio leverage of 100% to 115%.

b. Minimum Cash Margin
The General Pool shall maintain a 5% margin of safety in addition to the level of Cash Margin determined necessary to cover drawdowns across an average of the three worst modeled economic and market stress scenarios as defined by the greatest depletion of Cash Margin.

E. **Risk Management**

1. The Assistant Vice President for Treasury and Real Estate shall establish and implement procedures to:

   a. Regularly monitor the University's cash flow forecasts.

   b. Determine and maintain minimum daily liquidity equal to 30 days operating cash outflows for the University.

   c. Determine minimum weekly liquidity equal to 60 days operating cash outflows for the University.

   d. As applicable, determine overall liquidity sufficient to satisfy credit rating agency guidelines for any self-liquidity needs of the University's debt portfolio.

   e. Maintain a contingency funding plan to address unanticipated market / liquidity events, with the objective of having ready access to cash to meet the University's operating cash flow needs at all times.

2. The Chief Investment Officer shall establish and implement procedures to:

   a. Invest General Pool funds, primarily within the Liquidity and Core portfolios, in a manner which satisfies minimum requirements for weekly liquidity and contingency funding needs.

   b. Maintain appropriate reserves within the General Pool to mitigate drawdown risk based on the level of projected risk within the General Pool, modeled in consultation with the University's Investment Consultant,

allowing the University to better manage through periods of market volatility.

F. **Excluded Instruments –** The General Pool shall not be deemed to include, and the limitations contained herein shall not be deemed applicable to, any program-related funds, instruments, and assets not held primarily for investment such as interests governed by CRR 70.070, "*Entrepreneurial Activity*."

140.013 Investment Policy for Endowment Pool

Bd. Min 7-22-11. Revised in entirety, Bd. Min. 6-26-12. (Note: Board approval on 6-26-12 replaced previous rules 140.010, 140.011, 140.012 and 140.013 with new language and reissued new rules 140.010 through and including 140.016.) Revised Bd. Min 6-14-13; Revised 9-12-13; Revised 6-25-15; Revised 2-4-16; Revised 4-14-16; Revised 6-23-17; Revised Bd. Min. 9-28-17; Revised Bd. Min. 2-4-21; Amended 9-2-21; Amended 6-29-23.

A. **Introduction** -- The University's Endowment Pool (also known as the Endowment Fund) contains gifts, bequests and other funds directed to be used to support a University program in perpetuity. Some donors require such a commitment as a condition of their gift ("true endowments"). Also, funds may be assigned to function as endowments by the Board of Curators or by University administration ("quasi endowments").

B. **Responsibilities and Authorities –** See CRR 140.010 "*Policy for Management and Oversight of Selected University Investment Pools*."

C. **Investment Objectives --** The Endowment Pool must be managed to provide ongoing support of endowed programs in perpetuity, in conformance with donor stipulations. To accomplish this, investment returns, net of inflation, should be sufficient over time to cover annual spending distributions while maintaining or growing the underlying purchasing power of each endowed gift.

Endowment Pool investments should be managed in a manner that maximizes returns while attempting to minimize losses during adverse economic and market events, with an overall appetite for risk governed by the objectives noted above. This will be accomplished through a more 'risk-balanced' portfolio that seeks meaningful diversification of assets, which necessarily means less equity risk and more long-term bond exposure relative to peers. To offset potentially lower returns from a more risk-balanced portfolio, a key component of this strategy includes a less common, yet prudent, program of return enhancement commonly referred to in the investment

industry as portable alpha. These investment objectives seek to prioritize the long-term structural needs of the Endowment Pool over short-term performance comparisons of the investment portfolio relative to peers.

D. **Authorized Investments –** The Endowment Pool shall be invested in externally managed funds, consistent with the guidelines established in CRR 140.011, "*Policy for Investment Manager Selection, Monitoring and Retention*" and CRR 140.017, "*Allowable Investments,*" in the following asset classes:

Asset Class	Asset Class Target	Allowable Range
Commodities	*3%*	*0%-13%*
Inflation-Linked Bonds	*10%*	*3%-20%*
Opportunistic	*0%*	*0%-7%*
Private Debt	*7%*	*3%-10%*
Private Equity	*15%*	*10%-20%*
Public Equity	*35%*	*20%-45%*
Real Estate / Infrastructure	*10%*	*5%-15%*
Risk Balanced	*12%*	*7%-17%*
Sovereign Bonds	*8%*	*3%-18%*
Cash and Cash Equivalents	*0%*	*0%-20%*
Total Portfolio	*100%*	

E. **Portfolio Rebalancing**
Asset allocations shall be monitored on an ongoing basis as changes in market behavior may cause variations from the target asset mix. Rebalancing of the portfolio shall be considered at least quarterly, and more often if necessary to maintain allocations within

the allowable range. The need to rebalance shall take into account any logistical issues associated with fully funding a particular asset sector, as well as any tactical decisions to overweight or underweight a particular asset sector based on current market conditions. The University may utilize external managers to rebalance portfolio exposures consistent with targets and allowable ranges established by this policy. In those instances, conventional derivative instruments commonly accepted by other institutional investors, such as futures, swaps, options, forward contracts and reverse repurchase agreements may be utilized.

Actual asset class allocations shall not fall outside of the allowable ranges, with the exception of violations caused solely by periods of extreme market distress, when it may not be possible or advisable to immediately bring such allocations back to within the allowable ranges.

F. **Currency Risk Management**

In the context of a global investment portfolio, currency risk exists to the extent that investments contain exposures to foreign currencies. The desirability of this currency exposure is not necessarily aligned dollar for dollar with the desired exposure to assets denominated in foreign currencies. As such, external managers in any asset class may implement currency strategies to alter the currency exposure of the portfolio when deemed prudent to do so in the context of the particular investment mandate. In addition, the University may utilize external managers to implement currency strategies to alter exposures in an active or passive manner as part of a portfolio or asset class overlay when deemed prudent to do so.

G. **Portable Alpha Program**

When any combination of market beta exposures (Public Equity, Sovereign Bonds, Inflation-Linked Bonds, Commodities, etc.) are obtained through the use of derivative instruments, a portion of the cash underlying the notional exposures may be used to fund an Alpha Portfolio. At a total portfolio level, the objective of a Portable Alpha Program is to generate excess returns through alpha exposures which, in aggregate, are diversifying to the Endowment Pool overall.

Overall management of the Portable Alpha Program is subject to the provisions of CRR 140.017 "*Policy for Allowable Investments*."

a. Sizing of Alpha Portfolio – Allowable Range

The allowable range of the Alpha Portfolio shall be 0-27% of the total Endowment Pool, which would represent total portfolio leverage of 100% to 127%.

b. Minimum Cash Margin
The Endowment Pool shall maintain a 10% margin of safety in addition to the level of Cash Margin determined necessary to cover drawdowns across an average of the three worst modeled economic and market stress scenarios as defined by the greatest depletion of Cash Margin.

H. **Spending Policy –** To provide ongoing support to endowed programs in perpetuity, the spending policy must be managed in conjunction with investment objectives and other factors in compliance with applicable law, such that the spending rate plus an inflationary assumption shall not exceed expected investment returns over time. At minimum, the spending policy should be reviewed in conjunction with asset/liability studies performed by the Investment Consultant not less than once every three years.

1. The formula used to determine the Endowment Pool spending distribution for each fiscal year shall apply a rate of 4.0% to a base equal to the 28-quarter trailing average of market values as of December 31st of the prior fiscal year. Endowment spending distributions shall be paid on a monthly basis.

2. In addition to the spending distribution noted above, the President shall have the discretion to distribute from the Endowment Pool an administrative fee each fiscal year to be used for support of internal endowment administration and development functions. Such administrative fee shall be calculated by applying a rate of up to 1.25% to a base equal to the 28-quarter trailing average of market values as of December 31st of the prior fiscal year. The administrative fee shall be paid on a monthly basis. In addition, internal investment management, accounting and legal expenses may be charged directly to the Endowment Pool.

3. The spending policy, spending distribution formula and administrative fee may be adjusted over time by the Board to respond to general economic conditions and other factors as appropriate and in compliance with applicable law.

4. Implementation of the spending policy is delegated to the Executive Vice President for Finance or her/his designees.

140.015 Investment Policy for Retirement, Disability and Death Plan

Bd. Min. 6-26-12, Revised Bd. Min. 6-14-13, Revised Bd. Min. 9-12-13, Revised 6-25-15, Revised 2-4-16; Revised 4-14-16; Amended Bd. Min. 9-28-17; Amended Bd. Min. 11-19-20; Bd. Min. 4-21-22; Amended 6-29-23.

A. **Introduction** -- The University's Retirement, Disability and Death Benefit Plan ("Plan") was established to provide retirement income and other stipulated benefits to qualified employees in amounts and under the conditions described in the plan. A Trust was established in 1958 and is being funded to provide the financial security of those benefits.

B. **Responsibilities and Authorities –** See CRR 140.010 "*Policy for Management and Oversight of Selected University Investment Pools*."

C. **Investment objectives** -- The primary objective to be achieved in the active management of Trust assets is to provide for the full and timely payment of retirement, disability and death benefits to qualified employees. In order to fulfill this objective the University must maintain a prudent actuarially sound funding of the Plan's liabilities. This funding requirement is derived from three principal sources; the total investment return on Trust assets and the amount of University and employee contributions.

   Trust assets should be managed in a manner that maximizes returns while attempting to minimize losses during adverse economic and market events, with an overall appetite for risk governed by the Plan's liability structure and the need to make promised benefit payments to members over time. This will be accomplished through a more 'risk-balanced' portfolio that seeks meaningful diversification of assets, which necessarily means less equity risk and more long-term bond exposure relative to peers. To offset potentially lower returns from a more risk-balanced portfolio, a key component of this strategy includes a less common, yet prudent, program of return enhancement commonly referred to in the investment industry as portable alpha. These investment objectives seek to prioritize the long-term structural needs of our Retirement Plan over short-term performance comparisons of the investment portfolio relative to peers.

D. **Authorized Investments –** The Plan shall be invested in externally managed funds, consistent with the guidelines established in CRR 140.011, "*Policy for Investment Manager Selection, Monitoring and Retention*" and CRR 140.017, "*Allowable Investments*," in the following asset classes:

Asset Class	Asset Class Target	Allowable Range

Commodities	*5%*	*0%-15%*
Inflation-Linked Bonds	*9%*	*3%-19%*
Opportunistic	*0%*	*0%-7%*
Private Debt	*6%*	*3%-9%*
Private Equity	*13%*	*9%-17%*
Public Equity	*34%*	*20%-45%*
Real Estate / Infrastructure	*13%*	*9%-17%*
Risk Balanced	*12%*	*7%-17%*
Treasuries	*8%*	*3%-18%*
Cash and Cash Equivalents	*0%*	*0%-20%*
Total Portfolio	*100%*	

E. **Portfolio Rebalancing**

Asset allocations shall be monitored on an ongoing basis as changes in market behavior may cause variations from the target asset mix. Rebalancing of the portfolio shall be considered at least quarterly, and more often if necessary to maintain allocations within the allowable ranges. The need to rebalance shall take into account any logistical issues associated with fully funding a particular asset sector, as well as any tactical decisions to overweight or underweight a particular asset sector based on current market conditions. The University may utilize external managers to rebalance portfolio exposures consistent with targets and allowable ranges established by this policy. In those instances, conventional derivative instruments commonly accepted by other institutional investors, such as futures, swaps, options, forward contracts and reverse repurchase agreements may be utilized.

Actual asset classes allocations shall not fall outside of the allowable ranges, with the exception of violations caused solely by periods of extreme market distress, when it

may not be possible or advisable to immediately bring such allocations back to within the allowable ranges.

F. **Currency Risk Management**

In the context of a global investment portfolio, currency risk exists to the extent that investments contain exposures to foreign currencies. The desirability of this currency exposure is not necessarily aligned dollar for dollar with the desired exposure to assets denominated in foreign currencies. As such, external managers in any asset class may implement currency strategies to alter the currency exposure of the portfolio when deemed prudent to do so in the context of the particular investment mandate. In addition, the University may utilize external managers to implement currency strategies to alter exposures in an active or passive manner as part of a portfolio or asset class overlay when deemed prudent to do so.

G. **Portable Alpha Program**

When any combination of market beta exposures (Public Equity, Sovereign Bonds, Inflation-Linked Bonds, Commodities, etc.) are obtained through the use of derivative instruments, a portion of the cash underlying the notional exposures may be used to fund an Alpha Portfolio. At a total portfolio level, the objective of a Portable Alpha Program is to generate excess returns through alpha exposures which, in aggregate, are diversifying to the Retirement Plan overall.

Overall management of the Portable Alpha Program is subject to the provisions of CRR 140.017 "*Policy for Allowable Investments*."

a. Sizing of Alpha Portfolio – Allowable Range
The allowable range of the portable alpha portfolio shall be 0-27% of the total Retirement Plan, which would represent total portfolio leverage of 100% to 127%.

b. Minimum Cash Margin
The Retirement Plan shall maintain a 10% margin of safety in addition to the level of Cash Margin determined necessary to cover drawdowns across an average of the three worst modeled economic and market stress scenarios as defined by the greatest depletion of Cash Margin.

140.017 Policy for Allowable Investments

Bd. Min 9-28-17; Amended Bd. Min. 6-29-23.

A. Introduction – This policy establishes general guidelines for asset classes and associated implementation matters for the following investment pools:
140.012 General Pool [Section D(3) "*Strategic Portfolio*"]
140.013 Endowment Pool
140.015 Retirement, Disability and Death Benefit Plan

B. Responsibilities and Authorities – See CRR 140.010 *"Policy for Management and Oversight of Selected University Investment Pools."*

C. Asset Class Guidelines – The following asset class descriptions and guidelines may be applicable to investment pools noted above, as specified by targets and ranges within each individual policy. The intent of this section is to provide descriptions and general implementation guidelines for each of the following asset classes:

1. Public Equity

The equity risk factor drives the returns of this class. Currency risk may also be present when investing in non-U.S. securities.

Investments in this asset class may include U.S. and non-U.S. equity investments, including both long and long/short strategies with varying characteristics related to market capitalization, style and sector.

Exposure will be obtained through physical securities and/or conventional derivative instruments commonly accepted by other institutional investors such as futures, swaps, options, forward contracts and reverse repurchase agreements. Public Equity exposures may be used to fund a Portable Alpha Program.

Legal account structures may be in the form of separately managed accounts, institutional commingled funds, exchange-traded funds and limited partnership agreements.

2. Private Equity

These investments are primarily driven by the equity and liquidity risk factors yet, because of their diverse nature, some of these investments may include currency risk and other idiosyncratic risks.

Investments in this asset class may include U.S. and non-U.S. private equity strategies including, but not limited to, buyout, venture, and special situations.

Legal account structures will primarily be in the form of limited partnership agreements or other similar forms with average tenure of 10-12 years.

3. Sovereign Bonds

Interest rates are the primary risk factor driving the returns of this sub-class of securities. Currency risk may also be present when investing in non-U.S. Government Securities.

Investments in this asset class may include U.S. and non-U.S. bonds that have been issued, collateralized or guaranteed: (i) by the U.S. Government, its agencies, or its instrumentalities (collectively known as U.S. Government Securities) or (ii) by investment grade non-U.S. sovereign governments, their agencies or their instrumentalities (collectively known as non-U.S. Government Securities).

Exposure will be obtained through physical securities and/or conventional derivative instruments commonly accepted by other institutional investors such as futures, swaps, options, forward contracts and reverse repurchase agreements. Sovereign Bond exposures may be used to fund a Portable Alpha Program.

Legal account structures may be in the form of separately managed accounts, institutional commingled funds, exchange-traded funds and limited partnership agreements.

4. **Inflation-Linked Bonds**

Interest rates and inflation are the primary risk factors driving the returns of this sub-class of securities. Currency risk may also be present when investing in non-U.S. Government Securities.

Investments in this asset class may include U.S. and non-U.S. bonds that have been issued, collateralized or guaranteed: (i) by the U.S Government, its agencies, or its instrumentalities (collectively known as U.S. Government Securities) or (ii) by investment grade non-U.S. sovereign governments, their Agencies or their instrumentalities (collectively known as non-U.S. Government Securities).

Exposure will be obtained through physical securities and/or conventional derivative instruments commonly accepted by other institutional investors such as futures, swaps, options, forward contracts and reverse repurchase agreements. Inflation-Linked Bond exposures may be used to fund a Portable Alpha Program.

Legal account structures may be in the form of separately managed accounts, institutional commingled funds, exchange-traded funds and limited partnership agreements.

5. **Opportunistic**

It is expected that this category will be utilized when market dislocations present unique opportunities to invest at attractive valuations relative to underlying fundamentals across a variety of risk factors and implementations.

No policy target shall be assigned to this category; any capital allocated to this category will be funded from underweight positions relative to policy targets in other asset classes, with the expectation that such opportunistic investments should outperform and/or strengthen the overall diversification of the total portfolio over a given timeframe. Investments in this category should be shorter-term in nature, with final maturities not to exceed seven years.

Exposures may be obtained through public and private securities in various forms and implementations as well as derivative instruments commonly accepted by other institutional investors such as futures, swaps, options, forward contracts, and reverse repurchase agreements may be utilized. Implementations may hold a mix of long/short positions.

Legal account structures will be in the form of separately managed accounts, institutional commingled funds, limited partnership agreements or other similar forms.

6. Private Debt

Credit spreads and liquidity risk will be the primary drivers of returns, while interest rate and equity risk may also be present from time to time. Currency risk may also be present when investing in non-U.S. securities, as well as other idiosyncratic risks.

Specific types of strategies include, but are not limited to, opportunistic debt, distressed debt, distressed for control, whole loans and pools, levered loans and pools, and mortgage servicing rights.

Legal account structures will primarily be in the form of limited partnership or limited liability company agreements with average tenure of 5-12 years.

7. Commodities

This asset class is driven by changes in expectations for inflation and the supply of and demand for raw materials.

Investments in the asset class are likely to be made through derivative instruments commonly accepted by other institutional investors such as futures, swaps, options, and forward contracts. From time to time, physical securities of raw material companies and/or companies that produce raw materials may be held.

Implementations may hold a mix of long/short positions. Commodity exposures may be used to fund a Portable Alpha Program.

Legal account structures may be in the form of separately managed accounts, institutional commingled funds, exchange-traded funds and limited partnership agreements.

8. **Risk Balanced**
This asset class is driven by multiple traditional risk factors including equities, interest rates, commodities, credit spreads and inflation. In most instances, some or all of these factors are balanced in a way that attempts to equalize risk exposures within a portfolio. Additionally, non-traditional risk factors including value, momentum, carry, defensive and trend may be included. It is also expected that idiosyncratic (active) risk will be taken in this portfolio from time to time.

   Exposure will be obtained through physical securities and/or conventional derivative instruments commonly accepted by other institutional investors such as, futures, swaps, options, forward contracts and reverse repurchase agreements.

   Legal account structures will primarily be in the form of separately managed accounts, institutional commingled funds and limited partnership agreements.

9. **Real Estate/Infrastructure**
These investments may be driven by multiple risk factors depending on how they are positioned in the capital structure. Equity, credit, inflation and liquidity will generally be the primary risk factors. Non-U.S. investments may also possess currency risk.

   Specific types of fund investments may be structured as equity and/or debt and include categories broadly defined as core, value added, and opportunistic. In addition, investments may be made in real estate investment trusts and master limited partnerships from time to time.

   Legal account structures will primarily be in the form of limited partnership agreements with average tenure of 10-12 years. Separately managed accounts and institutional commingled funds may also be utilized from time to time.

D. Portable Alpha Program – when any combination of market beta exposures are obtained through the use of derivative instruments, a portion of the cash underlying the notional exposures may be used to fund an Alpha Portfolio. At a total portfolio level, the objective of a Portable Alpha Program is to generate excess returns through alpha exposures which, in aggregate, are diversifying to the total portfolio overall.

1. Definitions

a. **Market Beta Exposure** – obtained through owning some broad representation of a given market, usually tracked by a benchmark or index. Within Retirement, Endowment and General Pool, examples of market beta exposures include public equities, sovereign bonds, inflation-linked bonds, commodities, and other public debt markets. Common ways to obtain market beta exposures include passive or actively managed mutual funds, ETFs or separate accounts holding individual investment securities.

b. **Derivative Instruments** – market beta exposures may also be obtained with derivative instruments commonly used by other institutional investors, such as futures, swaps, options, forward contracts and reverse repurchase agreements.

c. **Notional Exposure** – when derivative instruments are used to obtain market beta exposures, the market exposure obtained is not directly connected to the amount of cash required to obtain such market exposure. For example, obtaining a $100 million exposure to the S&P 500 using futures could be done with an initial cash outlay of less than $5 million. In the context of this Portable Alpha Program, $100 million of notional exposure would be initially funded with $100 million in cash. The key takeaway is that with a derivatives implementation of market beta exposures, part of the cash underlying the notional exposure is available to fund other types of investment exposures, such as alpha.

d. **Alpha Portfolio -** Alpha represents investing skill that generates returns alongside, or independent of, a given market beta exposure. For purposes of the Portable Alpha Program, the Alpha Portfolio represents a collection of highly skilled alpha managers able to source alpha independent from a market beta exposure. Alpha managers utilized within the Alpha Portfolio should be well established and highly institutionalized, have satisfactory liquidity terms, maintain robust risk management systems, and have a demonstrated ability to deliver return streams with generally low volatility and very low correlations (no discernable relationship) to the market beta exposures used to fund the Portable Alpha Program. Common alpha strategies likely contain well-known, empirically tested sources of returns that can be actively or systematically harvested through both long and short implementations including, but not limited to:

1) hedge fund risk premia such as arbitrage, macro, credit, and equity long/short;
2) style risk premia such as value, momentum, carry, defensive and low volatility;

3) other idiosyncratic sources of return.

Legal account structures will be in the form of separate accounts, institutional commingled funds, limited partnerships or other similar forms. The overall mix of investment vehicles and fund structures should allow for at least 20% of the Alpha Portfolio to be redeemed for cash within 90 days, with a minimum of 50% available for cash redemption within six months.

2. Understanding Liquidity Needs / Cash Margin

The primary need for liquidity within the Portable Alpha program is the settlement of gains and losses from the mix of market beta exposures implemented through derivatives, which are used to fund the program. To help illustrate this concept: Assume a $70 million Alpha Portfolio funded by $100 million in US Treasuries (a market beta exposure). Derivatives would be used to obtain $100 million notional in US Treasuries market beta exposure. Of the $100 million in underlying cash, $70 million is used to fund the Alpha Portfolio with the remaining $30 million held in cash ("Cash Margin"). The Cash Margin is needed to settle gains or losses on the derivatives used to obtain the $100 million notional US Treasuries market beta exposure.

As a simplistic example, if US Treasuries gained 10% over a given period, Cash Margin would increase by $10 million ($100 million notional x 10% gain). But if US Treasuries lost 10% over a given period, Cash Margin would decrease by $10 million ($100 million notional x 10% loss). Overall, Cash Margin should be sufficient to cover potential losses in the market beta exposures implemented through derivatives and used to fund the Alpha Portfolio. More specifically, liquidity needs are driven by the market beta exposures funding the Portable Alpha Program, not the Alpha Portfolio itself.

3. **Sources of Cash Margin**

The following are sources of Cash Margin for the Portable Alpha Program:

a. Cash balances underlying the market beta exposures obtained through derivatives implementation (for example, the $30 million in the illustration noted in the section above).

b. Any unencumbered cash balances held at the total portfolio level, which have been specifically dedicated to the Portable Alpha Program.

c. Any balances of passive market beta exposures held in ETFs or mutual funds which could be settled (cash received) within three business days. For sake of

clarity, assume that the Alpha Portfolio was funded by notional US Treasury exposure. Further, assume that the portfolio had additional US Treasury market beta exposure through an index mutual fund, which could be traded with cash settlement within three business days. Under this provision, using this example, the amount invested in the US Treasury index mutual fund could be counted fully or partially as available Cash Margin. From a practical perspective, these passive mutual fund or ETF holdings could be quickly converted to notional derivative exposures (without changing the portfolio's overall market beta exposure), making the underlying cash available for the Portable Alpha Program. Having the flexibility to manage market beta exposures in this way can reduce the financing costs associated with derivative notional implementations while maintaining ready access to cash (liquidity).

d. Cash redemptions from Alpha Portfolio managers.

4. Measuring / Testing Liquidity Needs

With the Portable Alpha Program being funded by a derivatives implementation of some mix of market beta exposures, the measurement and testing of liquidity needs involves assessing how the given mix of these asset classes performs across a representative sample of historical economic and market stress scenarios. In managing liquidity needs, the objective is for the Cash Margin to "survive" these modeled scenarios with some minimum level of Cash Margin remaining after the stressed scenario has occurred. For purposes of this policy, Cash Margin sufficiency shall be determined by taking an average of the five worst modeled scenarios as defined as those scenarios having the greatest depletion of Cash Margin. To be clear, assuming the five worst modeled scenarios consumed 5%, 6%, 8%, 10% and 16% of Cash Margin, the average of these five would be Cash Margin depletion of 9%. The minimum Cash Margin requirement would be 9% plus some additional safety buffer, which would be defined individually in the investment policies for the Retirement, Endowment and General Pool portfolios.

5. Managing Liquidity Needs

There are generally six primary ways to manage Cash Margin and liquidity needs during times of market stress. Any of these, or some combination, may be used depending upon the circumstance.

a. Utilize existing cash balances underlying the market beta exposures obtained through derivatives implementation.

b. Utilize unencumbered cash balances held at the total portfolio level, if any, which have been specifically dedicated to the Portable Alpha Program.

c. Convert passive market beta exposures held in ETFs or mutual funds to market beta exposures obtained through derivatives implementation to generate additional cash. As an example, $50 million in US Treasury index exposure held in a mutual fund could be redeemed and replaced with a derivatives implementation providing the same market beta exposure while making the $50 million of underlying cash available to the Portable Alpha Program.

d. If possible, rebalance the mix of market beta exposures funding the Portable Alpha Program from more volatile asset classes to less volatile asset classes. For example, in a period of equity market drawdown, shifting some mix of Alpha Portfolio funding from public equities to sovereign bonds would lower the volatility of the funding mix, reducing the drawdown exposure and resulting demands on the Cash Margin.

e. Selective redemption requests to Alpha Portfolio managers will generate additional Cash Margin.

f. Reducing or eliminating notional market beta exposures obtained through derivative instruments will immediately stop further draws on remaining Cash Margin. For example, if the Portable Alpha Program were funded primarily by public equity notional exposure during a period of equity market drawdown, consideration could be given to eliminating the derivatives equity position through cancellation of the swap, liquidating the futures, etc. Careful consideration should be given to this option as it also eliminates strategic market beta exposure for the portfolio overall; still, this de-risking option may be desirable in times of significant market stress.

6. Operational Requirements

a. Minimum required Cash Margin balances for each portfolio shall be determined, maintained, and monitored on a daily basis by investment staff.

b. Modeling of historical economic and market stress scenarios shall be updated by investment staff on a monthly basis utilizing the then current mix of market exposures funding the Portable Alpha Program (which should also include any passive market beta exposures implemented through mutual funds or ETFs which are being included in the Cash Margin calculation).

c. Should Cash Margin fall below minimum required levels, investment staff shall enact a plan to restore Cash Margin above minimum required levels as quickly

as reasonably possible, but within a period of time not to exceed six months. The plan to restore Cash Margin above minimum required levels should be communicated to the Executive Vice President for Finance and Operations and to the University's Investment Consultant.

d. The results of modeled economic and market stress scenarios and compliance with Cash Margin and Alpha Portfolio liquidity requirements shall be reported to the Board on a quarterly basis.

Governance, Compensation and Human Resources Committee

Curator Holloway provided time for discussion of committee business.

Amendments, Collected Rules and Regulations 110.010, Regulations and 110.020, Service and Use Fees, UM – presented by Mark Menghini (information on file)

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

> Collected Rules and Regulation 110.010 Regulations and 110.020 Service and Use Fees be amended as indicated in the attached documents (and as on file with the minutes of this meeting).

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

110.010 Regulations

Bd. Regs. Book dated 12-10-49, pp. 70-76; Bd. Min. 7-22-65, p. 30,624; Bd. Min. 9-26-69, p. 34,751; Bd. Min. 5-18-73, p. 36,693; Amended Bd. Min. 11-19-82; Revised Bd. Min. 9-16-88; Amended 11-18-21; Amended 12-10-21; Amended 6-29-23.

A. **Facilities and Equipment** -- Unless otherwise specifically ordered by the Board, the President of the University may assign or reassign sites of the University for use by the University or any campus thereof. The use of sites assigned to the University shall be under the direction and control of the President. Sites assigned to a campus of the University shall be subject to the following regulations on use of facilities. Sites assigned to the University shall be subject to such regulations

except that assignments or waivers provided for in such regulations shall be made by the President.

B. **General Regulations**

1. **Intended Purpose** -- University buildings and grounds are intended for use by students, faculty and staff in support of the University's mission of research, instruction and extension.
2. **Direction of the Chancellor** -- The Chancellors of the UM System are delegated authority for the management of the buildings and grounds of each campus. Where regulations require direction of the Chancellor, said regulations may be administered by Chancellor's designee(s).
3. **Religious Services or Groups** -- No advantage shall be given to any religion or religious group.
4. **Requirements** -- All classes, meetings or assemblages and use by individuals of any sort held in University buildings or on University grounds are subject to applicable U.S. and Missouri laws and University requirements, rules and regulations. In addition, it is expected that proper care will be taken of the facility and that simple rules of courtesy, decency and good manners will be observed at all times. Any failure to abide by these requirements may cause the permission for the use of the facility to be withdrawn at any time, or for future permission for use of any University facilities to be denied.
    a. The open possession of and discharge of firearms, weapons and explosives on University property including University farms is prohibited except in regularly approved programs or by University agents or employees in the line of duty. This rule shall not be construed as consent to the possession of concealed firearms, weapons, or explosives on University property.
    b. The possession, use, or distribution of controlled substances under state or federal law is prohibited on University property and at University-sponsored or University-supervised activities. The possession, use, or distribution of alcoholic beverages is prohibited on University property and at University-sponsored or University-supervised activities except as approved in accordance with Section 110.050 of these Collected Rules and Regulations.
    c. No University building, or part thereof, or grounds may be occupied as living rooms or bedroom except those duly set aside for such purposes.
    d. The University reserves the right to set reasonable time, place and manner restrictions on all meetings, gatherings or get-togethers to assure that the most beneficial use of the buildings and grounds of the University is made and that there is no interference with the right of students to obtain an education.
    e. The use of University facilities should not imply an endorsement of any individual, group or organization and the name of the University

shall not be identified in any way with the aims, policies, programs, products, or opinions of any individual, groups or organizations which may meet in University buildings or on University grounds in accordance with these regulations.

5. **Violations** -- Violations of the law or University policies and regulations may result in removal from campus. Students, faculty and staff may be subject to discipline in accordance with University policy. Non-affiliated individuals may be issued a no-trespass notice restricting access to University property when their actions are determined to constitute a threat to persons or property or a substantial disruption to the functioning of the institution.

C. **Use for Classrooms, Laboratories and Office Space**
   1. Assignment of space in University buildings for continuing use by division, departments or other units for use as research laboratories, offices or other specific purposes will be made by the Chancellor.
   2. Assignment of classrooms and laboratories for scheduled classes and examinations will be made on a semester-by-semester basis by the Chancellor.
   3. Members of the University faculty, staff or students who are assigned office space in a building on the campus, and who have been authorized to have a building exterior key, shall be authorized to use such assigned office space whenever their work may require such use.

D. **Use by Recognized Student Groups**
   1. In addition to the general rules and procedures, the following rules apply to use of University facilities by student groups and individuals.
   2. University buildings and grounds may be utilized and open to the public for appropriate activities and programs sponsored by an officially recognized student organization, provided that such programs are in accordance with the rules and regulations established by the Board of Curators for such events, and further, that the organization file a written request for approval of the activity or program at least ten days prior to the event. The Chancellor is authorized to make an exception to the ten day rule in special circumstances.
   3. University buildings or grounds may not be used by student organizations or enterprises which declare a dividend among its members or from which members derive financial profit; but such student organizations or enterprises may use facilities under the same conditions as nonstudent groups.
   4. It is recognized that from time to time ad hoc groups or students may wish to use University facilities for purposes of meetings for social events. Such groups may do so only by written permission of the Chancellor.

E. **Use by Non-Student Individuals and Groups**
   1. In addition to the general rules and procedures specified above, the following rules apply to use of University facilities by non-student

individuals and non-student groups; but this section of the regulations does not apply to official University public functions.

2. Persons who are not students or employees of the University, while on University property, are required to abide by University policies and regulations.
3. Use of available University facilities may be granted to nonstudent groups for meetings, programs and activities:
    a. When the meeting, program and activity is sponsored by or the group is invited by an instructional or administrative division or department as a part of its educational program with the approval of the dean or the appropriate administrative officer of that division or department.
    b. When sponsored by a learned, educational, professional, or scientific society for organizational or educational purposes when recommended by a dean or other appropriate administrative officer.
    c. Other nonaffiliated and nonsponsored groups may make use of the facilities of the University upon written approval of the Chancellor.
4. The Chancellor is authorized to establish specific procedures for scheduling and use of University facilities for all meetings of non-student groups to implement these regulations.

F. **Noncommercial Expressive Activity**
    1. The Chancellor (or designee) may maintain and enforce reasonable time, place, and manner restrictions for noncommercial expressive activities on outdoor areas of any campus of the University, provided that such restrictions shall:
        a. Be in service of significant institutional interests;
        b. Employ clear, published, content- and viewpoint-neutral criteria; and
        c. Provide for alternative means of expression.
    2. Subject to such reasonable time, place, and manner restrictions, noncommercial expressive activity shall be permitted on outdoor areas of any campus of the University as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the institution.

G. **Sales, Solicitation, Collections and Advertising in University Buildings or on University Grounds**
    1. The sale of anything, the soliciting of subscriptions or the collection of dues is prohibited in the University buildings and upon University grounds without prior authorization of the Chancellor.
    2. Recognized student organizations may not solicit subscriptions or collect dues from prospective students or guests of the University when such guests are in University buildings or on University grounds.

H. **Cleaning and Decorations**

1. **Cleaning** -- All debris must be removed from buildings and premises immediately following an event by the organization concerned. In case extraordinary cleaning is necessary by the University, the cost of such work shall be paid by the organization creating such a necessity. Any damage to a building or a loss of University owned material or equipment resulting from the use of a building by any organization shall likewise be charged to the responsible organization.
2. **Approval** -- No decorations shall be permitted in or on University buildings or grounds except as approved by the Business Officer.
3. Any rules and regulations not in conformity herewith are hereby repealed.

I. **University Equipment**
   1. **Use of Equipment** -- The use of University equipment by individuals or organizations for activities not directly connected with the University of Missouri shall be prohibited and no loan of University equipment shall be made to any individual or organization except where reciprocal use of property is involved such as the exchange of chairs between the University of Missouri and Stephens College.
   2. **Equipment to Remain on Property** -- No University equipment may be taken from University property except where such equipment is to be used in the line of official duty.

J. **Fees** -- The Chancellor (or designee) may impose service, use, cleaning, or other fees according to Section 110.020 of these Collected Rules and Regulations.

110.020 Service and Use Fees

Executive Order No. 8, 10-1-70, Amended 12-23-70; Bd. Min. 11-21-80; Revised 10-1-98; Revised Bd. Min. 6-29-23.

In accordance with the provisions of the Board of Curators Regulations, Section 110.010.J, the following Fees and Rules for applications thereof are hereby authorized.

A. **Service Fee** -- A service fee may be established by any Chancellor or designee for all facilities, including both buildings and grounds, used or owned by the University for short courses, non-credit courses, conferences, seminars, symposia, colloquia, meetings, institutes, and activities similar in nature to these specified activities.

B. **Use Fee**
   1. A use fee may be established by any Chancellor or designee for all facilities used or owned by the University, including both buildings and grounds, for those functions or activities for which such use fee is to be charged under this order.

2. Such use fee, when otherwise applicable under University regulations, may be waived or modified only by the Chancellor or designee.
3. Such use fee shall be collected by the Vice Chancellor for Finance and Administration or his or her representative.
4. A written contract approved by the General Counsel shall be required for any facility requiring a use fee.
5. Schedules of use fees shall be maintained and published by the Vice Chancellor for Finance and Administration or his or her representative.

C. **Application of Fees -- Who Shall Pay**

1. **No Fee Shall be Charged**
    a. For use of regularly assigned facilities for the use by students, faculty and staff for which the assignment is made under Section 110.010 B.1, B.2, B.3, or C.
    b. For duly recognized student organizations for normal activities. However, if the activity involves the charging of admission, the sale of anything, the solicitation of subscriptions or the collection of dues, or donations, or if the organization is engaged in any for-profit purpose or may declare a dividend; such activity requires the prior authorization of the Chancellor or designee.
    c. Ad hoc groups of students with written prior approval of the Chancellor or designee.
    d. Any advisory committee or board of the University.
    e. For outdoor space used for noncommercial expressive activity under Section 110.010.F.
2. **A Service Fee Shall Be Charged**
    a. For a non-student group sponsored by or invited by an instructional or administrative division or department as a part of its educational program with approval of the dean or appropriate administrative officer.
    b. For nonstudent groups sponsored by a learned, educational, professional or scientific society for organizational or educational purposes when recommended by a dean or other appropriate administrative officer.
    c. All off campus University affiliated, sponsored or invited activities, if such fee would apply were such activity held on campus.
3. **A Use Fee Shall be Charged for Facilities**
    a. For nonaffiliated, nonsponsored groups approved in accordance with Section 110.010 E.4.c.
    b. For any group or organization, including student, faculty or non-academic employees of the University:

(1) Which is not specifically exempted under Section 110.020 C.1 hereof, or
(2) Which charges admission to the function involved, or
(3) If the activity involves sale of anything, the solicitation of subscriptions or the collection of dues, or donations, , or
(4) Which derives a financial profit, or
(5) Which declares a dividend among its members.

D. **Scheduling of Facilities** -- Facilities shall be scheduled in accordance with regulations established under Section 110.010.
E. **Student** -- For the purpose of this rule, the definition of a student as defined by the Board of Curators shall be restricted to one who has paid the incidental fee established by the Board of Curators either on a full-time or part-time basis. Where an incidental fee has been established for a specific educational activity or program of study, persons enrolled shall be considered a student only for that activity or program.
F. **Special Services, Equipment, Labor or Materials** -- Any request or requirement for special services, equipment, labor or materials, or for extraordinary cleaning or to repair any damage shall be furnished on a cost reimbursable basis in addition to any use fee or service fee.

The only other matter of business for the committee was a resolution to move into executive session later in the day, Thursday, June 29, 2023. The vote was unanimous.

Academic, Student Affairs, Research and Economic Development Committee

Curator Layman provided time for discussion of committee business.

Amendments, Collected Rules and Regulations 200.010, Standard of Conduct and 200.020, Rules of Procedures in Student or Student Organization Conduct Matters – presented by General Counsel Menghini (information on file)

It was recommended by Associate Vice President for Academic Affairs Dr. John Middleton, endorsed by President Mun Y. Choi, recommended by the Academic, Student Affairs, Research and Economic Development Committee, moved by Curator Layman, and seconded by Curator Wenneker, that the following action be approved:

Collected Rules and Regulations 200.010 Standard of Conduct and CRR 200.020 Rules of Procedures in Student or Student Organization Conduct Matters be amended

as indicated in the attached documents, to be effective August 1, 2023 (and as on file with the minutes of this meeting).

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

200.010 Standard of Conduct

Amended Bd. Min. 3-20-81; Bd. Min. 8-3-90, Bd. Min 5-19-94; Bd. Min. 5-24-01, Bd. Min. 7-27-12; Bd. Min. 12-7-12; Bd. Min. 6-19-14; Revised 9-22-14 by Executive Order 41; Revised 11-3-15 by Executive Order 41; Amended 2-9-17; Bd. Min. 9-24-20; Bd. Min. 11-19-20; Amended 6-29-23.

The Standard of Conduct exists to support the mission of the University of Missouri as an educational institution. The following expectations have been established in order to protect a specialized educational environment conducive to learning which fosters integrity, academic success, personal and professional growth, and responsible citizenship.

A student at the University assumes an obligation to behave in a manner compatible with the University's function as an educational institution and voluntarily enters into a community of high achieving scholars. A student organization recognized by the University of Missouri also assumes an obligation to behave in a manner compatible with the University's function as an educational institution. Consequently, students and student organizations must adhere to community standards in accordance with the University's mission and expectations. Students and student organizations are expected to demonstrate responsibility for their actions; respect the rights and property of others; and observe federal, state, and local laws, as well as University rules and policies.

The Standard of Conduct is implemented through Section 200.020 Rules of Procedures in Student or Student Organization Conduct Matters. It is to be implemented and interpreted in a manner that supports the University's mission as an educational institution and protects the University's educational environment.

A. **Jurisdiction of the University of Missouri** generally shall be limited to conduct which occurs on the University of Missouri premises or at University-sponsored or University- supervised functions. However, the University may take appropriate action, including, but not limited to the imposition of sanctions under Section 200.020 and Chapter 600 of the Collected Rules and Regulations against students and student organizations for conduct occurring in other settings, including off campus, for the following purposes: (1) in order to protect the health, safety, welfare, and well-being of students, employees, and other members of the University community, or (2) if there are effects of the conduct

that materially interfere with or limit any person's or entity's ability to participate in or benefit from the University's educational programs, activities, or employment. Jurisdiction of conduct occurring in other settings, including off campus, may be exercised at the discretion of the University for these stated purposes, but shall not be exercised in any way that would interfere with a student's protected constitutional rights.

B. A **student organization** is a recognized student organization which has received official approval in accordance with Section 250.010 of the Collected Rules and Regulations. Action against student organizations under the Standard of Conduct and Rules of Procedure may be separate from action taken against individual members. A student organization will be considered responsible for conduct outlined in Section 200.010.C only when there are circumstances indicating that the organization should bear collective responsibility for the conduct, and not solely because its individual members engaged in prohibited conduct. To determine whether a student organization is responsible for conduct outlined in Section 200.010.C and the extent to which it should be sanctioned, all relevant circumstances will be considered, including but not limited to the following:
    1. Factors weighing in favor of organizational responsibility:
        a. The student organization, through its officers or practices or customs, by any means approved, condoned, allowed, encouraged, assisted or promoted such prohibited conduct;
        b. The prohibited conduct was committed, permitted, encouraged, aided, or assisted by one or more student organization executive officers or by one or more members while acting with authority on behalf of the student organization;
        c. Student organization resources, such as funds, group communications, information technology resources, or organization property or venues, were used for the prohibited conduct;
        d. The student organization, through its officers or advisers, materially interferes or interfered with any investigation or conduct proceedings related to the prohibited conduct;
        e. A policy, protocol, or official practice of the student organization caused or materially contributed to the prohibited conduct; and/or
        f. In the absence of any evidence of the factors listed in subdivisions 1. – 5. above, the prohibited conduct was committed, participated in, encouraged, aided, or assisted by twenty-five percent or more of the student organization's members;
    2. Factors weighing against organizational responsibility:
        a. The student organization had policies, protocols, or official practices in place to prevent or deter the prohibited conduct;
        b. The student organization had provided guidance, education, or training to the individual members involved to prevent or deter

the prohibited conduct;

c. The student organization took prompt and effective action to prevent or stop the prohibited conduct or mitigate its effects once the organization or its officers became aware or reasonably should have become aware of the prohibited conduct;
d. The student organization or its officers promptly reported the prohibited conduct to an appropriate University official and any other appropriate authorities; and/or
e. The student organization addressed any prohibited conduct of its members through an organizational sanction or punishment.

C. **Prohibited Conduct** for which students and student organizations, when applicable, are subject to sanctions falls into the following categories:

1. **Academic dishonesty,** including but not limited to cheating, plagiarism, unauthorized use of artificially generated content, or sabotage. The Board of Curators recognizes that academic honesty is essential for the intellectual life of the University. Faculty members have a special obligation to expect high standards of academic honesty in all student work. Students have a special obligation to adhere to such standards. In all cases of academic dishonesty, the instructor shall make an academic judgment about the student's grade on that work and in that course, which shall not be considered a sanction for prohibited conduct under this rule. The instructor shall, consistent with other policies, report the alleged academic dishonesty to the Primary Administrative Officer.
    a. The term **cheating** includes but is not limited to: (i) use of any unauthorized assistance in taking quizzes, tests, examinations or other assessments; (ii) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (iii) acquisition or possession without permission of tests or other academic material belonging to a member of the University faculty or staff; or (iv) knowingly providing any unauthorized assistance to another student on quizzes, tests, examinations, or other assessments.
    b. The term **plagiarism** includes, but is not limited to: (i) use by paraphrase or direct quotation of the published work of another source without properly crediting the author with footnotes, citations or bibliographical reference; (ii) unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or (iii) unacknowledged use of original work/material that has been produced through collaboration with others without release in writing from collaborators.
    c. The term **unauthorized use of artificially generated content**, includes, but is not limited to (i) use of artificial intelligence tools

or other tools that generate artificial content in taking quizzes, tests, examinations, or other assessments without permission from the instructor; (ii) submitting work for evaluation as one's own that was produced in material or substantial part through use of artificial intelligence tools or other tools that generate artificial content without permission from the instructor; (iii) using artificial intelligence tools or other tools that generate artificial content in a manner contrary to instructions from the instructor; or (iv) using artificial intelligence tools or other tools that generate artificial content in a manner that violates any other provision of these rules concerning academic dishonesty. Use of commonly available tools such as spelling or grammar checking software or features of software that propose anticipated words or phrases while text is being written will not be considered unauthorized use of artificially generated content unless such use is contrary to instructions from the instructor.

d. The term **sabotage** includes, but is not limited to, the unauthorized interference with, modification of, or destruction of the work or intellectual property of another member of the University community.

2. **Forgery, alteration, or misuse of University documents, records or identification, or furnishing information to the University that the student or student organization knows or reasonably should know is false.**
3. **Physical abuse or other physical conduct which threatens or endangers the health or safety of any person.**
4. **Stalking** another by following or engaging in a course of conduct with no legitimate purpose that puts another person reasonably in fear for one's safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.
5. **Violation of the University's Equal Employment/Education Opportunity and Nondiscrimination Policy** located at Section 600.010 of the Collected Rules and Regulations.
6. **Violation of the University's Sexual Harassment under Title IX Policy located at Section 600.020 of the Collected Rules and Regulations.**
7. **Threats,** defined as communication of a serious expression of intent to commit an act of unlawful violence against an individual or identifiable group, such that the individual or group would reasonably fear violence, regardless of whether the communicating individual actually intends to carry out the threat.
8. **Participating in attempted or actual taking of, damage to, or possession without permission of property of the University or of a member of the University community or a campus visitor.**

9. **Unauthorized possession, duplication or use of keys or other means of access to any University facilities or unauthorized entry to or use of University facilities, property or resources.**
10. **Misuse of University or personal property in a manner that creates a safety hazard or unauthorized use of safety equipment.**
11. **Deliberately setting off a fire or other emergency alarm without justified reason or knowingly giving a false report of a crime or emergency.**
12. **Violation of the available written policies, rules or regulations of the University or any of its units applicable to the student under the circumstances or of material conduct standards identified in contracts or agreements the student has entered into with the University,** including, but not limited to, those governing residence in the University-provided housing, or the use of University facilities, or student organizations, or the time, place or manner of public expression.
13. **Violation of applicable federal, state, foreign or local law or ordinance**, that directly impacts the University's activities, programs, property, students, employees, or volunteers or indicates that the individual poses a risk to the safety, welfare, or well-being of the University's students, employees, or volunteers.
14. **Manufacture, use, possession, sale or distribution of alcoholic beverages or any controlled substance under state or federal law without proper prescription or required license or as expressly permitted by law or University regulations**, including operating a vehicle on University property, or on streets or roadways adjacent to and abutting a campus, under the influence of alcohol or a controlled substance as prohibited by law of the state of Missouri. To the extent there is any inconsistency between state and federal law as to circumstances in which manufacture, use, possession, sale or distribution of a substance is expressly permitted, federal law will govern to the extent appropriate to facilitate the University's compliance with the Drug Free Schools and Communities Act and any other applicable federal law.
15. **Substantially disrupting, or inciting others to substantially disrupt**:
    a. University operations, functions or activities including, but not limited to classes or other teaching, research, study, lectures, performances, meetings, interviews, living or learning communities, administrative business, or ceremonies or other public events, regardless of whether such operations, functions or activities are conducted in-person or through information technology resources; or
    b. Authorized or permissible non-University activities that occur at a location owned or controlled by the University or through information technology resources provided by the University.
16. **Failure to comply with lawful directions of University officials acting**

in the performance of their duties or failure to identify one's self to University officials acting in the performance of their duties when reasonably requested to do so and upon reasonable explanation of the reason for the request for identification.

17. **Failure to comply with and complete all sanctions and remedial actions applied under Section 200.020 or Chapter 600 within the time frame specified.**
18. **The possession or use of firearms, explosives, other weapons, or hazardous chemicals that violates federal or state law or applicable foreign law or University rules.**
19. **Hazing**, defined as an act that endangers the mental or physical health or safety of a student, or an act that is likely to cause physical or psychological harm to any person within the University community, or that destroys or removes, damages, defaces, or tampers with public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failure by a group's or organization's executive officers to intervene to prevent, discourage, and/or report hazing of which they are aware or reasonably should be aware also will be deemed a violation of this policy.
20. **Misuse of information technology resources in accordance with University policy**, including but not limited to:
    a. Actual or attempted theft or other abuse;
    b. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
    c. Unauthorized transfer of a file;
    d. Unauthorized use of another individual's identification and password;
    e. Use of information technology facilities to interfere with the work of another student, faculty member, or University official;
    f. Use of information technology facilities to interfere with normal operation of any University information technology system;
    g. Knowingly causing a virus, malware, or other means designed to disrupt, damage or gain unauthorized access to become installed in any information technology system or file; or
    h. Violation of Section 110.005 of the Collected Rules or Regulations or other University policy governing use of computing resources.
21. **Retaliation, False Reporting, Witness Intimidation or Harassment, and Interference.**
    a. Retaliation is any adverse action taken against a person because of that person's participation or refusal to participate in the

process set forth in CRR 200.020, provided that the exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this section. Any person who engages in such retaliation shall be subject to disciplinary action, up to and including expulsion or termination, in accordance with applicable procedures. Any person who believes they have been subjected to retaliation is encouraged to notify the Primary Administrative Officer. The University will promptly respond to all claims of retaliation in accordance with this policy.

b. False reporting is making an intentional false report or accusation in relation to this policy as opposed to a report or accusation, which, even if erroneous, is made in good faith. False reporting is prohibited.
c. No individual, directly or through others, may take any action which attempts to or actually intimidates any potential Party or witness in the student conduct process, or which may interfere with the student conduct process.
d. All University employees and students must be truthful and candid when making any statement or providing any information or evidence to the University throughout the student conduct process, and all documentary evidence must be genuine and accurate. The fact that a determination has been made that a student has or has not engaged in prohibited conduct is not sufficient grounds, by itself, to declare that a false statement or fraudulent evidence has been provided by a Party or witness.
e. Charging an individual with a policy violation for making a materially false statement in bad faith in the course of any proceedings under this policy does not constitute retaliation provided, however that a determination regarding responsibility, alone, is not sufficient to conclude that any Party made a materially false statement in bad faith.

22. **Attempting to commit or intentionally and materially aiding or inciting others to commit any of the forms of prohibited conduct stated in this rule.**

200.020 Rules of Procedures in Student or Student Organization Conduct Matters

Bd. Min. 11-8-68, Amended Bd. Min. 3-20-81; Bd. Min. 12-8-89; Amended 5-19-94; Bd. Min. 5-24-01; Bd. Min. 7-27-12, 6-19-14; Revised 9-22-14 by Executive Order 41; Revised 11-3-15 by Executive Order 41; Amended 2-9-17; Bd. Min. 9-24-20; Amended 6-29-23.

A. **Preamble**. The following rules of procedure in student or student organization conduct matters are hereby adopted in order to ensure insofar as possible and practicable (a) that the requirements of procedural due process in student conduct proceedings will be fulfilled by the University, (b) that the immediate effectiveness of Section 10.030, which is Article VI of the Bylaws of the Board of Curators relating to student conduct and sanctions may be secured for all students in the University of Missouri, and (c) that procedures shall be definite and determinable within the University of Missouri. Student or student organization conduct involving discrimination and harassment, including sexual harassment is governed by Section 600.030: *Resolution Process for Resolving Complaints of Sexual Harassment under Title IX,* and Section 600.040: *Equity Resolution Process for Resolving Complaints of Discrimination* and *Harassment against a Faculty Member or Student or Student Organization*.

The student conduct process, which is governed by these rules of procedure, is further intended to implement Section 200.010 Standard of Conduct in a manner that supports the University's mission as an educational institution and protects the University's educational environment. To the extent consistent with those goals, the student conduct process is intended to be a feature of an educational experience for the students involved, with a range of responses that may include educational responses, remedies or sanctions that will help students recognize the impact of their conduct for themselves and on the broader community and advance their academic and personal development.

The provisions of the Standard of Conduct, these Rules of Procedure, and any University policies concerning student conduct do not create any rights, expressly or by implication, in, for, or on behalf of any person or entity other than students and other members of the University community who are governed by such rules.

B. **Definitions**. As used in these rules, the following definitions shall apply:
    1. **Primary Administrative Officers**. As used in these procedures, the Chief Student Affairs Administrator on each campus shall appoint the Primary Administrative Officer except in cases of academic dishonesty, where the Chief Academic Administrator is the Primary Administrative Officer. Each Primary Administrative Officer may appoint designee(s) who are responsible for the administration of these conduct procedures, provided all such appointments are made in writing and filed with the Chancellor of the campus and the Office of General Counsel. The Primary Administrator's Office will certify in writing that the given designee has been trained in the administration of student conduct matters.
    2. **Student Panelist Pool**. The student panelist pool is a panel of students appointed by the Chief Student Affairs Administrator, who may participate on the Student Conduct Committee. Specifically, if requested

by the accused student or student organization, the Chair of the Student Conduct Committee shall select not more than three students from the Student Panelist Pool to serve as members on the Student Conduct Committee, or not more than two students to serve as members on a Hearing Panel.

3. **Student**. A person having once been admitted to the University who has not completed a course of study and who intends to or does continue a course of study in or through one of the Universities of the University System. For the purpose of these rules, student status continues whether or not the University's academic programs are in session.
4. **Student Organization**. A recognized student organization which has received official approval in accordance with Section 250.010 of the Collected Rules and Regulations. Three members of the organization may represent the student organization in all proceedings. The registered faculty/staff adviser may be present, but may not act on behalf of the student organization. The organization may utilize an attorney in all proceedings as it chooses, subject to other provisions in this rule. Each student organization shall designate, and such designation shall be on file with the University, the individual who will receive all notices, findings, determinations and decisions on behalf of the student organization. If the student organization fails to have a designation on file with the University, the President of the organization is the default designee. The registered faculty/staff adviser will also be sent a courtesy copy of all notices, findings, determinations and decisions.
5. **Student Conduct Committee**. As used in these procedures, "Student Conduct Committee," hereinafter referred to as the Committee, is that body on each campus which is authorized to conduct hearings and to make dispositions under these procedures or a Hearing Panel of such body as herein defined.
6. **Hearing Panel**. As used in these procedures, the term "hearing panel" refers to the part of the Student Conduct Committee described in Section 200.020.E.4 below.
7. **Party or Parties.** The term “Party” or “Parties” refers to accused students or student organization and the Primary Administrative Officer in the context of formal procedure and disposition.

C. **Sanctions**.

1. The following sanctions, when applicable, may be imposed upon any student or student organization found to have violated the Standard of Conduct. More than one of the sanctions may be imposed for any single violation. Sanctions include but are not limited to:
    a. Warning. A notice in writing to the student or student organization that there is or has been a violation of the institutional regulations.

b. Probation. A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe sanctions if the student or student organization is found to be violating any institutional regulation(s) during the probationary period.
c. Loss of Privileges. Denial of specified privileges of the student or student organization for a designated period of time.
d. Restitution. Compensation by the student or student organization for loss, damage, or injury to the University or University property. This may take the form of appropriate service and/or monetary or material replacement.
e. Discretionary Sanctions. Work assignments, service to the University or community, or other related discretionary assignments, or completion of educational programming or counseling.
f. University System Housing Suspension. Separation of the student or student organization from University owned or operated housing for a definite period of time, after which the student or student organization is eligible to return. Conditions for readmission may be specified.
g. University System Housing Expulsion. Permanent separation of the student or student organization from University owned or operated housing.
h. University System Dismissal. An involuntary separation of the student from the University System for misconduct. It is less than permanent in nature and does not imply or state a minimum separation time.
i. Campus Suspension. A student is suspended from being allowed on a specific University campus for a definite period of time. Logistical modifications consistent with the sanction imposed, may be granted at the discretion of the Chief Student Affairs Administrator (or Designee) of that campus. Conditions for readmission may be specified.
j. University System Suspension. Separation of the student from the University System for a definite period of time, after which the student is eligible to return. Logistical modifications consistent with the sanction imposed, may be granted at the discretion of the Chief Student Affairs Administrator (or Designee) of the campus where the modifications would apply. Conditions for readmission may be specified.
k. University System Expulsion. Permanent separation of the student from the University System.
l. Withdrawal of Recognition. Student organization loses its official approval as a recognized student organization. May be either

temporary or permanent. Conditions for future approval may be specified.

2. The sanctions listed above shall be imposed in a manner that is reasonably proportionate to the violation in question, with consideration given to the severity of the violation, culpability of those involved, past dispositions in similar cases, and other factors as appropriate.
3. **Temporary Action for a Student.** The Chancellor or Designee may at any time temporarily suspend, deny readmission to, or place conditions on the attendance or participation of a student, effective immediately, pending formal procedures when the Chancellor or Designee finds and believes from available information that the student's continued attendance or participation would seriously disrupt the University operations or constitute a danger to the health, safety, or welfare of members of the University community. The Chancellor or Designee will give the student notice of such temporary action and the detailed reason for it in the same manner as for a Notice of Hearing described in these Rules of Procedure. Notice shall be deemed delivered in the same manner as a Notice of Hearing. Within five (5) business days of delivery of the notice, the student may submit a written response requesting reconsideration and/or modification of the temporary action. The time for submitting such written response may be extended upon written request at the discretion of the Chancellor or Designee for good cause. After due consideration of the response and all relevant circumstances, the Chancellor or Designee will sustain, remove, or modify the temporary action and notify the student of that decision. The appropriate procedure to determine the future status of the student will be initiated within seven (7) business days from the date the temporary action is taken.
4. **Temporary Action for a Student Organization**. The Chancellor or Designee may at any time temporarily suspend or place conditions on the student organization's University recognition, access to and use of the University campus/facilities/events and/or all other University activities or privileges for which the student organization might otherwise be eligible, effective immediately, pending formal procedures when the Chancellor or Designee finds and believes from available information that the student organization's continued recognition, access, or use would seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. The Chancellor or Designee will give the student organization notice of such temporary action and the detailed reason for it in the same manner as for a Notice of Hearing described in these Rules of Procedure. Notice shall be deemed delivered in the same manner as a Notice of Hearing. Within five (5) business days of delivery of the notice, the student organization may submit a written response requesting reconsideration and/or

modification of the temporary action. The time for submitting such written response may be extended upon written request at the discretion of the Chancellor or Designee for good cause. After due consideration of the response and all relevant circumstances, the Chancellor or Designee will sustain, remove, or modify the temporary action and notify the student organization of that decision. The appropriate procedure to determine the future status of the student organization will be initiated within seven (7) business days from the date the temporary action is taken.

D. **Records Retention.** Student conduct records shall be maintained in accordance with applicable University rules and records retention policies.

E. **Policy and Procedures.**

1. **General Policies and Rights.**

a. **Standard of proof and presumption of non-responsibility.** A student or student organization is presumed not responsible for any alleged violation of the Standard of Conduct until a determination regarding responsibility is made at the conclusion of the student conduct process. The standard of proof will be "preponderance of the evidence," defined as determining whether evidence shows it is more likely than not that a violation occurred. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University.

b. **Other proceedings.** Students may potentially be held accountable through the University's student conduct process and other educational operations, as well as through other systems, such as the criminal justice system, civil litigation, or proceedings of various regulatory agencies or outside non-governmental organizations. The University's student conduct process is separate from other systems, and action under the University's student conduct process may occur before, during or after any proceedings through other systems. The University's student conduct process, including any hearing, is not a criminal or judicial proceeding and is designed to address student conduct in an educational context; therefore, alleged violations of the Standard of Conduct will be addressed independently of any outcome or proceedings in other non-University systems.

c. **General rights of students and student organizations involved in the student conduct process.**

(1) To be treated with respect by university officials;
(2) To be free from retaliation;
(3) To have access to university support resources (such as counseling and mental health services and University health services);

(4) To receive timely detailed written notice of any charges against them and the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings;
(5) To have an adviser of the student's or organization's choice, who may be, but is not required to be, an attorney, accompany the student or organization's representatives to all interviews, meetings, hearings and proceedings throughout the conduct process;
(6) To refuse to have an allegation resolved through informal disposition without prejudice;
(7) Not to present self-incriminating information;
(8) To remain silent, with such silence not considered as evidence supporting a finding of a violation;
(9) To receive written notice of any delay of the process or limited extension of time frames; and
(10) Not to be subject to charges under these procedures if in a prior proceeding the student or student organization has received a notice of proposed informal disposition or notice of hearing under these rules regarding the same incident of alleged misconduct.

d. **Responsible action in emergencies.** The University encourages students to take responsible action in emergency situations, even if prohibited conduct may have occurred in conjunction with such an emergency.
(1) Examples of such responsible action include:
(a) Immediately alerting appropriate officials (e.g., calling 911) of the emergency, including providing the student's own name and the location and description of the emergency;
(b) Remaining at the scene of the emergency, so long as it is safe to do so; and
(c) Cooperating with emergency officials.
(2) Decision makers acting under these rules of procedure will favorably consider the positive impact of taking responsible action in an emergency situation when determining the appropriate response to any alleged prohibited conduct by a student or student organization that may have occurred in conjunction with the emergency situation. This may include implementing educational responses or remedies other than conduct proceedings or reduced sanctions. Further, the University will not use statements made by a student in the course of immediately reporting an emergency situation to

appropriate authorities as evidence to support a finding of a violation of the Standard of Conduct by the reporting student or a student organization of which the student is a member.

(3) Failure to take responsible actions in an emergency situation may be considered an aggravating factor in determining sanctions for prohibited conduct.

(4) Students who are acting in capacities as student workers or student volunteers are encouraged to follow applicable policies or training they have received from the university in addressing any emergency situation.

e. **Confidentiality.** The University must keep confidential the identity of any student who has made a report of alleged prohibited conduct, any student or student organization that has been accused or is otherwise suspected of prohibited conduct, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of applicable law, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. The University will not prevent any review or copying of law enforcement records that is allowed by law.

f. **Processing fee.** As approved and modified by the Chancellor from time to time, each campus may adopt a processing fee not to exceed $300 to be charged to any student or student organization found responsible for prohibited conduct to defray costs of the student conduct process. Such fee may be set at different levels for student organizations than for individual students, but shall not otherwise vary by organization or individual.

2. **Preliminary Procedures.** The Primary Administrative Officer or Designee (hereafter "Primary Administrative Officer") is responsible for application and interpretation of the Standard of Conduct and determining appropriate approaches to implement it. Upon receiving a report of or otherwise becoming aware of potential misconduct, the Primary Administrative Officer will devise and implement an educational response on how to proceed based on relevant factors, including but not limited to the severity of the potential misconduct; health, safety, or welfare of the student and members of the University community; and impact on members of the University community and the educational environment.

a. **Alternative resolutions.** At any point in the process, the Primary Administrative Officer may work with students involved under the circumstances to explore alternative educational solutions or remedies or other alternative resolutions in lieu of formal conduct

procedures, findings of responsibility or possible sanctions. Informal negotiated resolutions without necessity of a hearing are encouraged and statements made by a student or student organization or their adviser during such negotiations shall not be used against the student or student organization in later hearings. A student or student organization may refuse to participate in alternative educational solutions or remedies or other alternative resolutions and in the event of such refusal, the matter will be addressed under these Rules of Procedure.

b. **Investigation; Consultations.** The Primary Administrative Officer shall investigate any student or student organization misconduct before initiating formal conduct procedures and give the student or student organization the opportunity to present a personal or organizational version of the incident or occurrence. The Primary Administrative Officer shall utilize the preponderance of the evidence standard in deciding whether or not to initiate formal conduct procedures and in deciding whether or not to offer an informal disposition in accordance with Section 200.020.E.2 below. The Primary Administrative Officer may discuss with any student or student organization such alleged misconduct and the student or student organization shall attend such consultation as directed by the Primary Administrative Officer. If directing attendance at a consultation, the Primary Administrative Officer will inform the student or student organization of the right to have an adviser attend and participate. Parties involved in the student conduct process are not prohibited from discussing the allegations under investigation or from gathering and presenting relevant evidence. Parties may present witnesses and other inculpatory and exculpatory evidence so long as such evidence is relevant.

c. **Use of Non-Binding Student Courts, Etc.** The Primary Administrative Officer, in making an investigation and informal disposition, may choose to utilize student courts and boards and/or divisional deans to make non- binding recommendations to the Primary Administrative Officer. In that event, the Primary Administrative Officer shall notify the student or student organization of the identity and contact information of the student court, board, or divisional dean from which a recommendation is being sought. Such notification also shall inform the student or student organization that participation in any proceeding before the student court, board, or divisional dean is voluntary on the part of the student or student organization and that any resulting recommendation is non-binding. There will be no adverse consequence or inference from declining to participate in any

proceeding before the student court, board, or divisional dean. Neither the choice to decline to participate nor the recommendation of the student court, board, or divisional dean will be shared with the Committee in connection with any subsequent hearing.

d. **Departure from University During Process.** Should a student decide to leave the University and not participate in the investigation or other steps of the student conduct process without signing a Voluntary Permanent Separation and General Release Agreement and without the approval of the Primary Administrative Officer, the Primary Administrative Officer may place a hold up on the student's readmission and the student will not be permitted to return to the University System until the student conduct process is completed with respect to the potential prohibited conduct. Should a student organization decide to abandon recognition by the University and not participate in the investigation or other steps of the student conduct process, the Primary Administrative Officer may direct that the student organization may not be granted recognition in the future until the student conduct process is completed with respect to the potential prohibited conduct.

3. **Informal Dispositions.** The Primary Administrative Officer shall have the authority to propose an informal disposition consisting of a preliminary determination and proposed appropriate remedies and/or sanctions. The Primary Administrative officer shall provide written notice of the proposed informal disposition. The notice shall inform the student or student organization that the failure to reject the proposed informal disposition within ten (10) business days may be considered as acceptance. If the student or student organization fails to submit a rejection to the Primary Administrative Officer within ten (10) business days, the proposed informal disposition shall become final. The time for rejecting the informal disposition may be extended upon written request at the discretion of the Primary Administrative Officer for good cause. If the student or student organization rejects informal disposition it must be in writing and shall be forwarded to the Committee. The Primary Administrative Officer may refer cases to the Committee without first offering informal disposition.
4. **Formal Procedure and Disposition.**
    a. **Student Conduct Committee:**
        (1) The Committee shall be appointed by the Chief Student Affairs Administrator and shall have the authority to impose appropriate sanctions upon any accused student or students or student organization appearing before it.
        (2) When deemed appropriate or convenient by the Chair of the Committee, the Chair may divide the Committee into

Hearing Panels each consisting of no less than five (5) Committee members of which no more than two (2) shall be students. If the Chair creates such Hearing Panels, the Chair of the Committee shall designate a Hearing Panel Chair. A Hearing Panel has the authority of the whole Committee in those cases assigned to it. The Chair of the Committee or a Hearing Panel Chair shall count as one member of the Committee or Hearing Panel and have the same rights as other members.

(3) The Chief Student Affairs Administrator shall appoint a panel of students, to be known as the Student Panelist Pool. Upon written request of an accused student or the student organization designee before the Committee made at least seventy-two (72) hours prior to the hearing, the Chair of the Committee shall appoint from the Student Panelist Pool not more than three students to sit with the Committee or the Hearing Panel Chair shall appoint two students to sit with the Hearing Panel for that particular case. When students from the Student Panelist Pool serve as members of the Committee or as members of the Hearing Panel, they shall have the same rights as other members of the Committee or Hearing Panel.

(4) The Chief Student Affairs Administrator shall ensure that members of the Committee and Student Panelist Pool receive training on the Standard of Conduct and these Rules of Procedure. Members of the Committee and Student Panelist Pool will be removed if they fail to satisfy training requirements, as determined by the Chief Student Affairs Administrator.

(5) Hearing Panel members, including the chair, or other Student Conduct Committee members who are to participate in the hearing of a case shall not have a conflict of interest with respect to or bias for or against accused students or student organizations generally, or for or against any Party, individual who reported alleged prohibited conduct, or Party affected by the alleged prohibited conduct. If such a member identifies a conflict of interest or bias, or otherwise cannot make an objective determination, the member must recuse from the proceedings in advance of the hearing.

(6) The accused student or student organization will have been given the names of the Committee or Hearing Panel members and Chair who will hear the case in the Notice of Hearing. Should any accused student or student

organization object to any member or chair, they must raise all objections, in writing, to the Chief Student Affairs Administrator no later than five (5) business days prior to the hearing unless, for good cause, the Chief Student Affairs Administrator allows objections to be raised later. Such objection shall be confidential and shall not be disclosed to the Committee or Hearing Panel. A member may be unseated by the Chief Student Affairs Administrator for good cause. Good cause may include, but is not limited to, bias that would preclude an impartial hearing or circumstances in which the member's or chair's involvement could impact the accused student's work or learning environment due to current or potential interactions with the member or chair (e.g., a panel member serving as an instructor or adviser to the accused student or student organization). If the Chief Student Affairs Administrator determines that a member or chair should be replaced, the Chief Student Affairs Administrator will select a replacement from the Student Conduct Committee. The Chief Student Affairs Administrator will provide a written response to all Parties addressing any objections to a member or chair.

b. **General Statement of Procedures.** A student or student organization accused of violating the Student Conduct Code is entitled to a written notice of the specific charges at issue and a formal hearing unless the matter is disposed of under the rules for informal disposition. Student conduct proceedings serve educational purposes identified in the Standard of Conduct and these Rules of Procedure and are not to be construed as judicial trials. Formal rules of evidence and civil procedure do not apply; but care shall be taken to comply as fully as possible with the spirit and intent of the procedural safeguards set forth in these Rules of Procedure. For formal hearing dispositions, decisions on responsibility for conduct violations must be based on relevant information submitted at the hearing, and any relevant information provided to the hearing panel in advance of the hearing with notice to the accused student or student organization and the Primary Administrative Office and the opportunity for the Parties to respond to such information. The Office of the General Counsel shall be legal adviser to the Committee and the Primary Administrative Officer, but the same attorney from the Office of the General Counsel shall not perform both roles with regard to the same case and attorneys from the Office of the General Counsel performing distinct roles on the same case will

not discuss the merits of the case with one another.

c. **Notice of Hearing.** At least twenty (20) business days prior to the Student Conduct Committee Hearing, or as far in advance as is reasonably possible if an accelerated resolution process is scheduled with the consent of the accused student or student organization, the Primary Administrative Officer will send a letter to the accused student or student organization (or to the student or student organization's adviser if requested by the student or student organization) with the following information:
   (1) A detailed description of the alleged conduct at issue and applicable policies, rules, or regulations alleged to be violated;
   (2) A description of the applicable procedures, including right to have an adviser, who may be, but is not required to be, an attorney;
   (3) A statement of the potential sanctions/remedial actions that could result;
   (4) A statement notifying the student or student organization that they will be permitted to inspect, copy, and review any evidence obtained as part of the investigation that is directly related to the allegations to be addressed at the hearing, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and including inculpatory or exculpatory evidence;
   (5) A statement notifying the Parties that they must be truthful when making any statement or providing any information or evidence to the University throughout the student conduct process, and all documentary evidence must be genuine and accurate;
   (6) A statement that nothing in these procedures is intended to alter any rights the individual may have under applicable state or federal statutory laws or the U.S. Constitution;
   (7) The names of the Committee or Hearing Panel members and Chair who will hear the case, and information on how to raise an objection to any member or chair and the timeline in which to raise any objections; and
   (8) The time, date and location of the hearing. If any Party does not appear at the hearing, the hearing will be held in their absence.

   This Notice of Hearing letter will be made in writing and will be delivered either: 1) in person, 2) by email only to the Party's

University-issued email account if the Party has consented electronically or in writing to receipt of all notifications by email; or 3) mailed to the mailing address of the respective Party as indicated in the official University records and emailed to the Party's University-issued email account. If there is no local address on file, mail will be sent to the Party's permanent address. Notice also shall be mailed and emailed to the Party's adviser, if an adviser has been identified by the Party.

Notice is presumptively deemed delivered, when: 1) provided in person or 2) emailed to the Party (when prior consent - whether electronically or in writing - has been given to receipt of all notifications by email or 3) when mailed and emailed to the Party and the Party's adviser, if an adviser has been identified by the Party.

Any request to reschedule the hearing shall be made in writing to the Chair, who shall have the authority to reschedule the hearing if the request is timely and made for good cause. The Chair shall notify the Primary Administrative Officer and the accused student or student organization of the new date for the hearing. If the accused student or student organization fails to appear at the scheduled time, the Committee may hear and determine the matter.

5. **Right to Petition for Review**.
    a. Except in cases where a right of appeal applies, the Primary Administrative Officer or the accused student or student organization may petition the Chancellor or Designee in writing for a review of the decision within ten (10) business days after written notification. A copy of the Petition for Review must also be served upon the non-appealing Party or Parties within such time. The Petition for Review must state the grounds for review in detail, and the non-appealing Party or Parties may answer the petition within ten (10) business days. Upon written request, the Chancellor or Designee may extend the time for petition or answer for good cause.
    b. The Chancellor or Designee may review or refuse to review the decision. In all cases where the Petition for Review is refused, the action of the Committee shall be final. If review is granted, the Chancellor or Designee may affirm, reverse or modify the decision, or remand the case for further proceedings. The action of the Chancellor or Designee after review shall be final unless it is to remand the matter for further proceedings.
6. **Right of Appeal** (involving issues of University expulsion, University

dismissal, University suspension or Withdrawal of Recognition only).

a. When an accused student is expelled, dismissed, or suspended from the University or when a student organization has its recognition withdrawn, either temporarily or permanently, by the Committee or when such sanctions have been expressly requested by the Primary Administrative Officer and refused by the Committee, the Primary Administrative Officer or the accused student or student organization may appeal such decision to the Chancellor by filing written notice of appeal stating the grounds for appeal in detail with the Chancellor within ten (10) business days after notification of the decision of the Committee. The appealing Party may file a written memorandum for consideration by the Chancellor with the Notice of Appeal. A copy of the Notice of Appeal and any memorandum must also be served upon the non-appealing Party or Parties within such time, and any other Party may submit a reply to such memorandum within ten (10) business days. Upon written request, the Chancellor or Designee may extend the time for appeal or reply for good cause.
b. The Chancellor shall review the record of the case and the appeal documents and may affirm, reverse or modify the decision, or remand the case for further proceedings. The Chancellor shall notify the accused student or student organization in writing of the decision on the appeal. The action of the Chancellor shall be final unless it is to remand the matter for further proceedings.

7. **Grounds for Review or Appeal.** Grounds for appeals are limited to the following:
   a. A material deviation from established procedures that affected the outcome of the matter;
   b. To consider new evidence that was not reasonably available at the time the decision was made that could affect the outcome of the matter;
   c. The Committee members or Student Panelists demonstrated a conflict of interest or bias against students or student organizations generally or against the particular student or student organization that affected the outcome of the case; and/or
   d. The sanctions fall outside the range typically imposed for this offense, or for the cumulative conduct record of the student or student organization.

   Review or appeal is not intended to be a full rehearing of the case and is therefore deferential to the original findings. In most cases, appeals are confined to a review of the written documentation and Record of the Case, and relevant documentation regarding the grounds for review or appeal. A review or appeal granted based on

new evidence should normally be remanded to the original decision-maker for reconsideration. The Chancellor or Designee will normally render a written decision, with an explanation of reasons, on the review or appeal to all Parties within ten (10) business days after receiving the answer or reply, or after the deadline for answer or reply has passed without a submission being made. In the event the Chancellor or Designee is unable to render a written decision within ten (10) business days, the Chancellor or Designee will promptly notify the Parties in writing of the delay. Once a review or appeal is decided, the outcome is final. Further appeals and grievances are not permitted.

8. **Status During Appeal.**
    a. In cases of suspension, dismissal, or expulsion where a Notice of Appeal is filed within the required time, a student may petition the Chancellor in writing for permission to attend classes pending final determination of appeal. The Chancellor may permit a student to continue in school under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. In such event, however, any final sanctions imposed shall be effective from the date of the action of the Committee.
    b. In cases of withdrawal of recognition where a Notice of Appeal is filed within a required time, a student organization may petition the Chancellor in writing to stay the withdrawal of recognition while the appeal is pending. The Chancellor may stay the withdrawal of recognition under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community.
9. **Student Honor System.** Forums under the student honor systems established for investigating facts, holding hearings, and recommending and imposing sanctions are authorized when the student honor code or other regulations containing well defined jurisdictional statements and satisfying the requirements of Article VI of the Bylaws of the Board of Curators, Section 10.030, and notice thereof in writing has been furnished to students subject thereto. Though the student honor system has jurisdiction, together with procedures set forth therein, instead of the Primary Administrative Officer, the standard of conduct called for in any such student honor system shall be deemed to contain at a minimum the same standards set forth in Section 200.010, entitled Standards of Conduct. Procedures shall satisfy the requirements of Article VI of the

Board of Curators' Bylaws, Section 10.030, and shall contain procedures herein before stated insofar as appropriate and adaptable to the particular situation. Before it can be implemented, a student honor system and any amendment to a student honor system must be approved as provided herein. A proposed student honor system or amendment must be approved by the applicable dean, then the Chancellor, and then the Office of the General Counsel. After such approvals, the proposed student honor system or amendment must be submitted to the Board of Curators for approval. Students subject to student honor systems shall have the rights of appeal as set forth in Section 200.020.E.6.

F. **Hearing Procedures.**

1. **Pre-Hearing Disclosures.**

a. **Primary Administrative Officer's Disclosure.** At least ten (10) business days prior to the hearing, the Primary Administrative Officer will provide the accused student or student organization, the student's or organization's adviser if an adviser has been identified by the student or organization, and the Chair:

(1) An investigative report that fairly summarizes the relevant evidence in an electronic format or hard copy for their review and any written response as described below;

(2) A list of the names of the proposed witnesses to be called by the Primary Administrative Officer;

(3) Copies of all proposed documentary, photographic, video, or audio evidence;

(4) Notification that all of the evidence gathered in the course of the investigation that is directly related to the allegations to be addressed at the hearing is available to the student or student organization and instructions regarding how to request access to that information, which shall include evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and including inculpatory or exculpatory evidence;

1. If any evidence that otherwise would have been subject to inclusion in the notice is received after the notice is issued, such evidence will be provided to the accused student or student organization as soon as practicable before the hearing date; and

(5) Notice that the Parties may request a virtual hearing and/or any necessary accommodations.

b. **Student or Student Organization's Disclosure**. At least five (5) business days prior to the hearing, the accused student or

student organization will provide to the Primary Administrative Officer and the Chair:

(1) Any written response to the investigative report that the student or student organization may wish to submit;
(2) A list of the names of proposed witnesses to be called by the student or student organization and the name of any adviser who will be attending; and
(3) Copies of all proposed documentary, video, or audio evidence.

c. **Rebuttal Disclosure.** If the Primary Administrative Officer identifies rebuttal witnesses or evidence to be called or submitted, the Primary Administrative Officer shall provide notice of such witnesses or evidence to the accused student or student organization at least two (2) business days before the hearing.

2. **Request for Alternative Attendance or Questioning Mechanisms**. The Chair, in consultation with and by agreement of the Parties, may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized in the investigative report or during the hearing. All Parties will have ample opportunity to present facts and arguments in full and question and cross examine all present witnesses during the hearing. All Parties shall have the right to have an adviser, who may be, but is not required to be, an attorney, participate in the hearing.

   All hearings will be live (in person or virtually). However, at the request of either Party, or by the University's designation, the live hearing may occur with the Parties located in separate rooms with technology enabling the Committee, the Parties and their advisers to simultaneously see and hear the Party or the witness answering questions. Should any hearing take place in this manner, the Chief Student Affairs Administrator or Designee shall be in charge of the technology during the hearing. The University will make reasonable accommodations for the Parties in keeping with the principles of equity and fairness. Such witnesses, however, shall still be subject to cross-examination.

3. **Conduct of Hearing.** The Chair shall preside at the hearing, call the hearing to order, call the roll of the Committee in attendance, ascertain the presence or absence of the student or representatives of the student organization accused of misconduct, verify the receipt of notices of hearing by the student or student organization, report any continuances requested or granted, establish the presence of any adviser of the student or student organization (who may be, but is not required to be, an attorney) and the registered faculty/staff adviser of the student organization, and call to the attention of the accused student or student

organization and the adviser any special or extraordinary procedures to be employed during the hearing and permit the student or student organization to make suggestions regarding or objections to any procedures for the Committee to consider.

a. **Opening Statements.**
(1) The Primary Administrative Officer shall make opening remarks outlining the general nature of the case.
(2) The accused student or student organization or adviser may make a statement to the Committee about the charge at this time or at the conclusion of the University's presentation.

b. **University Evidence.**
(1) The Primary Administrative Officer may state any facts the investigation has revealed. University witnesses are to be called and identified or written reports of evidence introduced as appropriate. The Committee or Panel may not rely on information in a report provided by a witness whose identity has not been disclosed to the accused Party.
(2) The Committee may question witnesses at any time.
(3) The accused student or student organization or the adviser may question and cross examine witnesses or examine evidence at the conclusion of the University's presentation.

c. **Accused Student or Student Organization Evidence.**
(1) If the accused student or student organization has not elected to make a statement earlier under a.(2) above, the accused student or student organization or adviser shall have the opportunity to make a statement to the Committee about the charge.
(2) The accused student or student organization may present evidence through witnesses or in the form of written memoranda.
(3) The Committee or Hearing Panel may question the accused student or representatives of the accused student organization or witnesses at any time. The Primary Administrative Officer may question the accused student or witnesses. Provided, however, that the accused student or student organization retains the right to remain silent and such silence shall not be considered as evidence supporting a finding of a violation.

d. **Rebuttal Evidence.** The Committee may permit the University or the accused student or student organization or adviser to offer a rebuttal of the others' presentation(s).

e. **Rights of Student Conduct Committee.** The Committee shall have the right to:
(1) Hear together cases involving more than one student or more than one student organization which arise out of the same

transaction or occurrence, but in that event shall make separate findings and determinations for each student or student organization;
(2) Permit a stipulation of facts by the Primary Administrative Officer and the student or student organization involved;
(3) Permit the incorporation in the record by reference of any documentation, produced and desired in the record by the University or the accused, provided the other Party has had an opportunity to review and respond to the documentation;
(4) Question witnesses or challenge other evidence introduced by either the University or the student or student organization at any time;
(5) Hear from the Primary Administrative Officer about dispositions made in similar cases and any dispositions offered to the accused student or student organization appearing before the Committee;
(6) Call additional witnesses or require additional investigation;
(7) Dismiss any action at any time or permit informal disposition as otherwise provided;

(8) Permit or require at any time amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the Committee before final determination of the case; provided, however, that in such event the Committee shall grant to the student or student organization or Primary Administrative Officer such time as the Committee may determine reasonable under the circumstances to answer or explain such additional matters;
(9) Dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair of the Committee; and
(10) Suspend summarily students from the University who, during the hearing, obstruct or interfere with the course of the hearing or persistently fail to abide by the ruling of the Chair of the Committee on any procedural question or request of the Chair for order.

f. **Communications.** The Committee shall avoid communication with either Party or their advisers regarding the merits of a pending case prior to the hearing without the other Party or its adviser included. Communications for purposes of scheduling are permitted.

4. **Rights of Accused Upon Hearing.** A student or student organization appearing before a Committee shall have the right to:
    a. Be present at the hearing, which right may be waived by either written notification to the Chair or by failure to appear;

b. Have an adviser (who may be, but is not required to be, an attorney) present during the hearing, who may actively participate and assist the student as described herein;
c. To testify at the hearing or refuse to testify at the hearing;
d. Hear or examine evidence presented to the Committee;
e. Question witnesses present and testifying;
f. Present evidence by witnesses or affidavit;
g. Make any statement to the Committee in mitigation or explanation of the conduct in question;
h. Request that the hearing be held virtually, with technology enabling participants simultaneously to see and hear each other;
i. Be informed in writing of the findings of the Committee and any sanctions it imposes; and
j. Request review or appeal to the Chancellor or Designee as herein provided.

5. **Rights of the Primary Administrative Officer Upon Hearing.** The Primary Administrative Officer appearing before a Committee shall have the right to:
   a. Be present at the hearing;
   b. Have an attorney from the Office of the General Counsel present as legal adviser to the Primary Administrative Officer, who may actively participate and assist the Primary Administrative Officer as described herein;
   c. To state any facts the investigation has revealed;
   d. Hear or examine evidence presented to the Committee;
   e. Question witnesses present and testifying;
   f. Present evidence by witnesses or affidavit;
   g. Request that the hearing be held virtually, with technology enabling participants simultaneously to see and hear each other;
   h. Be informed in writing of the findings of the Committee and any sanctions it imposes; and
   i. Request review or appeal to the Chancellor or Designee as herein provided.
6. **Determination by the Student Conduct Committee.** The Committee shall make its findings and determinations based on the preponderance of the evidence in executive session out of the presence of the Primary Administrative Officer and the accused student or student organization. Separate findings are to be made:
   a. As to the conduct of the accused student or student organization, and
   b. On the sanctions, if any, to be imposed. No sanctions shall be imposed on the accused student or student organization unless a

majority of the Committee present is convinced by the preponderance of the evidence that the student or student organization has committed the violation charged. In determining what sanction, if any, is appropriate, the Committee may take into consideration the previous disciplinary history of the accused student or student organization.

7. **Official Report of Findings and Determinations.** The Committee shall promptly consider the case on the merits and make its findings and determination and transmit them to the Primary Administrative Officer/Designee(s) and the accused student or student organization designee. The Committee's report shall detail the following:
    a. Identification of the allegations potentially constituting prohibited conduct and the determination of the Committee;
    b. A description of the procedural steps taken;
    c. Findings of fact supporting the determination and any information the Committee excluded from its consideration and why;
    d. Conclusions regarding the application of the University's Standard of Conduct to the facts;
    e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
    f. Any disciplinary sanctions to be imposed on the student or student organization; and
    g. The procedures and permissible bases for the Parties to seek review or appeal.
8. **Evidentiary and Procedural Questions.** The relevancy and admissibility of any evidence offered and procedural questions shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final. In considering evidentiary and procedural questions, the Chair will apply the following rules:
    a. The Chair has the discretion to determine the relevance of any witness or documentary evidence and may exclude any witness, document, or information that is irrelevant, immaterial, cumulative, or more prejudicial than informative.
    b. The Committee shall consider the trustworthiness of all oral or written statements and no oral or written statement shall be considered if the source of the statement has not been disclosed to the Committee and the Parties.
    c. Character evidence is information that does not directly relate to the facts at issue, but instead reflects upon the reputation, personality, or qualities of an individual, including honesty. Such evidence regarding a Party's character is of limited utility

and shall not be admitted unless deemed relevant by the decision-maker.

d. Incidents or behaviors of a Party not directly related to the possible violation(s) will not be considered unless they show a pattern of related misconduct. History of related misconduct by a Party that shows a pattern may be considered only if deemed relevant by the decision-maker.
e. A student's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made or maintained in connection with the provision of treatment to the student, may not be used without that student's express consent.
f. The Chair and Committee shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

9. **General Rules of Decorum.** The following general rules of decorum shall be adhered to:
    a. All requests to address the Committee shall be addressed to the Chair.
    b. The Chair will rule on all requests and points of order and may consult with Committee's legal adviser prior to any ruling. The Chair's ruling shall be final and all participants shall abide thereby, unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.
    c. The Chair or Committee may dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair or the Committee.
    d. Rules of common courtesy and decency shall be observed at all times.
10. **Advisers / Attorneys.** A student or student organization may have an adviser, who may be, but is not required to be, an attorney. Prior to the hearing, the adviser may communicate with the Chair on behalf of the student or student organization, including raising questions or objections or making requests regarding procedural matters.

    At the hearing, the adviser may ask any witnesses all relevant questions and follow-up questions, including those challenging credibility, and conduct cross- examination and other questioning. An adviser may request clarification of a procedural matter or object on the basis of

procedure at any time by addressing the Chair after recognition. An adviser may make presentations and speak on behalf of their Party and may consult with the student or representatives of the student organization quietly or in writing, or outside the hearing during breaks.

11. **Record of Hearing.** An audio, video, digital or stenographic record of the hearing shall be maintained. The notice, exhibits, hearing record and the findings and determination of the Committee shall become the "Record of the Case" and shall be filed in the Office of the Primary Administrative Officer and for the purpose of review or appeal be accessible at reasonable times and places to the University, and the accused student(s) or student organization designee.
12. **Transcripts.** Information regarding expulsions will be noted on transcripts and shared system-wide. The Primary Administrative Officer will inform the Registrar or designee, who will make the transcript notation.

New Degree Program, Master of Legal Studies, UMKC – presented by Dean Glesner and Associate Dean Thomas (information on file)

It was recommended by the University of Missouri System Office of Academic Affairs, endorsed by President of the University of Missouri Mun Y. Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Layman, seconded by Curator Sinquefield that the following action be approved:

> that the University of Missouri – Kansas City be authorized to submit the attached proposal (and as on file with the minutes of this meeting) for a MLS in Master of Legal Studies to the Coordinating Board for Higher Education for approval.

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

New Degree Program, Bachelor of Arts in Health Humanities, MU – presented by Dean Drury and Associate Professor Elman (information on file)

It was recommended by the University of Missouri System Office of Academic Affairs, endorsed by President of the University of Missouri Mun Y. Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee,

moved by Curator Layman, seconded by Curator Wenneker that the following action be approved:

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

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

The only other business to come before the committee was a resolution to move into an executive session later in the day, which passed unanimously.

Audit, Compliance and Ethics Committee

Curator Williams provided time for discussion of committee business.

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

Fiscal Year 2024 Risk Assessment and Proposed Internal Audit and Compliance Plans, UM – presented by Chief Audit and Compliance Officer Piranio (information on file)

It was recommended by Executive Vice President Rapp, endorsed by President Choi, recommended by the Audit, Compliance and Ethics Committee, moved by Curator Williams, seconded by Curator Sinquefield, that the attached Fiscal Year 2024 Risk Assessment and Proposed Internal Audit and Compliance Plans (and as on file with the minutes of this meeting) be approved.

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

The only other business to come before the committee was a resolution to move into an executive session later in the day, which passed unanimously.

The public session of the Board of Curators meeting recessed at 11:50 PM Thursday, June 29, 2023.

11:50 P.M. – Luncheon for the Board of Curators, President and University of Missouri System Leaders,
Location: North 214BC, Memorial Union

The public session reconvened at 12:30 PM on Thursday, June 29, 2023.

Health Affairs Committee Chair Report

Curator Wenneker provided an overview of committee business.

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

The minutes for the April 13, 2023 Health Affairs Committee meeting were approved at the June 22, 2023 meeting. All information reports presented at the committee meeting are on file with the minutes of this meeting.

General Business

Strategic Theme Discussion – Beyond Enrollment: Strategies for Student Retention – presented by Jim Spain, Kristi Holsinger, Daniel Reardon and Colette Dixon (slides on file for this information only item)

Good and Welfare of the Board - Draft September 7, 2023 Board of Curators meeting agenda – no discussion (on file)

The public session of the Board of Curators meeting recessed at 1:48 P.M. on Thursday, June 29, 2023.

Board of Curators Meeting – Executive Session

A meeting of the University of Missouri Board of Curators was reconvened in executive session at 2:30 P.M., on Thursday, June 29, 2023, in North 201A of Memorial Union on the University of Missouri – Columbia campus, pursuant to public notice given of said meeting. Curator Michael A. Williams, Chair of the Board of Curators, presided over the meeting.

Present
The Honorable Robert D. Blitz
The Honorable Julia G. Brncic
The Honorable Robert W. Fry
The Honorable Todd P. Graves
The Honorable Keith A. Holloway

The Honorable Jeffrey L. Layman
The Honorable Jeanne Cairns Sinquefield
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present
Dr. Mun Y. Choi, President, University of Missouri
Mr. Mark A. Menghini, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Ms. Marsha Fischer, Vice President for Human Resources and Chief Human Resources Officer
Mr. Ryan D. Rapp, Executive Vice President for Finance and Chief Financial Officer
Ms. Kristen Smarr, Interim Chief Marketing and Communications Officer
Ms. Valerie Slayton, Senior Executive Assistant

General Business

Report on contracts and legal advice – presented by President Choi and General Counsel Menghini

No action taken by the Board.

Governance, Compensation and Human Resources Committee – Executive Session

Annual Performance Review – Michelle Piranio, Chief Audit and Compliance Officer

It was recommended by the Governance, Compensation and Human Resources Committee, moved by Curator Holloway and seconded by Curator Layman, that based on the review of the performance of Chief Audit and Compliance Officer, Michelle Piranio for the period July 1, 2022 through June 30, 2023, the Board of Curators approves that the base salary of Michelle Piranio be increased by 3%, effective September 1, 2023.

Roll call vote of Board of Curators:

Curator Blitz voted yes.
Curator Brncic voted yes.

Curator Fry voted yes.
Curator Graves voted yes.
Curator Holloway voted yes.
Curator Layman voted yes.
Curator Sinquefield voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

Audit, Compliance and Ethics Committee – Executive Session

2023 Information Security Report – presented by Ben Canlas and Becky Fowler (information on file)

Academic, Student Affairs, Research and Economic Development Committee – Executive Session

Report on personnel – presented by Steven Chaffin

Curators' Distinguished Professor Emeritus, Keith Benjamin, UMKC – presented by Steven Chaffin (information on file)

It was recommended Chancellor C. Mauli Agrawal and endorsed by President of the University of Missouri Mun Y. Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Layman, and seconded by Curator Holloway, that the following action be approved:

> that upon the recommendation of Chancellor Agrawal, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Keith Benjamin be named to the position University of Missouri Curators' Distinguished Professor Emeritus, effective 09/01/2023.
>
> Roll call vote of Board of Curators:
>
> Curator Blitz voted yes.
> Curator Brncic voted yes.
> Curator Fry voted yes.
> Curator Graves voted yes.

Curator Holloway voted yes.
Curator Layman voted yes.
Curator Sinquefield voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

Curators' Distinguished Teaching Professor Emerita, Michelle Arnopol Cecil, MU – presented by Steven Chaffin (information on file)

It was recommended and endorsed by President of the University of Missouri Mun Y. Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Layman, and seconded by Curator Holloway, that the following action be approved:

> that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Michelle Cecil be named to the position University of Missouri Curators' Distinguished Teaching Professor Emerita, effective 03/27/2023.
>
> Roll call vote of Board of Curators:
>
> Curator Blitz voted yes.
> Curator Brncic voted yes.
> Curator Fry voted yes.
> Curator Graves voted yes.
> Curator Holloway voted yes.
> Curator Layman voted yes.
> Curator Sinquefield voted yes.
> Curator Wenneker voted yes.
> Curator Williams voted yes.
>
> The motion carried.

Dr. Richard Barohn, Mr. Nim Chinniah, Mr. Ric Ransom, Mr. Eric Vogelweid, Mr. Dustin Thomas and Ms. Katrina Lambrecht joined the meeting.

Legal, Transaction and Real Estate Matters: Review for Approval, Definitive Agreement for Capital Region Medical Center - presented by General Counsel Menghini, Dr. Richard Barohn, Mr. Nim Chinniah and Mr. Ryan Rapp (information on file)

It was recommended by Executive Vice Chancellor Richard Barohn, endorsed by President Choi, moved by Curator Wenneker and seconded by Curator Layman, that the following action be approved, contingent upon execution of definitive agreements related to the Capital Region Medical Center bonds between the relevant parties:

1. Authorization and Execution of Documents. The President, or the Executive Vice President for Finance and Operations, Chief Financial Officer and Treasurer (EVP) or their designees, are hereby authorized to enter into a Reorganization Agreement with Capital Region Medical Center ("CRMC"), CRMC Health Care Inc, and the University of Missouri-Columbia Medical Alliance, for the reorganization of the Capital Region Medical Center corporate relationship, pursuant to substantially similar terms as those included in the Reorganization Agreement attached hereto as "Exhibit A", with such changes therein as shall be approved by the officers of the University executing same and as may be necessary or desirable to carry out and comply with the intent of this Board Action, such officers' signatures thereon being conclusive evidence of their approval thereof, and such other instruments and agreements as such officers may deem advisable and appropriate in furtherance thereof, and to execute and deliver the same on behalf of the Board (collectively, the "University Documents"). The Secretary or any Assistant Secretary of the University are hereby authorized and directed to attest such University Documents as may be necessary or desirable to carry out and comply with the intent of this Board Action. The final form of all University Documents shall be subject to approval as to legal form by the Office of General Counsel.

2. Health Affairs Committee. Following Closing, as defined in section 3.1 of the Reorganization Agreement, The Board authorizes the Board Chair to appoint one (1) non-Curator member to the Health Affairs Committee from the Jefferson City, Missouri community to serve at the pleasure of the Board Chair, as contemplated in section 2.4 of the Reorganization Agreement. Upon appointment of the additional non-Curator member, the Health Affairs Committee shall then be comprised of a total of nine (9) members, five (5) of which shall be Curators, and four (4) of which shall be non-Curators.

3. Payment to Assist CRMC With Payoff of Tax-Exempt Debt. Following Closing, the Board authorizes the President or EVP or their designees to fund an intra-University loan from the UM System Central Bank to MUHC, an amount equal to the lesser of (a) the total sum necessary for CRMC to redeem, prepay, pay or defease all of its outstanding Tax Exempt Debt ("Payoff"), as defined in section 4.32 of the Reorganization Agreement, together with any premium, fees, costs, and expenses associated therewith, or (b) $45,000,000, and to pay from MUHC's account the proceeds of such loan as a subsidy

grant in a like amount to or on behalf of CRMC to fund said Payoff, and to execute any documents necessary to evidence this commitment to CRMC or any holders of the Tax Exempt Debt, on terms acceptable to such President or EVP or their designees, all subject to approval as to legal form by the Office of General Counsel.

4. Further Authority. The President or the EVP or their designees are hereby authorized and directed to, take such further action and execute and deliver such other documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Board Action, and to carry out, comply with and perform the duties of the University with respect to the University Documents.

5. Severability. The sections, paragraphs, sentences, clauses and phrases of this Board Action shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution are valid, unless the court finds the valid portions of the Board Action are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the University has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

6. Governing Law. This Board Action shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

7. Effective Date. This Board action shall take effect and be in full force immediately after its adoption by the Board of Curators contingent upon execution of definitive agreement of Capital Region Medical Center bonds between relevant parties.

Roll call vote of the Board:

Curator Blitz voted yes.
Curator Brncic voted yes.
Curator Fry voted yes.
Curator Graves voted yes.
Curator Holloway voted yes.
Curator Layman voted yes.
Curator Sinquefield voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

Mr. Vogelweid, Dr. Barohn, Mr. Ransom, Mr. Chinniah, Mr. Thomas, and Ms. Lambrecht excused themselves from the meeting.

Approval of Board of Curators Executive Committee and Standing Committees Appointments, 2023

It was recommended by Chair Williams, moved by Curator Wenneker and seconded by Curator Graves, that the following Board of Curators Executive Committee and Standing Committees appointments be approved for 2023:

Executive Committee
Michael A. Williams, Chair
Robin R. Wenneker
Julia G. Brncic

Academic, Student Affairs, Research and Economic Development Committee
Jeff L. Layman, Chair
Robert D. Blitz
Todd P. Graves
Jeanne C. Sinquefield

Audit, Compliance and Ethics Committee
Michael A. Williams, Chair
Julia G. Brncic
Keith A. Holloway
Jeanne C. Sinquefield

Finance Committee
Todd P. Graves, Chair
Robert W. Fry
Jeff L. Layman
Robin R. Wenneker

Governance, Compensation and Human Resources Committee
Keith A. Holloway, Chair
Robert D. Blitz
Julia G. Brncic
Robin R. Wenneker

Health Affairs Committee
Robin R. Wenneker, Chair

Julia G. Brncic
Robert W. Fry
Keith A. Holloway
Jeff L. Layman
Ronald G. Ashworth (non-curator)
Mr. Philip H. Burger (non-curator)
Dan P. Devers (non-curator)
Dr. James H. Whitaker (non-curator)

Roll call vote:
Curator Blitz voted yes.
Curator Brncic voted yes.
Curator Fry voted yes.
Curator Graves voted yes.
Curator Holloway voted yes.
Curator Layman voted yes.
Curator Sinquefield voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

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

No action taken by the Board.

General Counsel's Report – presented by General Counsel Menghini

No action taken by the Board.

Curators' Only Report

No action taken by the Board.

Adjourn, Board of Curators Meeting and Committee Meetings, June 29, 2023.

It was moved by Curator Holloway and seconded by Curator Layman that the Board of Curators meeting and committee meetings, June 29, 2023, be adjourned.

Roll call vote of the Board:

Curator Blitz voted yes.
Curator Brncic voted yes.
Curator Fry voted yes.
Curator Graves voted yes.
Curator Holloway voted yes.
Curator Layman voted yes.
Curator Sinquefield voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

There being no other business to come before the Board of Curators, the meeting was adjourned at 6:15 P.M. on Thursday, June 29, 2023.

Respectfully submitted,

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

Approved by the Board of Curators on September 7, 2023.