

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



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The Honorable Julia G. Brncic
The Honorable ~~Robert A. Wilken~~
The Honorable ~~Robert A. Wilken~~ was absent.

Also Present

~~Mr. Mark A. Menghini, Chancellor, University of Missouri–Kansas City~~
Mr. Ben Canlas, Interim Vice President for Information Technology
~~Ms. Mohana Bastian, Vice President for Mission and University Affairs and Human Resources Officer~~

Curator Layman voted yes.
Curator Wenneker voted yes.
Curator Williams was absent.

The motion carried.

University of Missouri Board Chair's Report – presented by Vice Chair Wenneker in Chair Williams' absence

Vice Chair Wenneker recognized Curators' Distinguished Professors designations from University of Missouri-Columbia; Hongbin "Bill" Ma, Engineering; Ron Mittler, CAFNR;

Jeff L. Layman, Chair
Todd P. Graves
Greg E. Hoberock

Greg E. Hoberock, Chair
Julia G. Brncic
Keith A. Holloway

Todd P. Graves, Chair
Greg E. Hoberock
Jeff L. Layman
Robin R. Wenneker

Keith A. Holloway, Chair
Julia G. Brncic
Robin R. Wenneker

Robin R. Wenneker, Chair
Julia G. Brncic
Keith A. Holloway
Jeff L. Layman
Ronald G. Ashworth (non-curator)
Dan P. Devers (non-curator)
Dr. James H. Whitaker (non-curator)

Roll call vote of the Board:

Curator Brncic voted yes.
Curator Graves voted yes.
Curator Hoberock voted yes.
Curator Holloway voted yes.
Curator Layman voted yes.
Curator Wenneker voted yes.
Curator Williams was absent.

The motion carried.

Review of Consent Agenda – No discussion.

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

Action

A.

Proposals Recommended for Funding
2023

I. Spinal Motoneuronal Resiliency During Aging

William Arnold, MD
Professor, Physical Medicine and Rehabilitation,
NextGen Precision Health
University of Missouri

Total funding recommended \$100,000

II. The function of ZPR1 in amyotrophic lateral sclerosis 4 (ALS4)

Laxman Gangwani, MSc, MTech, PhD
Professor, Veterinary Pathobiology
University of Missouri

Total funding recommended \$100,000

III. Injectable Hydrogels for the Treatment of SCI Inflammation &
Sublesional Osteoporotic Fractures

Bret Ulery, BS, BSE, PhD
Associate Professor, Chemical and Biomedical Engineering
University of Missouri

Total funding recommended \$100,000

IV. Autonomic cardiac function in subacute spinal cord injury: a quantitative
study in real-world settings

Mihaela Carmen Cirstea, MD, PhD
Assistant Research Professor, Physical Medicine &
Rehabilitation
University of Missouri

Total funding recommended \$100,000

- V. Understanding the role of TNF-alpha for spinal respiratory neuroplasticity and ventilatory function over the course of respiratory motor neuron loss

Nicole L Nichols, PhD
Biomedical Sciences
University of Missouri

Total funding recommended \$100,000

- VI. Feasibility and Acceptability of the Spinal Cord Injury Self-Management (SCISM) Program

Bridget Comparato Kraus, B.S., MSOT, OTR/L
Occupational Therapist
University of Missouri

Total funding recommended \$100,000

The motion carried unanimously (6-0) by voice vote with no abstentions.

Board of Curators standing committee meetings were convened at 8:50 A.M. and concluded at 10:25 A.M. on Thursday, February 9, 2023. Committee actions were presented to the full Board for action following each Committee vote.

Curator Holloway provided time for discussion of committee business.

Annual Approval, Board Standing Committee Charters

It was recommended by the Governance, Compensation and Human Resources Committee, endorsed by Chair Williams, moved by Curator Holloway, and seconded by Curator Layman, that the following action be taken:

that the Board Standing Committee Charters, as reviewed by the Committee Chairs and executive liaisons, be approved as attached (and as on file with the minutes of this meeting).

The motion carried unanimously (6-0) by voice vote with no abstentions.

Curator Graves provided time for discussion of committee business.

FY2022 Five-year Financial Plan and Recommended Financial Performance Targets, UM
– presented by Executive Vice President Ryan Rapp (slides and information on file)

It was recommended by President Choi and Executive Vice President Ryan Rapp, recommended by the Finance Committee, moved by Curator Graves, and seconded by Curator Hoberock, that the following recommendations be approved:

The financial performance targets for the University of Missouri, MU, UMKC, Missouri S&T, UMSL and MU Healthcare as presented in executive summary.

The motion carried unanimously (6-0) by voice vote with no abstentions.

Project Approval, National Swine Resource and Research Center – Addition, MU –
presented by Executive Vice President Ryan Rapp (information on file)

It was recommended by President Choi, recommended by the Finance Committee, moved by Curator Graves, and seconded by Curator Brncic, that the following action be approved:

the project approval for the National Swine Resource and Research Center – Addition, MU

Funding of the project budget is from:

Federal NIH CO 6 Grant	\$7,969,580
University Funds	<u>\$30,420</u>
Total Funding	\$8,000,000

The motion carried unanimously (6-0) by voice vote with no abstentions.

Project Approval, Thompson Center – New Building, MU – presented by Executive Vice GC

/P

It was recommended by President Choi, recommended by the Finance Committee, moved by Curator Graves, and seconded by Curator Layman, that the following action be approved:

the project approval for Thompson Center – New Building,

MU Funding of the project budget is from:

State Appropriation	\$27,500,000
Gifts	\$15,000,000
University Funds	<u>\$12,500,000</u>
Total Funding	\$55,000,000

The motion carried unanimously (6-0) by voice vote with no abstentions.

Project Approval, Middlebush Farm – NextGen Center for Influenza Research – Phase II Addition, MU – presented by Executive Vice President Ryan Rapp (information on file)

It was recommended by President Choi, recommended by the Finance Committee, moved by Curator Graves, and seconded by Curator Layman that the following action be approved:

the project approval for the Middlebush Farm – NextGen Center for Influenza Research – Phase II Addition, MU

Funding of the project budget is from:

Federal HRSA Grant	\$5,000,000
State and University	<u>\$2,500,000</u>
Total Funding	\$7,500,000

The motion carried unanimously (6-0) by voice vote with no abstentions.

Project Approval, South Farm - Swine Research and Education Facility Addition, MU – presented by Executive Vice President Ryan Rapp (information on file)

It was recommended by President Choi, recommended by the Finance Committee, moved by Curator Graves, and seconded by Curator Hoberock, that the following action be approved:

the project approval for the South Farm - Swine Research and Education Facility Addition, MU

Funding of the project budget is from:

Federal HRSA Grant	<u>\$5,000,000</u>
Total Funding	\$5,000,000

The motion carried unanimously (6-0) by voice vote with no abstentions.

Project Approval, Healthcare Innovation and Delivery Building, UMKC - presented by

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; Amended 2-9-23.

A. for the University of Missouri-

University-wide system, including those related to budget matters, as well as decisions of other bodies which affect UMC. Where possible, this information

- c. _____, the faculty member seeks above all to be an effective teacher and scholar. Although the faculty member observe the stated regulations of the institution, provided they do not contravene academic freedom, the faculty member

to guidelines for appropriate research, service, and
scholarships; requirements for graduation; and related

the faculty is cumbersome, that attendance at such meetings varies, and that it is often difficult to have complete discussion of issues at such meetings, may delegate its authority to the Faculty Council. Such delegation, if made, shall be in accord with and subject to the following provisions:

(1) The delegation shall be made by majority vote of the faculty by mail ballot or at a regular meeting of the faculty. The delegation may be for a specific period (not less than one academic year) or for an indefinite period. However, the delegation may be withdrawn at any time by specific action of the Faculty.

(2) The delegation shall not prevent the calling of meetings of the faculty under the provisions of Section 300.010.C. Regular meetings of the faculty shall be held at least once a semester.

(3) The delegation shall give the Faculty Council authority to act for the faculty and, except as provided below, to take such actions as the faculty could take.

(a) This authority shall include but not be limited to:

- Proposing revisions of the Bylaws to be submitted to the faculty for adoption.
- Referring any matter to the faculty either by calling a meeting of the faculty or by mail ballot.
- Appointing special committees (whose members need not be members of the Faculty Council) to report to the Faculty Council

(b) The authority to amend these Bylaws is not delegated.

(c) The delegation shall not affect the prerogatives of individual faculty members nor of individual faculties.

(4) Any member of the faculty may request any matter to be placed on the agenda of the Faculty Council and may request to be allowed to appear before the Faculty Council. Such requests may be made either through their representatives or the chairperson of the Faculty Council.

(5) Meetings of the Faculty Council shall be open to all members of the faculty.

(6) The actions of the Council, in those areas in which it

by at least 25 faculty members representing at least three divisions of the campus.

4. There shall be a Graduate Faculty organization. It shall develop its own criteria for membership, organizational structure, its own obligations and rights providing they are consonant with the philosophy and principles of the federal faculty Bylaws. The Graduate Faculty shall determine the functions of the Graduate Faculty Senate. The Graduate Faculty shall set standards for graduate education on the campus, provided they meet at least the minimum standards established by the general faculty.
5. Divisional faculties are established in the various academic divisions. They shall develop policies adapted to their specific needs, but standards of performance must not be set below those established by the general faculty.
6. Establishment of new divisions shall entitle them to representation where divisional representation is designated in these Bylaws or otherwise deemed appropriate.

F.

1. 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. These participatory functions of the faculty are articulated as follows:
 - a. The faculty, through its elected representative structure, the Faculty Council, nominate faculty members to participate in a specially designated body currently called the University Assembly which is charged with advising the chancellor on matters mutually affecting all constituencies of the University (faculty, students, administration, and non-academic employees), and nominating members to campus-wide standing committees. The participation of the UMC faculty in this Assembly will represent faculty participation to the extent that the domains of faculty primary and direct authority are not infringed upon.
 - b. An Academic Regulations Committee shall be established consisting of representatives of the Faculty Council (which may be the Executive Committee) and campus administration. This committee will assume

(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. 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 both MU Libraries and MU Extension each will be treated

shall adjust the ratio to produce not less than 30 and not more than 35 representatives.

4. The minimum number of T/TT faculty representatives on the Council shall be four, and the minimum number of NTT faculty representatives on Council shall be four. If, as the result of academic unit selections of representatives, fewer than four NTT faculty or four T/TT faculty are included in the makeup of Faculty Council on September 15 of any year, Faculty Council shall organize and hold a special election of the respective full-time ranked NTT or T/TT faculty to achieve the minimum. Only full-time ranked NTT faculty will vote in a special election for an NTT representative; Only full-time ranked T/TT faculty will vote in a special election for a T/TT representative. The selected representatives will be added to the Faculty Council in addition to those chosen by the academic unit selections, and their addition may increase the size of Faculty Council to more than 35 full-time faculty ranked faculty representatives. Representatives elected in special elections will serve regular three-year terms.
5. Members of the UMC faculty who hold administrative positions with the rank of assistant dean or higher, or equivalent positions regardless of the title, are ineligible for election or service. Only those eligible to serve on the Faculty Council as full-time ranked faculty are eligible to vote for full-time ranked representatives on the Council.
6. 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. 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. The regular term of office for a member shall be three

- c. Upon receipt of the signed, written charge against a faculty member or teacher employed within their 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 them 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. -- 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.
- a. If an acceptable solution is found, this shall be reported by the chairperson in writing to the divisional dean along with any explanation and justification. A copy of the report shall be furnished the accused. If an acceptable solution is not found, the department chairperson shall report this fact in writing to the divisional dean along with such comments as considered appropriate. A copy of this report shall be supplied to the accused. In addition, the chairperson shall provide the accused with a written statement of their recommendations for disposition of the charge and shall describe the rights of the accused to an informal hearing.
 - b. If the divisional dean agrees with the acceptable solution and the provost for academic affairs concurs, this shall end the matter and the accused shall be so informed. If the divisional dean or the provost for academic affairs does not agree with the acceptable 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 that individual is the accuser or the accused and in such (on) (on)d.

the department or divisional Committee on Faculty Responsibility, a statement of reasons shall be given. Notification of the action with the statement of reasons shall be transmitted promptly to the accused.

- c. after receiving the report of

shall preside. The provost for academic affairs shall present the case. Generally accepted principles and procedures of administrative due process shall govern the conduct of the hearing. The hearing shall not necessarily be limited by the rules of evidence applied in civil or criminal judicial proceedings. Both the committee and the provost for academic affairs may receive the advice of counsel.

(2) The committee and the accused shall receive from the provost for academic affairs prior to the hearing copies of all reports and recommendations in the case, the text of the original charge, the name(s) of the accuser(s) and the names of the witnesses.

(3) The accused shall have the right to be present at the hearing, to have counsel of their choice present with them at the hearing, to address the committee at any reasonable time upon request, to offer and present evidence, to examine all documents offered at the hearing and challenge their validity or admissibility, to question all witnesses, and to have their counsel perform any and all of these acts in their behalf. After the termination of the proceedings and completion of the committee's report, the accused shall receive promptly a transcript of the proceedings at University expense.

- c. _____, the Campus Committee on Faculty Responsibility shall meet in closed session and, after deliberation, shall prepare a written report which shall include findings of fact (including whether the accused committed the acts mentioned in the charge), a

taken.

(2) If termination of appointment is not recommended, the report shall be transmitted to the chancellor and the procedures of Section 300.010.L.9 shall be followed.

9. -- The chancellor shall, on written request of the accused or of the provost for academic affairs filed within seven days from the notification of the decision of the Campus Committee on Faculty Responsibility, or may, on their motion without the filing of an appeal, review the case and affirm, modify, or reverse the decision or remand it to the committee for rehearing. If the chancellor accepts an appeal or otherwise formally reviews the case, the chancellor shall notify the provost for academic affairs and the accused, and shall afford them an opportunity to make written submissions or suggestions concerning the disposition of the appeal on review. If the chancellor reverses or modifies the decision of the committee, the chancellor shall set forth in writing a statement of their decision and the reasons therefor, and shall furnish a copy of their statement to the accused and to have accepted the committee's decision as the final disposition of the case. If the chancellor is absent from the campus or for any reason is unable to act throughout the review period, the chancellor may designate a deputy (not the provost for academic affairs) to discharge this function for them, or in case of need the president may be requested by the provost for academic affairs or the chairperson of the Campus Committee on Faculty Responsibility to name a deputy to exercise the chancellor's authority in the case. After action by the chancellor, any further appeal by the accused shall be confined to the general right of all members of the University to petition the president and the Board of Curators.
10. -- This Article shall cover charges of unethical or irresponsible actions against administrators in their teaching capacities. If a charge is filed against a divisional dean in their teaching capacity, the case shall be referred to the provost for academic affairs and the Campus Committee on Faculty Responsibility without action or recommendation at the departmental or divisional level. If a charge is filed against the provost for academic affairs in their teaching capacity, the charge shall be in the hands of the chancellor and the Campus Committee on Faculty Responsibility. Charges of unethical or irresponsible actions against administrators in their capacity as administrators involve procedures beyond the scope of this Article. However, in such cases, the chancellor may seek the assistance and advice of the department, divisional or Campus Committee on Faculty Responsibility.
11. -- Successful operation of these procedures depends upon the integrity, good faith and cooperation of all persons

involved. Circumvention of these procedures by the imposition of penal sanctions under the guise of purely administrative actions must be avoided. Both faculty and administrators in carrying out their duties should keep in mind the goal of dealing with cases promptly and fairly with due regard for the interests of the accused and the University. The following guidelines and principles will be expected to characterize the monitoring of Faculty responsibility through all formal and informal proceedings:

- a. Preservation of academic freedom, tenure rights, and the integrity of the University community.
- b. Protection of faculty members and teachers against malicious and multiple charges, intimidation and harassment.
- c. Protection of the accuser against recriminations when a charge is made in good faith.
- d. Confidentiality of all aspects of responsibility hearings.
- e. Caution in the dissemination of information concerning disposition of a case.
- f. Promptness in conducting each step of the investigation, consistent with fairness in time allowed for preparation. Seven to fourteen days in which the 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. -- 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 (6-0) by voice vote with no abstentions.

Curator Hoberock provided time for discussion of committee business.

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

that the Executive Vice President for Finance and Operations, Chief Financial Officer, and Treasurer be authorized to employ the firm of FORVIS, LLP to provide audit services to the University of Missouri for fiscal year ending June 30, 2023 for fees of \$680,063.

The motion carried unanimously (6-0) by voice vote with no abstentions.

The Audit, Compliance and Ethics Committee had one additional action item to convene in an executive session later in the day, which passed unanimously.

University of Missouri – Columbia Campus Highlights – presented by President Choi
(slides on file for this information only item)

Good and Welfare of the Board - Draft April 20, 2023 Board of Curators meeting agenda
– no discussion (on file)

The public session of the Board of Curators meeting recessed at 10:50 A.M. on February 9, 2023.

Location: N214 B & C, Memorial Union

A meeting of the University of Missouri Board of Curators was convened in executive session at 12:15 P.M., on Thursday, February 9, 2023, in North 201A, Memorial Union, pursuant to public notice given of said meeting. Curator Robin R. Wenneker, Vice Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Julia G. Brncic
The Honorable Todd P. Graves
The Honorable Greg E. Hoberock
The Honorable Keith A. Holloway
The Honorable Jeffrey L. Layman
The Honorable Robin R. Wenneker

The Honorable Michael A. Williams was absent.

Also Present

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

Mr. Mark A. Menghini, General Counsel

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

Rachel Dwiggin and Fred Helfrich joined the meeting from BKD.

President Choi, General Counsel Menghini, Ms. Fischer and Mr. Rapp excused themselves from the meeting.

Annual Meeting Without Management and Performance Review of Independent Auditors

No action taken by the Board.

Members of BKD excused themselves from the meeting.

President Choi, General Counsel Menghini, Ms. Fischer and Mr. Rapp rejoined the meeting.

General Counsel's Report – presented by General Counsel Menghini

No action taken by the Board.

Mr. Kevin Hogg, Executive Vice President for Treasury and Real Estate, joined the meeting.

³³⁰Property Disposition, UMKC – this item is closed and may be given public notice upon completion.

³³¹Property Purchase, MUHC – this item is closed and may be given public notice upon completion.

Dr. Richard Barohn, Mr. Nim Chinniah, Ms. Sarah Chinniah, Mr. Dustin Thomas, and Ms. Katrina Lambrecht joined the meeting.

Report on legal, transaction and real estate matters – presented by Dr. Richard Barohn and Mr. Nim Chinniah

No action taken by the Board.

President's Report on personnel, property and contracts – presented by President Choi and Ms. Sarah Chinniah

No action taken by the Board.

Mr. Rapp, Mr. Hogg, Dr. Barohn, Mr. Chinniah, Ms. Chinniah, Mr. Thomas, and Ms. Lambrecht excused themselves from the meeting.

Curator's Only Report

No action taken by the Board.

Adjourn, Board of Curators Meeting and Committee Meetings, February 9, 2023.

It was moved by Curator Hoberock and seconded by Curator Brncic that the Board of Curators meeting and committee meetings, February 9, 2023, be adjourned.

Roll call vote of the Board:

Curator Brncic

There being no other business to come before the Board of Curators, the meeting was adjourned at 5:15 P.M. on Thursday, February 9, 2023.

Respectfully submitted,

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

Approved by the Board of Curators on April 20, 2023.