

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



BOARD OF CURATORS

Minutes of the Board of Curators Meeting
December 6-7, 2012
Millennium Student Center, University of Missouri-St. Louis
St. Louis, Missouri

A meeting of the University of Missouri Board of Curators was convened in public session at 12:35 P.M., on Thursday, December 6, 2012, in Century Rooms A & B of the Millennium Student Center on the University of Missouri-St. Louis campus, St. Louis, Missouri, pursuant to public notice given of said meeting. Curator David R. Bradley, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Warren K. Erdman
The Honorable Wayne Goode
The Honorable Pamela Q. Henrickson
The Honorable David L. Steward

Also Present

Mr. Timothy M. Wolfe, President
Mr. Stephen J. Owens, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Miss Amy G. Johnson, Student Representative to the Board of Curators
Dr. Gary Allen, Vice President for Information Technology
Dr. Thomas F. George, Chancellor for University of Missouri – St. Louis
Dr. Steven Graham, Senior Associate Vice President for Academic Affairs
Mr. Stephen C. Knorr, Vice President for Government Relations
Ms. Natalie "Nikki" Krawitz, Vice President for Finance and Administration
Mr. Mike Middleton, Deputy Chancellor, University of Missouri
Mr. Leo E. Morton, Chancellor of University of Missouri – Kansas City

Dr. Michael F. Nichols, Vice President for Research and Economic Development
Dr. Betsy Rodriguez, Vice President for Human Resources
Dr. Cheryl B. Schrader, Chancellor for Missouri University of Science and Technology
Dr. Robert W. Schwartz, Chief of Staff
Ms. Jennifer Hollingshead, Chief Communications Officer, UM System
Media representatives

Review of Consent Agenda

Curator Goode requested additional information regarding Consent Item #6 regarding approval of spinal cord injuries and congenital or acquired disease processes research program proposal. Information to be presented during the General Business portion of the Board meeting on Friday.

Resolution for Executive Session of the Board of Curators Meeting

It was moved by Curator Steward and seconded by Curator Cupps, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting, on December 6-7, 2012 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

4.

The motion carried.

Project Approval and Debt Financing Approval of Benton Stadler Science Complex
Addition and Renovation, UMSL ó

Academic, Student and External Affairs Committee

Chairman Steward provided time for discussion of committee business.

Information

1. Government Relations Report (slides on file)
2. Fall Enrollment Report (slides and information on file)
3. Student Success Report (slides and information on file)

Governance and Resources and Planning Committee

Chairman Erdman provided time for discussion of committee business.

Information

1. Review New Curator Orientation Plan (information on file)

The public session of the Board of Curators meeting recessed at 3:52 P.M.

BOARD OF CURATORS MEETING – EXECUTIVE SESSION

A meeting of the University of Missouri Board of Curators was convened in executive session at 4:00 P.M., on Thursday, December 6, 2012, in room 302 of the Millennium Student Center on the University of Missouri-St. Louis campus, St. Louis, Missouri, pursuant to public notice given of said meeting. Curator David R. Bradley, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Warren K. Erdman
The Honorable Wayne Goode
The Honorable Pamela Q. Henrickson
The Honorable David L. Steward

Also Present

Mr. Timothy M. Wolfe, President
Mr. Stephen J. Owens, General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Miss Amy G

Dr. Betsy Rodriguez, Vice President for Human Resources
Dr. Cheryl B. Schrader, Chancellor for Missouri University of Science and Technology
Dr. Robert W. Schwartz, Chief of Staff
Ms. Jennifer Hollingshead, Chief Communications Officer, UM System
Media representatives

General Business

Dqctf"Ejckt o cpøu"Tgrqtv ó presented by Chairman Bradley (recording on file)

Topic: Advancing Missouri ó The Social Role of Museums and the Mark Twain Museum Renovation

Presenters: Dr. Jay Rounds, Des Lee Professor of Museum Studies and Community History, University of Missouri ó St. Louis

Chairman Bradley also gave remarks

It was endorsed by President Wolfe, moved by Curator Erdman and seconded by Curator Downing, that the following items be approved by consent agenda:

CONSENT AGENDA

1. Minutes, September 13-14, 2012 Board of Curators meeting
2. Minutes, September 13-14, 2012 Board of Curators Committee meetings
3. Minutes, October 16, 2012 Special Board of Curators meeting
4. Amendments to the Collected Rules & Regulations for sections:
 - a. 180.020 Student Records
 - b. 210.050 Report of Grades
 - c. 210.080 Policy on Freshman Success
 - d. 220.030 Honorary Degrees
5. Amendment to Section 200.010 of the Collected Rules and Regulations, Standard of Conduct
6. Approval of Spinal Cord Injuries and Congenital or Acquired Disease Processes Research Program Proposal
7. Amendment to Section 230.070 of the Collected Rules & Regulations, Educational Assistance Program for University Employees, Other Than Graduate Teaching and Research Assistants

Roll call vote:

Curator Bradley voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Erdman voted yes.
Curator Goode voted yes.
Curator Henrickson voted yes.
Curator Steward was absent for the vote.

The motion carried.

1. Minutes, September 13-14, 2012 Board of Curators meeting ó as provided to the curators for review and approval.
2. Minutes, September 13-14, 2012 Board of Curators Committee meetings ó as provided to the curators for review and approval.
3. Minutes, October 16, 2012 Special Board of Curators meeting ó as provided to the curators for review and approval.

- b. The term does not include:
 - (1) Records that are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
 - (2) Records of a law enforcement unit of the University, but only if education records maintained by the University are not disclosed to the unit, and the law enforcement records are:
 - (a) Maintained separately from education records;
 - (b) Maintained solely for law enforcement purposes; and
 - (c) Disclosed only to law enforcement officials of the same jurisdiction;
 - (3) (i) Records relating to an individual who is employed by the University, that:
 - (a) Are made and maintained in the normal course of business;
 - (b) Relate exclusively to the individual in that individual's capacity as an employee; and
 - (c) Are not available for use for any other purpose.
 - (ii) Records relating to an individual in attendance at the University who is employed as a result of his or her status as a student are education records and not excepted under Section 180.020 B.5.b (3) of this definition.
 - (4) Records on a student who is attending the University, that are:
 - (a) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
 - (b) Made, maintained, or used only in connection with treatment of the student; and
 - (c) Disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the University; and
 - (5) Records that only contain information about an individual after he or she is no longer a student at the University.
- 6. **"Parent"** means a natural parent, an adoptive parent, or the legal guardian of the student.
- 7. **"Party"** means an individual, agency, institution, or organization.
- 8. **"Personally identifiable information"**, includes:
 - a. The student's name;

4. The University may provide this notice by any means that are reasonably likely to inform the students of their rights. The University shall effectively notify students who are disabled.
- D. Records of the University's Law Enforcement Unit**
1. "**Law enforcement unit**" means any individual, office, department, division, or other component of the University, such as the University of Missouri Police Department or noncommissioned security guards, that is officially authorized or designed by the University to ^o
 - a.

2. The University shall comply with a request within a reasonable period of time, but in no case more than 45 days after the request has been received.
3. The University shall respond to reasonable requests for explanations and interpretations of those records.
4. If circumstances effectively prevent the student from exercising the right to inspect and review the student's education records, the University shall ó
 - a. Provide the student with a copy of the records requested; or
 - b. Make other arrangements for the student to inspect and review the requested records.
5. The University shall not destroy any education records if there is an outstanding request to inspect and review the records under this section.

F. Fees for Copies of Educational Records

1. Unless the imposition of a fee effectively prevents a student from exercising the right to inspect and review the student's education records, the University may impose a reasonable fee for reproduction costs. This fee will not exceed the actual cost of production.
2. The University shall not charge a fee to search for or to retrieve the education records of a student.

G. Limitation on Access

1. If the education records of a student contain information on more than one student, the student may inspect and review or be informed of only the specific information about that student.
2. The University will not permit a student to inspect and review education records that are:
 - a. Financial records, including any information those records contain, of his or her parents;
 - b. Confidential letters and confidential statements of recommendation placed in the education records of the student before January 1, 1975, as long as the statements are used only for the purposes for which they were specifically intended; and
 - c. Confidential letters and confidential statements of recommendation placed in the student's education records after January 1, 1975, if:
 - (1) The student has waived his or her right to inspect and review those letters and statements; and
 - (2) Those letters and statements are related to the student's:
 - (a) Admission to the University;
 - (b) Application for employment; or
 - (c) Receipt of an honor or honorary recognition.

4. If the University places a statement in the education records of a student, it shall:
 - a. Maintain the statement with the contested part of the record for as long as the record is maintained; and
 - b. Disclose the statement whenever it discloses the portion of the record to which the statement relates.
- K. Conduct of a Hearing** -- Upon the request of the University official charged with custody of the records of the student, the hearing required by Section 180.020 J shall be conducted.
1. The request for a hearing shall be submitted in writing to the campus Chancellor, who will appoint a hearing officer or a hearing committee to conduct the hearing.
 2. The hearing shall be conducted and decided within a reasonable period of time following the request for the hearing. The University shall give the student notice of the date, time, and place, reasonably in advance of the hearing.
 3. The hearing shall be conducted and the decision rendered by an appointed hearing official or officials who shall not have a direct interest in the outcome of the hearing.
 4. The student shall be afforded a full and fair opportunity to present evidence relevant to the hearing, and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
 5. The decision of the University shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.
 6. The decision shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.
 7. Either party may appeal the decision of the hearing official or officials to the campus Chancellor.
- L. Conditions Under Which Prior Consent is Required**
1. The student shall provide a signed and dated written consent before the University discloses personally identifiable information from the student's education records, except as provided in Section 180.020 M.
 2. The written consent must:
 - a. Specify the records that may be disclosed;
 - b. State the purpose of the disclosure; and
 - c. Identify the party or class of parties to whom the disclosure may be made.
 3. If a student so requests, the University shall provide him or her with a copy of the records disclosed.
- M. Conditions Under Which Prior Consent is Not Required**

1. The University may disclose personally identifiable information from an education record of a student without the consent required by Section 180.020 L if

- h. The disclosure is to parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986, as amended.
- i. The disclosure is to comply with a lawfully issued subpoena.
 - (1) The University may disclose this information only if it makes a reasonable effort to notify the student of the order or subpoena in advance of compliance, so that the student may seek protective action, unless the disclosure is in compliance with 6
 - (a) A Federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
 - (b) Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.
 - (2) If the University initiates legal action against a parent or student, the University may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the University to process with the legal action as plaintiff.
 - (3) If a parent or eligible student initiates legal action against the University, the University may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the University to defend itself.
- j. The disclosure is in connection with a health or safety emergency, under the conditions described in Section 180.020 Q.
- k. The disclosure is information the University has designated as "directory information," under the conditions described in Section 180.020 R.
- l. The disclosure is to the student.
- m. The disclosure, subject to the requirements in Section 180.020 S, is to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceeding conducted by the University with respect to that alleged crime or offense. The University may disclose the final results of the disciplinary proceeding, regardless of whether the University concluded a violation was committed.
- n. (i) The disclosure, subject to the requirements in Section 180.020 S, is in connection with a disciplinary proceeding at the University providing that the University determines that ---

- (1) The student is an alleged perpetrator of a crime of violence or non-forcible sex offense; and
- (2) With respect to the allegation made against him or her, the student has committed the violation of the University's rules or policies.
 - (ii) The University may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student.
 - (iii) This section applies only to disciplinary proceedings in which the final results were reached on or after October 7, 1998.
- o. The disclosure is to a parent of a student under the age of twenty-one at the time of disclosure, and is limited to a determination that the student violated University regulations pertaining to the use or possession of alcohol or a controlled substance, as provided by and under the restrictions contained in Section 180.025.

N. Record Keeping

1. ~~§ 180.025(1)(b) shall be amended to read:~~ for access to and each disclosure of personally identifiable information from the education records of

- c. A party with written consent from the student;
- d. A party seeking directory information; or
- e. A party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

O. Limitations to the Redisclosure of Information

- 1. The University may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the student. The officers, employees, and agents of a party that receives information may use the information, but only for the purposes for which the disclosure was made.
- 2. This does not prevent the University from disclosing personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the University if:
 - a. The disclosures meet the requirements of Section 180.020 M; and
 - b. The University has complied with the requirements of Section 180.020 N.3.
- 3. Section 180.020 O.1 does not apply to disclosures made pursuant to court orders, lawfully issued subpoenas, litigation under Section 180.020 M.1.i, to disclosures of directory information under Section 180.020 M.1.k, to disclosures made to a parent or student under Section 180.020 M.1.j, to disclosures made in connection with a disciplinary proceeding under Section 180.020 M.1.n, or to disclosures made to parents under Section 180.025.
- 4. Except for disclosures under Section 180.020 M.1.k, l, m, and n, the University shall inform a party to whom disclosure is made of the requirements of this section.
- 5. If the University determines that a third party improperly rediscloses personally identifiable information from education records in violation of Section 180.020 O.1, the University may not allow that third party access to personally identifiable information from education records for at least five years.

P. Disclosure of Information for Federal or State Program Purposes

- 1. The officials listed in Section 180.020 M.1.c may have access to education records in connection with an audit or evaluation of federal or state supported education programs, or for the enforcement of or compliance with federal legal requirements which relate to those programs.
- 2. This information must:

1. "Alleged perpetrator of a crime of violence" is a student who is alleged to have committed acts that would, if proven, constitute any of the following offenses or attempts to commit the following offenses that are defined in Title 18, "Crimes and Criminal Procedure," of the United States Code:
 - a. Arson;
 - b. Assault offenses;
 - c. Burglary;
 - d. Criminal homicide - manslaughter by negligence;
 - e. Criminal homicide - murder and non-negligent manslaughter;
 - f. Destruction/damage/vandalism of property

immediately), shall file with the Registrar their grades of students within three days (except Sunday) after the end of the examination period.

B. Notification of Rule

Chapter 210: Credits and Courses

committee then makes formal recommendations to the faculty governing body.

c.

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.

A student enrolling in 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. Consequently, students assume new responsibilities and expectations.

These expectations have been established in order to protect a specialized environment conducive to learning which fosters integrity, academic success, personal and professional growth, and responsible citizenship.

- 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, nothing restrains the administration of the University of Missouri from taking appropriate action, including, but not limited to, the imposition of sanctions under Section 200.020(C), against students for conduct on or off University premises in order to protect the physical safety of students, faculty, staff, and visitors.
- B. **Conduct** for which students are subject to sanctions falls into the following categories:
1. **Academic dishonesty**, such as cheating, plagiarism, 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. The instructor shall 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, or examinations; (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, or examinations.
 - b. The term **plagiarism** includes, but is not limited to: (i) use by paraphrase or direct quotation of the published or unpublished work of another person without fully and properly crediting the

Program of Occupational Therapy
Washington University
Total funding recommended \$66,084

ABSTRACT

Jack R. Engsberg

Bd. Min. 2-19-71, p. 35,487; Amended Bd. Min. 3-18-77, 6-18-82; Amended Bd. Min. 12-12-86, 12-7-90, Amended Bd. Min. 5-23-03, Amended Bd. Min. 11-29-07; Amended Bd. Min. 10-23-09; Amended 12-08-11; Amended Bd. Min. 12-07-12.

A. All employees classified at least 75 percent FTE with an indicated appointment duration of at least 9 months may enroll for not more than six credit hours per semester (a maximum of three during the summer session or intersession) in college level, credit courses. Those appointed on a full-time, nine-month basis, however, may enroll for not more than the maximum number of hours allowable by that campus during the summer session, provided they do not hold an appointment for the summer session. Those employees not eligible to participate in the program include employees on unpaid leave of absence, students and employees in positions considered to be student employment (including, but not limited to Graduate Teaching Assistants, Graduate Research Assistants, Graduate Instructors, and Student Assistants.

Only section A of CRR 230.070 was amended on 12-7-12. The remaining content remained the same.

Good and Welfare

Draft January 31-February 1, 2013 Board of Curators meeting agenda ó no discussion (on file)

Election of Board of Curators Chairperson, 2013 ó

Upon the motion of Curator Henrickson, Curator Goode was nominated to serve as Chairperson of the Henrickm{)JTJET0 g108.02 312.ITB/P (of)-6()JTJET0 (tor)JT4JTJETBT1 0 EM

Election of Board of Curators Vice Chairperson, 2013 ó

Upon the motion of Curator Cupps, Curator Downing was nominated to

Curator Goode

Performance Review of Internal Auditors discussed ó No action was taken.

There being no further business to come before the Audit Committee, the meeting was adjourned at 11:50 A.M.

General Business

Property Sale, Approximately 0.05 Acres, South Ninth Street, Columbia, Missouri, MU ó presented by Vice President Krawitz

It was recommended by Chancellor Deaton, endorsed by President Wolfe, moved by Curator Downing and seconded by Curator Cupps, that the following action be approved:

that the Vice President for Finance and Administration be authorized to sell approximately 0.05 acres, South Ninth Street, Columbia, Missouri, to M M III, LLC and THM Investments, LLC, for \$161,000, for the University of Missouri-Columbia.

The legal description is as follows:

Beginning at the southwest corner of Tract 1 of a survey recorded in book 648 page 53, thence N 0 22ø22öG."cñqp i "v jg" y guvgtñ{"

Curator Henrickson voted yes.
Curator Steward voted yes.

The motion carried.

Property Purchase, 8254 Natural Bridge Road, Bel-Nor, Missouri, UMSL ó presented by Vice President Krawitz

It was recommended by Chancellor George, endorsed by President Wolfe, moved by Curator Cupps and seconded by Curator Downing, that the following action be approved:

that the Vice President for Finance and Administration be authorized to purchase 8254 Natural Bridge Road, Bel-Nor, Missouri, from The Estate of Betty J. McFarland, a/k/a Betty Jo McFarland, a/k/a Betty Jean McFarland, by Nancy Richardson, Independent Personal Representative, St. Louis, Missouri, for the negotiated price of \$100,000, for the University of Missouri-St. Louis.

The legal description is as follows:

Lot 10 in Block 19 of Country Club Addition No. 2 of Normandy Park, according to the plat thereof recorded in Plat Book 18 Pages 48 and 49 of the St. Louis County Records

Funding is from Campus Funds: \$100,000

Roll call vote:

Curator Bradley voted yes.

There being no other business to come before the Compensation and Human Resources Committee the meeting was adjourned at 12:20 P.M.

General Business

University Retirement Plan presented by President Wolfe.

Vice President Rodriguez excused herself from the meeting.

Legal Services presented by General Counsel Owens.

Litigation Report presented by General Counsel Owens (report on file with the General Counsel)

It was moved by Curator Cupps and seconded by Curator Erdman, that the meeting of the Board of Curators, December 6-7, 2012, be adjourned.

Roll call vote:

- Curator Bradley voted yes.
- Curator Cupps voted yes.
- Curator Downing voted yes.
- Curator Erdman voted yes.
- Curator Goode voted yes.
- Curator Henrickson voted yes.
- Curator Steward voted yes.

The motion carried.

There being no other business to come before the Board of Curators, the meeting was adjourned at 2:25 P.M. on Friday, December 7, 2012.

Respectfully submitted,



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

Approved by the Board of Curators on February 1, 2013.