

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



BOARD OF CURATORS
Minutes of the Board of Curators Meeting
Thursday, April 22, 2021

A Board Committee meeting was held April 13, 2021 in conjunction with the April 22, 2021 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, April 22, 2021, via Zoom webinar and at remote locations via conference telephone pursuant to public notice given of said meeting. Curator Darryl M. Chatman, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Julia G. Brncic
The Honorable Darryl M. Chatman
The Honorable Maurice B. Graham
The Honorable Todd P. Graves
The Honorable Gregory E. Hoberock
The Honorable Jeffrey L. Layman
The Honorable David L. Steelman
The Honorable Robin R. Wenneker
The Honorable Michael A. Williams

Also Present

Dr. Mun Y. Choi, President, University of Missouri
Mr. Stephen J. Owens, General Counsel
Ms. Cindy S. Harmon, Secretary of the Board of Curators
Mr. Remington Williams, Student Representative to the Board of Curators
Dr. C. Mauli Agrawal, Chancellor, University of Missouri – Kansas City
Dr. Richard Barohn, Executive Vice Chancellor for Health Affairs
Dr. Beth Chancellor, Vice President for Information Technology and MU Chief Information Officer
Dr. Mohammad Dehghani, Chancellor, Missouri University of Science and Technology

Ms. Kamrhan Farwell, Chief Marketing and Communications Officer
Ms. Marsha Fischer, Vice President for Human Resources and Chief Human Resources Officer
Dr. Steven W. Graham, Senior Associate Vice President for Academic Affairs
Ms. Christine Holt, Chief of Staff, UM System
Ms. Michelle M. Piranio, Chief Audit and Compliance Officer
Mr. Ryan D. Rapp, Vice President for Finance and Chief Financial Officer
Dr. Kristin Sobolik, Chancellor for University of Missouri-St. Louis
Dr. Marshall Stewart, Vice Chancellor, Extension and Engagement
Mr. Christian Basi, Director of Media Relations
Media representatives

General Business

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

Chair Chatman recognized Curators' Distinguished Teaching Professor designation from Missouri University of Science and Technology for David Enke. He also recognized the work of an outstanding researcher from each university; Dr. Gary Grubbs from Missouri S&T, Dr. Luis Martinez-Lemus from MU, Dr. Lon Chubiz from UMSL and Dr. Diane Mutti-Burke from UMKC.

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

President Choi presented a report that included:

- Research and creative works compact update
 - Major grants and awards for each university
 - NextGen Precision Health update
- Student success compact update
 - Recognized 2020 and 2021 Presidential Awardees from Missouri University of Science and Technology:
 - Professor Rui Bo, Early Career Excellence, 2020
 - Professor Kathleen Sheppard, Innovative Teaching, 2020
 - Professor William Fahrenholtz, Sustained Career Excellence, 2020
 - Professor Kamal Khayat, Sustained Career Excellence, 2020
 - Professor Fateme Rezaei, Early Career Excellence, 2020
 - Professor James Drallmeier, University Citizenship – Leadership, 2020

- Professor David Westenberg, Community Engagement, 2020
 - Professor Jagannathan Sarangapani, Sustained Career – STEM, 2021
 - Professor VA Samaranayake, University Citizenship – Leadership, 2021
- Admissions, research and philanthropy updates
 - Legislative update
 - Investments to achieve excellence

Governance, Compensation and Human Resources Committee

Michael A. Williams, Chair
Julia G. Brncic
Jeff L. Layman
David L. Steelman

Finance Committee

Greg E. Hoberock, Chair
David L. Steelman
Robin R. Wenneker
Michael A. Williams

Health Affairs Committee

David L. Steelman, Chair
Maurice B. Graham
Robin R. Wenneker
Michael A. Williams
Ronald G. Ashworth (non-curator)
John R. Phillips (non-curator)

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

2022 Board of Curators Meeting Calendar

It was recommended by Chair Chatman, endorsed by President Choi, moved by Curator Hoberock and seconded by Curator Graham, that the proposed 2022 Board of Curators meeting calendar be approved as follows:

PROPOSED 2022 BOARD OF CURATORS MEETING CALENDAR

<u>DAY(S)</u>	<u>DATE(S)</u>	<u>LOCATION</u>
Thursday	February 3	UM – Columbia
Thursday	April 21	Missouri S&T
Thursday	June 23-24	Columbia, Missouri
Thursday	September 8	UM – Kansas City
Thursday	November 17	UM – St. Louis

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

Review of Consent Agenda – No discussion.

Consent Agenda

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

CONSENT AGENDA

Action

- A. Minutes, February 4, 2021 Board of Curators Meeting
- B. Minutes, February 4, 2021 Board of Curators Committee Meetings
- C. Minutes, March 12, 2021 Special Board of Curators Meeting and Executive Committee Meeting
- D. Degrees, Spring Semester 2021 for all Campuses
- E. Spinal Cord Injury and Disease Research Program Proposals
- F.

E. Spinal Cord Injury and Disease Research Program Proposals

that the research proposals approved by the Spinal Cord Injuries Research Program Advisory Board be approved as presented on the following pages (and as on file with the minutes of this meeting).

- I. Differential expression analysis, at single cell resolution, of the dorsal horn of the thoracic spinal cord to investigate early onset proprioceptive deficits in a canine ALS model

Joan Coates, DVM, MS, DACVIM–Neurology
Professor
University of Missouri

Total funding recommended \$99,059

- II. Effects of Spinal Cord Injury on Autonomic Network Activity
Controlling Bladder Function

David Schulz, PhD
Professor
University of Missouri

Total funding recommended \$200,000

F. Amendment, Collected Rules and Regulations 330.100, Evaluation of the Ability to Work

that the Collected Rules and Regulations, Section 330.100, Evaluation of the Ability to Work, be revised as attached (and as on file with the minutes of this meeting).

330.100 Evaluation of the Ability to Work

Executive Order No. 42, issued 12/18/2014, Amended 7-28-20; Bd. Min 04-22-21.

- A. **Purpose:** This policy addresses the standard and process to be used when determining whether a faculty member is unable to perform the essential functions of the faculty member's position because of a medical condition and whether a faculty appointment should be terminated for medical reasons. Issues concerning interpretation and application of this policy are to be addressed in the review and determination process stated in this policy and are not subject to further review under the Academic Grievance Procedure in Section 370.010 of the Collected Rules and Regulations. Application of this policy is not intended as a substitute for other University policies or procedures related to performance, including those imposed because of clinical or professional

requirements. In addition, application of this policy is not a substitute for discipline or action taken because of performance deficiencies unrelated to ability.

B. Scope: This policy applies to faculty members, either tenure/tenure track or non-tenure track, described in Section 310.020A of the Collected Rules and Regulations of the University of Missouri as holding academic staff appointments. This policy is intended to be consistent with the Americans with Disabilities Act, the Rehabilitation Act of 1973 and the Missouri Human Rights Act and should be interpreted to assure compliance with these laws.

C. Special Considerations for Faculty Members: Faculty members have rights that stem from the University's Collected Rules and Regulations, from the application of the general principles of academic freedom, and from the role of faculty members in the shared governance structure within the University of Missouri. This policy is not intended to compromise this special status but rather is intended to clarify and protect the rights of such faculty members and of the University of Missouri and its constituents.

D. Rights and Obligations of Faculty Members:

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coordinator, in consultation with the General Counsel's office, will take the following steps:

- a. Inform the faculty member in writing that an evaluation is required and provide information on the faculty member's and University's rights and obligations under this policy.
- b. Prepare a list of three to five health care professionals, at least one of whom is not employed by the University, for the evaluation process.
 - a. The faculty member to be evaluated, or in the event that the faculty member is unable or unwilling, an authorized representative with legal authority to make health-care decisions for the faculty member to be evaluated, shall select from the list the health-care professional(s) to perform the evaluation.
 - b. If the faculty member to be evaluated or the faculty member's authorized representative has not selected the health-care professional(s) to perform the evaluation within two weeks following receipt of the list of health-care professionals, the coordinator will select the health-care professional(s) to perform the evaluation and inform the faculty member to be evaluated of the selection.
- c. Inform the faculty member of the time and place of the required evaluation.
- d. Gather and assemble the evaluation materials and present them to the provost.

In cases where a direct threat to health or safety of the faculty member or others may exist, the faculty member will be suspended with pay by the provost pending the outcome oBDC -9.5 -1.15 Td (d.)

provost's determination as to the faculty member's ability to work. That determination will include one of the following: able to work without limitation; able to work with limitations; unable to work.

- a. **Able to work without limitation** If the provost determines that the faculty member is able to work without limitations, the coordinator will notify the faculty member and the academic unit head within five business days after receipt of the provost's final determination. If the faculty member was suspended pending the outcome of the evaluation, the suspension will terminate upon receipt of this notice.
- b. **Able to work with limitations** If the provost determines that the faculty member is able to work with limitations, the coordinator will notify the faculty member and academic unit head within five days, and the University will make reasonable efforts to accommodate those limitations in accordance with Section 600.080 of the Collected Rules and Regulations.
- c. **Unable to work** If the provost determines that the faculty member is not able to perform the essential functions of the faculty member's job, the coordinator will notify the faculty member and academic unit head within five business days. The coordinator will work with the faculty member as to the faculty member's options, which must be agreeable to the provost, and which may include, but are not limited to, application for long term disability benefits, unpaid leave of absence, resignation or termination of the faculty member's tenured appointment or term appointment before the end of the period of appointment. The notification also will identify the chair of the Campus Faculty Committee on Tenure (see Faculty Committees on Tenure 310.050 of the Collected Rules

report, the faculty member's response and supporting materials (if any), and the provost's determination.

2. The faculty member and provost may submit written arguments to the Campus Faculty Committee on Tenure within ten business days of the faculty member's request for review, with copies to the coordinator. If requested, the faculty member will be afforded an opportunity to appear before the Campus Faculty Committee on Tenure within ten business days of the faculty member's request for review and the provost will be afforded an opportunity to appear at the same time as the faculty member. The Campus Faculty Committee on Tenure will review the materials presented to it by the coordinator and the arguments of the faculty member and provost, but will not hear witness testimony or take additional evidence.
3. Within twenty business days of the faculty member's request for review, the Campus Faculty Committee on Tenure will provide a recommendation to the chancellor whether the faculty member's tenured appointment should be terminated, with copies to the coordinator, the provost, and the faculty member. The coordinator will provide to the chancellor copies of all materials and arguments submitted to the Campus Faculty Committee on Tenure.
4. After giving due consideration to the recommendation of the Campus Faculty Committee on Tenure, the chancellor shall issue a final determination whether the faculty member's tenured appointment will be terminated. The determination of the chancellor is final and not subject to further review under the Academic Grievance Procedure

report(s) by the designated health-care professional(s) who conducted the faculty member's evaluation in accordance with applicable laws. The provost will provide those in the faculty member's reporting chain with only that information about the faculty member's condition necessary for the proper supervision of the faculty member.

G. Amendments to Collected Rules and Regulations 180.060, Personnel Files

that Section 180.060 of the University's Collected Rules and Regulations be

that UM System be authorized to purchase a General Genealogy Research Database from ProQuest, LLC, Citrix, Corp., Ann Arbor, Michigan, at a total estimated cost of \$588,154 for a four-year term.

Funding is as follows:

MOREnet Member Related Expenses A2854-739850

I. Amendment, Collected Rules and Regulations 300.010, Faculty Bylaws, MU

That the Collected Rules and Regulations, Section 300.010, Faculty Bylaws of the University of Missouri – Columbia, be revised as attached (and as on file with the minutes of this meeting).

300.010 Faculty Bylaws of the University of Missouri-Columbia

Bd. Min. 11-22-74; Amended Bd. Min. 2-15-80 and 4-25-80; Amended Bd. Min. 1-31-91; 6-6-08; Amended 6-17-11; Amended 4-12-13; Amended 4-22-21.

- A. The Faculty Bylaws for the University of Missouri -Columbia as approved by the faculty on November 14, 1974 (a copy of which is on file with the Secretary), be approved, subject to the following:
 - 1. That the Bylaws are subject to all rules and regulations of the Board of Curators.
 - 2. That any amendment of the Bylaws shall be submitted to the Board of Curators for approval before becoming effective.
 - 3. This action be printed as part of the printed Bylaws.
- B. **Membership** -- The University of Missouri- Columbia* faculty shall consist of the president, chancellor, all persons with regular academic appointments, and all full- time, ranked non -tenure track (NTT) faculty with professorial designation. Campus -wide faculty votes on issues specific to tenure or tenured/tenure track (T/TT) faculty will be restricted to T/TT faculty.
*(Hereafter referred to as UMC. Also, when "faculty" is used alone, it is meant to refer to the UMC faculty, unless otherwise specified.)
- C. **Faculty**

- c. **Employment Rights** -- Faculty members have rights consistent with their continuous appointment or term appointment. These include the right to be notified as early as possible of their appointments and conditions

scholar. Although he/she observes the stated regulations of the institution, provided they do not contravene academic freedom, he/she maintains his/her right to criticize and seek revision. He/she determines the amount and character of the work he/she does outside his/her institution with due regard to his/her paramount responsibilities within it. When considering the interruption or termination of his/her service he/she recognizes the effect of his/her decision upon the program of the institution and gives due notice of his/her intentions.

- d. As a member of his/her community, the professor has the rights and the obligations of any citizen. He/she measures the urgency of those obligations in

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6. Establishment of new divisions shall entitle them to representation where divisional representation is designated in these Bylaws or

G. Faculty Participation in University -wide Governance

1. The faculty shall participate in education policy determination about those matters which are University -wide; some of these will be parallel to those issues in which the faculty exercises shared authority at the campus level (Section 300.010.C.3.a). The faculty's responsibility in these matters shall be exercised through mechanisms such as:
 - a. The Intercampus Faculty Council on which the UMC faculty shall have representatives designated by the UMC Faculty Council.
 - b. The University Doctoral Council to which the UMC Graduate Faculty shall elect its members.
 - c. Ad hoc and standing University -wide committees to which the faculty (often acting through its elected campus body, the Faculty Council) shall designate its members.
 - d. Intercampus committees concerned with cooperation in educational and research activities within the respective disciplines.

H. Faculty Council on UMC Policy

1. **Representative Faculty Voice** : A Faculty Council shall be composed of faculty members who shall be elected by the several divisional faculties as hereinafter provided. The Faculty Council shall have certain delegated authority to act on behalf of the General Faculty (Section 310.010.C.3.c of these Bylaws). In addition, the Council, as a representative faculty voice, shall advise the chancellor and the UMC faculty on questions of UMC policy submitted by either to the Council, and may initiate recommendations concerning changes in the UMC policy for consideration and appropriate action by the chancellor or UMC faculty.
2. **Academic Unit Selections** : All colleges and schools that are headed by a dean who reports to the provost for academic affairs shall be entitled to voting representation. For the purposes of Academic Unit Selections MU Libraries will be collectively treated as a school entitled to voting representation.
3. **Allocation of Representatives** : Faculty Representatives shall be allocated to a college or school on the basis of the total number of full-time ranked faculty members of the UMC faculty within the college or school. The determination of the number of full-time ranked faculty representatives shall be made on November 1 of each academic year, and the number so determined shall govern representation for the next academic year. A full-time ranked representative who has a joint appointment in two or more colleges or schools shall be assigned to the college or school in which the

6. **Election Procedures** : The full-time ranked faculty of each college or school shall determine the election procedures for the election of its representative or representatives and shall report these to the Faculty Council. Election shall be by secret ballot. In those divisions that have two or more representatives, terms shall be staggered.
 7. **T/TT Matters** : As defined in the Faculty Council Rules of Order, NTT faculty representatives are not eligible for service on the Faculty Council Board of Tenured or Tenure -Track Faculty, which votes on matters specific to tenure or tenured/tenure track (T/TT) faculty.
 8. **Term of Office:** The regular term of office for a member shall be three years beginning on the first day of the fall semester. No member shall serve more than two terms in succession, but a member may serve any number of discontinued terms, and even though the member has served two terms in succession may from time to time serve two more terms in succession after a break in service. Terms of less than three years, whether of one or two years duration or fraction thereof shall count the same as a three - year term.
- I. **Officers of the Faculty**
1. The chairperson of the general faculty shall be the chancellor. The vice chairperson of the faculty shall be the chairperson of the Faculty Council. Ordinarily, the chairperson shall preside at faculty meetings, but determination of who shall preside will be guided by the nature of the business at hand. The vice chairperson shall preside at meetings of the general faculty in the absence of the chairperson, or at other times when so designated by the chairperson.
 2. The secretary of the faculty shall be a member of the general faculty and shall be appointed by the Faculty Council. The secretary shall keep minutes of all faculty meetings and shall distribute copies of the same to all members of the general faculty, and shall provide copies of the agenda of all faculty meetings to all members of the faculty prior to any faculty meeting. (By Faculty Council action October 21, 1982, the recorder of Faculty Council shall be secretary of the faculty, with the technical assistance of the registrar; the minutes of the general faculty meetings shall be reviewed, approved and distributed to all faculty in the same manner as the minutes of the Faculty Council meetings.)

campus- wide election from at least 25 members of the faculty representing at least three divisions of UMC. The Faculty Council shall vote on such petition, and if approved, shall initiate a campus

L. Procedures Governing the Disposition of Charges of Faculty
Irresponsibility

1. Basis for the

irresponsible action, and determine that all necessary details have been supplied. The provost shall discuss the substances of the charge with the accuser(s) to assure further that the facts and nature of the charge are understood clearly. Once the provost has verified the procedural adequacy of the charge, he/she shall forward it promptly to the dean of the division in which the accused faculty member or teacher has his/her academic appointment.

- c. Upon receipt of the signed, written charge against a faculty member or teacher employed within his/her division, the dean shall consult with the accused's department chairperson, in those divisions with more than one department. They shall review the charge for adequacy of procedural detail. If in their opinions, the charge is vague or insufficiently detailed, they shall so inform the provost in writing and return the charge to him/her with a request for clarification, or addition of information, and resubmission.
- d. If in the opinions of the divisional dean and the department chairperson the charge is properly described, the department chairperson, or dean in those divisions without departments, as soon as possible, shall provide the accused with a full copy of the charge, including the name of the person, or persons, making the charge.

- 5. Action by the Department Chairperson (or Divisional Dean) -
- The department chairperson shall discuss the alleged violation informally with the accused and with the accuser, meeting them either together or separately, or both, and shall attempt to reconcile differences and find a solution acceptable to all persons involved.

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solution or if no acceptable solution was reached, the matter may be referred back to the department chairperson for further negotiation, or the procedures under Section 300.010.L.6 shall be followed.

- c. In those divisions having only one department, the divisional dean shall take the steps set out in Section 300.010.L.5 and shall report to the provost for academic affairs.
 - d. The department chairperson or the divisional dean shall be disqualified from action under Section 300.010.L.5 if he/she is the accuser or the accused and in such case the respective department or division shall elect a chairperson pro tem to act instead.
6. Informal Hearing Before Peers at the Department or Divisional Level -- If a resolution of the charge is not reached under the provisions of Section 300.010.L.5, the divisional dean shall inform the accused in writing of his/her recommendations for disposition of the charge, and shall describe the rights of the accused to an informal hearing. The accused may request in writing an informal hearing at either the department level (in divisions with more than one department) or the divisional level, but not both. If no written request is made by the accused within ten (10) school days, or if he/she waives in writing the informal hearing, the procedures of Section 300.010.L.7 shall be followed.

- a. After a written request for an informal hearing, such hearing shall be held by a committee designated for this function according to the following procedure:

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(a) When the accused is a faculty member, the divisional dean will strike three names and then the accused will strike three names from the panel of faculty members and the remaining seven faculty members will constitute the committee.

(b) When the accused is a teacher, five membcu r,v fvsvdivisionu0.5 0 (e)0.

(b) If the accused is a teacher, a recommendation as to the appropriate sanction shall be made. The justification for this conclusion must be included.

7. Action by the Divisional Dean and the Provost for Academic Affairs

- a. If the accused is a faculty member and no request for an informal hearing was made, the divisional dean with the concurrence of the provost for academic affairs shall either:

(1) If the accused is a faculty member and no request for an informal hearing was made, the divisional dean with the concurrence of the provost for academic affairs shall either:

the accused. The divisional dean's decision is subject to review by the provost for academic affairs who may accept an appeal from the teacher or review the case on his/her own motion.

University is in session are reasonable lower and upper limits for each action, with extensions possible for good cause.

- g. Assurance to all parties involved of adequate notification of meetings and scheduling at times and places convenient to the persons involved.
- h. Freedom of the accused against sanctions prior to completion of these procedures. In a serious case where the continuation of duties by an accused would disrupt the educational process or would create a serious threat to lives and property, the chancellor may suspend the accused without loss of pay, on good cause shown and incorporated into written findings delivered to the accused.
- i. The rights of the accused to waive any or all of the peer judgment steps in these procedures and to negotiate a settlement with appropriate administrative officers at any time.
- j. The right and desirability of the divisional dean, after receiving a committee report (or in the absence of such a report where a hearing has been waived), to request and receive from the department chairperson communications concerning the disposition of the case prior to the divisional dean's taking action; and the similar right of the provost for academic affairs to communicate with the divisional dean and the department chairperson.

M. Revision of Bylaws -- Revisions of these Bylaws may be proposed by Faculty Council. Proposed revisions shall be presented and discussed at a meeting of the general faculty or a faculty forum. As soon as possible after the general faculty meeting or faculty forum, all faculty members will be notified of the proposed revision and provided access to a ballot. Ballots will be tabulated by a committee of Faculty Council within two weeks following completion of voting. A simple majority of the votes submitted will be required for approval. Results of the vote will be reported to Faculty Council and then all faculty members as soon as feasible. Revisions become effective upon approval by the Board of Curators.

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

Board of Curators standing committee meetings were convened at 8:40 A.M. and concluded at 11:16 A.M. on Thursday, April 22, 2021. Committee actions were presented to the full Board for action following each Committee vote.

Finance Committee

Curator Hoberock provided time for discussion of committee business.

Fiscal Year 2022 Budget Update, UM – presented by Vice President Rapp (information and slides on file for this information item)

Fiscal Year 2022 Tuition and Required Fees, Supplemental and Other Related Enrollment Fees, UM – presented by Vice President Rapp (information and slides on file for this information item)

Approval, Five-Year Capital Plan for MU, MU Health Care, Missouri S&T, UMKC and UMSL – presented by Vice President Rapp (information and slides on file)

It was recommended by President Choi, Chancellor Agrawal, Chancellor Dehghani, and Chancellor Sobolik, recommended by the Finance Committee, moved by Curator Hoberock and seconded by Curator Graham that the:

MU: Capital Plan included in Finance Plan:

- Veterinary Medical Diagnostic Laboratory Addition
- Pickard Hall – Decommissioning and Mitigation

Strategic Projects Development Plan:

- Laboratory for Infectious Disease Research – Addition for CO6 Grant Funding

- Addition to FA06 S&T F2(F6)201072(a) by (a) DiscovE1 (0)3d74869 (1)-561(6) [T] Mse:

S&T: Capital Plan included in Finance Plan:

- Welcome Center
- Engineering Research Lab Addition and Renovation
- Manufacture Missouri Ecosystem Building One
- Schrenk Hall Addition and Renovation - Phase III

Strategic Projects Development Plan:

- University Center West
- McNutt Hall Addition

UMSL: Strategic Projects Development Plan:

- UMSL Consolidation Plan

be approved for further planning and development as described in the following materials (and as on file with the minutes of this meeting).

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

Governance, Compensation and Human Resources Committee

Curator Williams provided time for discussion of committee business.

Collected Rules and Regulations 380.010, Grievance Procedure for Administrative, Service and Support Staff – presented by Vice President Fischer (information on file)

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

Section 380.010 of the University's Collected Rules and Regulations be amended as set forth below (and as on file with the minutes of this meeting).

380.010 Grievance Procedure for Administrative, Service and Support Staff

Bd. Min. 2-19-67, p. 32,163; Revised Bd. Min. 9-7-79; Revised Bd. Min 9-12-80; Revised Bd. Min. 2-2-94; Amended 9-26-97; Revised 10-1-98; Revised 2-5-15; Amended 2-9-17, Bd. Min. 9-24-20; Revised Bd. Min. 4-22-21.

A. Policy Statement & Purpose

1. The University of Missouri strives to provide and maintain a safe and respectful work environment for all employees. The University recognizes

that employees may encounter disputes or other complaints that impact their work.

2. Generally, problems should be resolved informally through direct discussions between employees and supervisors. This Grievance Procedure provides a means to resolve issues where informal resolution is not successful.

B. At-Will Employment Status - Nothing contained in this policy is intended and no language contained herein shall be construed as establishing a “just cause” standard for imposing discipline, including but not limited to, termination of employment. Further, nothing contained in this policy is intended and no language contained herein shall be construed to alter in any manner whatsoever the at-will employment status of any at-will University employee.

C. Definitions

1. **Advisor** - Individuals selected to provide support and guidance during the Grievance Procedure.
2. **Business Days** - Regular workdays (Monday through Friday), exclusive of official University holidays (as defined in the Collected Rules and Regulations, Section 340.040), and Winter Break Reduced Oper4 (p)-10 (r)3 (ovi)-2 pport s c Regulations, Sectè.

- a. they have been personally, materially, and adversely impacted by a violation, misinterpretation, or misapplication of law;
 - b. they have been personally, materially, and adversely impacted by a violation, misinterpretation, or misapplication of a written University policy; or
 - c. they received disciplinary action or involuntary termination, which resulted from a violation, misinterpretation, or misapplication of law or written University policy.
2. **Non-Grievable Issues** - The following are not eligible grievable issues under the grievance policy:
- a. Hiring decisions;
 - b.

Days after the grievance is accepted, but may take longer based on the nature or circumstances of the grievance. The Campus Grievance Officer may designate an investigator to investigate the grievance. The assigned investigator may recommend findings and remedies, but only the Campus Grievance Officer may determine results and remedies. The designated

- c. Appeals are not intended to be full re-hearings of the grievance, and therefore the UM System Grievance Officer will be deferential to the Campus Grievance Officer's findings of fact.
 - d. In most cases, appeals will be confined to a review of the written documentation, Grievance Investigation, and relevant documentation regarding the grounds for appeal. The UM System Grievance Officer may solicit additional information if deemed appropriate, including interviews with the Grievant, the Campus Grievance Officer, and others.
 - e. The UM System Grievance Officer may grant an appeal based on new information that was not reasonably available at the time of the Campus Grievance Officer's decision and which materially affects the outcome of the Grievance. The UM System Grievance Officer may make a new decision based on such information or remand the Grievance to the Campus Grievance Officer for reconsideration.
 - f. The UM System Grievance Officer will typically render a decision on the appeal to the Grievant and Campus Grievance Officer within fifteen (15) Business Days after accepting the request for appeal. The UM System Grievance Officer may extend the deadline for issuing a written decision with written notice to the Grievant and Campus Grievance Officer.
 - g. The UM System Grievance Officer's decision is final, and further appeals and grievances are not permitted.
- H. **Advisors** - Grievants are allowed to have one Advisor of their choice present with them for all Grievance proceedings. The Grievant may select whomever they wish to serve as their Advisor, including an attorney. An Advisor is not required, and a Grievant may elect to proceed without an Advisor. The University is not required to provide a Grievant with an Advisor, and an Advisor's attendance is the Grievant's responsibility. The Advisor may not make a presentation or represent the Grievant in Grievance proceedings. The Grievant is expected to ask and respond to questions on their own. The Advisor may provide the Grievant consultation quietly, in writing, or during a break in the proceedings; however, the Advisor may not speak on behalf of the Grievant. Advisors who do not follow these guidelines will be cautioned or dismissed from the proceeding.
- I. **Extensions of Time** - For good cause, the Campus Grievance Officer or UM System Grievance Officer may grant reasonable extensions of time for any of the time deadlines in this Grievance Procedure.
- J. **Notice** - Notice required by this Grievance Procedure may be via the Grievant's university-issued email account or first-class mail to the Grievant's mailing address indicated in University records. If necessary, notice may be via the Grievant's personal email account.

New Degree Program Proposal, Bachelor of Science in Veterinary Technology, MU – presented by Senior Associate Vice President Graham and Carolyn Henry (information on file)

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by President of the University of Missouri Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Wenneker, seconded by Curator Graham 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 Bachelor of Science in Veterinary Technology to the Coordinating Board for Higher Education for approval.

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

Amendment to Collected Rules and Regulations 330.065, Consensual Romantic Relationship Policy – presented by Senior Vice President Graham (information on file)

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by President of the University of Missouri Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Wenneker, seconded by Curator Graham that the following action be approved:

that Collected Rules and Regulations, Section 330.065, Consensual Romantic

2. Evaluative or Supervisory Authority: Evaluative or supervisory authority exists when one participant is personally involved in teaching, mentoring or advising, supervising, evaluating, assessing, grading, or otherwise determining or making recommendations relating to another participant's conduct or academic or employment performance, progress or potential.

B. Statement of Principles

1. The University of Missouri promotes an atmosphere of professionalism based on mutual trust and respect. The integrity of interaction among faculty, staff and students must not be compromised.
2. When individuals involved in a consensual romantic relationship are in positions of unequal power at the university, there is a potential for a conflict of interest, favoritism, or exploitation.
3. These relationships may be less voluntary than the person with greater power perceives, or circumstances may change and conduct that was once welcome may become unwelcome.
4. The fact that a relationship was initially consensual does not insulate from

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- a. Report the perceived violation to an appropriate dean, vice chancellor, vice president or similar level of leadership;
- b. In the event the reporting party believes someone has been discriminated against based on the individual's sex, file a report with the appropriate Title IX Coordinator for the campus.

E. Violations

1. Violations of this policy, defined as a failure to address the existing or potential conflict of interest, regardless of the manner in which it is brought to the attention of the University, may lead to disciplinary action as

appointment. The System Office of Human Resources shall maintain records for all such appointments and send an annual report to the Secretary of the Board of Curators detailing the appointments for the academic year. The Secretary shall promptly forward the report to the Board.

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4. Conditions of Appointment:

- a. Curators' Distinguished Professors should be fully integrated in the department, with such departmental responsibilities as may be determined by the chair and the appointee. However, each Curators' Distinguished Professor is a resource of the entire University and should be expected to contribute to the entire University through such activities as giving lectures on other campuses and engaging in teaching and research across divisional lines.
- b. All candidates selected for a Curators' Distinguished Professor appointment after January, 2005 will be appointed for a period of five years. Each five-year appointment may be renewed at the discretion of the Chancellor. There is no limit to the number of extensions a Curators' Distinguished Professor may be granted.
- c. The duration of the appointment for all Curators' Distinguished Professors appointed prior to January, 2005 is not term limited.
- d. No person shall hold the title Curators' Distinguished Professor while serving also in a full-time administrative position. A person on a Curators' Distinguished Professor appointment asked to assume such a position may, with approval of the Board prior to the administrative appointment, reassume the title of Curators' Distinguished Professor upon expiration of that appointment.
- e. A Curators' Distinguished Professor may, upon recommendation of the President and approval of the Board, be designated Curators' Distinguished Professor Emeritus upon retirement from the University.

D. Curators' Distinguished Teaching Professorships—That there be a category of academic appointment to be known as the Curators' Distinguished Teaching Professorship. Appointment to this prestigious position will be covered by procedures and policies outlined below.

1. **General**—These are prestigious positions and only outstanding teachers with established reputations will be considered for appointment. Therefore, it is expected that there will be few such appointments.
2. **Selection**—Nominations for appointment to the position of Curators' Distinguished Teaching Professor will be made by departments or disciplines which will furnish needed information to their respective campus administration, including opinions of prominent people in the discipline.
 - a. The campus administration will make additional investigations as are appropriate. If the nominee is found worthy and the chancellor approves the nomination, the chancellor will forward the nomination with the chancellor's approval to the President.
 - b. The President may make such investigations as deemed necessary. If the President finds the candidate worthy, the President will recommend the appointment to the Board.

It was recommended by Sr. Associate Vice President Steve Graham, endorsed by President of the University of Missouri Mun Choi, recommended by the Academic, Student Affairs and Research & Economic Development Committee, moved by Curator Wenneker, seconded by Curator Hoberock that the following action be approved:

that Collected Rules and Regulations, Section 320.020, President's Authority, be revised as below (and as on file with the minutes of this meeting).

320.020 President's Authority

Bd. Min. 4-7-67, p. 33,193; Bd. Min. 3-17-72, p. 36,323; Amended Bd. Min. 4-22-21.

- A. The President shall have the following specific authority:
 - 1. To make or change academic appointments or salaries within the budget,
 - 2. To accept resignations and discharge faculty,
 - 3. To make or change appointments, change salaries, accept resignations or discharge employees in non-academic positions, including the Crippled Children's Service.
 - 4. **Exception** -- Any appointment or change of appointment of Vice Presidents, Chancellors or Curators Professors shall be reported to and approved by the Board of Curators before the effective date thereof.
- B. All such appointments shall be made, regardless of the terms named in the appointments, subject to termination at the pleasure of the Board of Curators.
- C. All appointed personnel actions shall be made in writing. Fully executed appointment documents shall be filed with the hiring unit and the System Office of Human Resources prior to the effective date of the appointment. The System Office of Human Resources shall maintain records for all such appointments.
- D. Any appointments so made shall be in accordance with existing policies and scales of pay for the University in effect at the time of such appointment.

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

Audit, Compliance and Ethics Committee

Curator Layman provided time for discussion of committee business.

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

Health Affairs Committee Chair Report

Curator Steelman provided an overview of committee business.

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

Executive Vice Chancellor Report – (slides on file for this information item)

Quarterly Financial Report, MU HealthcgrT (r)3e (M)-1 (e[(e)4 (f) ET 90 535J 0 Tc 0 Tw [(C)-3 (ha)4 (nc)-

WHEREAS, Missouri University of Science and Technology (Missouri S&T) was established in 1870 as the Missouri School of Mines and Metallurgy and was one of the first technological learning institutions west of the Mississippi River; and

WHEREAS, Missouri S&T's 150-year heritage of discovery, creativity and innovation continues to attract world-class students, faculty and staff from Missouri and around the world; and

WHEREAS, Missouri S&T has over 7,600 students from across the U.S. and around the world engaged in 99 Degree Programs in 40 areas of study, including business, computer science, engineering, sciences, education, humanities and liberal arts; and

WHEREAS, Missouri S&T is home to award-winning student design teams that give students the opportunity to develop their problem-solving, teamwork and business skills while designing and building race cars, robots, rockets, Mars rovers and more; and

WHEREAS, Missouri S&T's 65,000 alumni use their skills by looking beyond the surface, merging creativity and analysis, and developing innovative solutions for societal challenges; and

WHEREAS, Missouri S&T is home to the Kummer Institute for Student Success, Research and Economic Development. The institute will transform Missouri S&T and the state by cultivating leadership and technological innovation; promoting an entrepreneurial mindset; fostering expansion of academic-industry partnerships to address emerging needs of industry; and creating jobs and economic growth for the region; and

WHEREAS, Missouri S&T is highly recognized for providing an outstanding education; and

of the region; and
is the No. 1 public engineering university in the nation, and
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thereof be furnished to Chancellor Mohammad Dehghani as representative of the entire Missouri S&T community.

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

Strategic Theme Discussion

- **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 Brncic voted yes.

Curator Chatman voted yes.

Curator Graham voted yes.

Curator Graves voted yes.

Curator Hoberock voted yes.

Curator Layman voted yes.

Curator Steelman voted yes.

Curator Wenneker voted yes.

Curator Williams voted yes.

The motion carried.

The public session of the Board of Curators meeting recessed at 1:33 P.M. on April 22, 2021.

Board of Curators Meeting – Executive Session

A meeting of the University of Missouri Board of Curators was convened in executive session at 2:20 P.M., on Thursday, April 22, 2021, via Zoom video and at remote locations via conference telephone, pursuant to public notice given of said meeting. Curator Darryl M. Chatman, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Julia G. Brncic

The Honorable Darryl M. Chatman

The Honorable Maurice B. Graham

The Honorable Todd P. Graves

The Honorable Greg E. Hoberock

The Honorable Jeffrey L. Layman

The Honorable David L. Steelman

The Honorable Robin R. Wenneker

The Honorable Michael A. Williams

Also Present

Dr. Mun Y. Choi, President, University of Missouri

Mr. Stephen J. Owens, General Counsel

Ms. Cindy Harmon, Secretary of the Board of Curators
Mr. Remington Williams, Student Representative to the Board of Curators
Ms. Kamrhan Farwell, Chief Marketing and Communications Officer
Ms. Marsha Fischer, Vice President for Human Resources and Chief Human Resources Officer
Ms. Christine Holt, Chief of Staff, UM System
Mr. Ryan D. Rapp, Vice President for Finance and Chief Financial Officer

General Business

Wrestling Program Move to Big 12 Conference, MU – presented by President Choi and Athletic Director, Jim Sterk (information on file)

It was recommended by President Choi, moved by Curator Wenneker and seconded by Curator Layman, that:

Pursuant to Collected Rule and Regulation 270.060.H, the Board of Curators approves University of Missouri – Columbia’s proposal to change Mizzou Wrestling’s conference affiliation back to the Big 12 Conference effective July 1, 2021 on the same or substantially similar terms as those presented to the Board during its meeting of April 22, 2021, with the final agreements subject to approval by General Counsel as to legal form.

Roll call vote of the Board:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Graves voted yes.
Curator Hoberock voted yes.
Curator Layman voted yes.
Curator Steelman voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

Review Consent Agenda – Executive Session – No discussion.

Consent Agenda – Executive Session

It was endorsed by University of Missouri President Mun Y. Choi, moved by Curator Graham and seconded by Curator Brncic, that the following items be approved by consent agenda:

Action

1. ³²¹Property Lease, MU – this item is closed and may be made public when completed.

Roll call vote of the Board:

- Curator Brncic voted yes.
- Curator Chatman voted yes.
- Curator Graham voted yes.
- Curator Graves voted yes.
- Curator Hoberock voted yes.
- Curator Layman voted yes.
- Curator Steelman voted yes.
- Curator Wenneker voted yes.
- Curator Williams voted yes.

The motion carried.

Governance, Compensation and Human Resources Committee – Executive Session

Change in Appointment, Vice President and Chief Financial Officer Ryan Rapp – presented by President Choi

It was recommended by President Choi and the Governance, Compensation and Human Resources Committee, moved by Curator Williams and seconded by Brncic, that

pursuant to Collected Rule and Regulation (CRR) 320.020, the Board approves the change in appointment of UM System Vice President for Finance, Chief Financial Officer and Treasurer Ryan Rapp to Executive Vice President of

Finance & Operations, Chief Financial Officer and Treasurer of the University of Missouri.

Roll call vote of Board of Curators:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Graves voted yes.
Curator Layman voted yes.
Curator Snowden voted yes.
Curator Steelman voted yes.
Curator Wenneker voted yes.
Curator Williams voted yes.

The motion carried.

General Business

Property Sale, MU – presented by Vice President Rapp

This item was tabled for more information. No action taken by the Board.

President's Report on personnel and contract matters – presented by President Choi

No action taken by the Board.

General Counsel's Report – presented by General Counsel Owens

No action taken by the Board.

Curator's Report

No action taken by the Board.

Adjourn, Board of Curators Meeting and Committee Meetings, April 22, 2021

It was moved by Curator Graham and seconded by Curator Brncic that the Board of Curators meeting and committee meetings, April 22, 2021, be adjourned.

Roll call vote of the Board:

Curator Brncic voted yes.
Curator Chatman voted yes.
Curator Graham voted yes.
Curator Graves voted yes.
Curator Hoberock voted yes.
Curator Layman voted yes.
Curator Steelman 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 3:35 P.M. on Thursday, April 22, 2021.

Respectfully submitted,

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

Approved by the Board of Curators on June 24, 2021.