

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



BOARD OF CURATORS BOARD OF CURATORS MEETING – PUBLIC

A meeting of the Board of Curators was convened Thursday, September 12, 2024, in Multipurpose University of Missouri–Kansas City campus, Kansas City, Missouri. Notice of said meeting was given in accordance with the notice given of said meeting. Curator Robin R. Williams presided over the meeting.
Present

The Honorable Robert D. Blitz
The Honorable ~~Robert D. Blitz~~
The Honorable Jeanne C. Sinquefield
The Honorable ~~Robin R. Williams~~ was absent.
Also Present

~~Ms. Malika A. Smith, Executive Secretary of the Board of Curators~~
Dr. C. Mauli Agrawal, Chancellor, University of Missouri–Kansas City
Dr. ~~Richard B. DeHaven, Chancellor, Missouri Botanical Garden~~
Dr. ~~Richard B. DeHaven, Chancellor, Missouri Botanical Garden~~

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

General Business

Resolution for Executive Session of the Board of Curators Meeting September 12, 2024

It was moved by Curator Blitz and seconded by Curator Fry, that there shall be an executive session with a closed record and closed vote of the Board of Curators meeting September 12, 2024 for consideration of:

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

Roll call vote of the Board:

Curator Blitz voted yes.

Curator Fry voted yes.

Curator Graves voted yes.

Curator Holloway voted yes.
Curator Krewson voted yes.
Curator Layman voted yes.
Curator Sinuefield voted yes.
Curator Wenneker voted yes.
Curator Williams was absent.

The motion carried.

Audit, Compliance and Ethics Committee

Resolution for Executive Session of the Audit, Compliance and Ethics Committee, September 12, 2024

It was moved by Curator Krewson and seconded by Curator Sinuefield, that there shall be an executive session with a closed record and closed vote of the Board Audit, Compliance and Ethics Committee meeting September 12, 2024, 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(18), RSMo**, relating to matters identified in that provision, which include confidential or privileged communications between a public governmental body and its auditor.

Roll call vote of the Committee:

Curator Holloway voted yes.
Curator Krewson voted yes.
Curator Sinuefield voted yes
Curator Williams was absent.

The motion carried.

BOARD OF CURATORS MEETING – EXECUTIVE SESSION

A meeting of the University of Missouri Board of Curators was convened in executive session at 8:05 A.M., on Thursday, September 12, 2024, in Room 402 of the Student Union

on the University of Missouri – Kansas City campus, pursuant to public notice given of said meeting. Curator Robin R. Wenneker, Chair of the Board of Curators, presided over the meeting.

Present

The Honorable Robert D. Blitz
The Honorable Robert W. Fry
The Honorable Todd P. Graves
The Honorable Keith A. Holloway
The Honorable Lyda Krewson
The Honorable Jeffrey L. Layman
The Honorable Jeanne C. Sinquefield
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. Valerie Slayton, Interim Secretary of the Board of Curators
Mr. John Denker, Chief Marketing and Communications Officer
Ms. Marsha Fischer, Vice President for Human Resources and Chief Human Resources Officer
Ms. Deena King, Interim Chief Audit and Compliance Officer
Mr. Ryan D. Rapp, Executive Vice President for Finance and Chief Financial Officer
Mr. Laird Veatch, MU Athletic Director
Mr. William Strange, Milliman
Mr. Jeff MacLean, Verus Investments

Consent Agenda – Executive Session

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

CONSENT AGENDA

A. Curators' Distinguished Professor, Prasad Calyam. MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Prasad Calyam be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024.

B. Curators' Distinguished Professor, Baolin Deng, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Baolin Deng be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024.

C. Curators' Distinguished Professor, Roman Ganta, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Roman Ganta be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024.

D. Curators' Distinguished Professor, Loukas Grafakos, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Loukas Grafakos be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024.

E. Curators' Distinguished Professor, Mengshi Lin, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Mengshi Lin be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024.

F. Curators' Distinguished Teaching Professor Emeritus, Richard Meadows, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Richard Meadows be named to the position University of Missouri Curators' Distinguished Teaching Professor Emeritus, effective 07/18/2023.

G. Curators' Distinguished Professor, Shelly Rodgers, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Shelly Rodgers be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024.

H. Curators' Distinguished Professor, Haval Shirwan, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Haval Shirwan be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024.

I. Curators' Distinguished Professor, Bing Yang, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Bing Yang be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024

J. Curators' Distinguished Professor, Xiaoqin Zou, MU

that upon the recommendation of President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Xiaoqin Zou be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024

K. Curators' Distinguished Teaching Professor, Merilee Kreuger, Missouri S&T

that upon the recommendation of Chancellor Dehghani, President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Merilee Kreuger be named to the position University of Missouri Curators' Distinguished Teaching Professor, effective 09/01/2024.

L. Curators' Distinguished Professor, Ming C. Leu, Missouri S&T

that upon the recommendation of Chancellor Dehghani, President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Ming C. Leu be named to the position University of Missouri Curators' Distinguished Professor, effective 09/01/2024.

M. Curators' Distinguished Teaching Professor, Yugyung Lee, UMKC

that upon the recommendation of Chancellor Agrawal, President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Yugyung Lee be named to the position University of Missouri Curators' Distinguished Teaching Professor, effective 09/01/2024.

N. Curators' Distinguished Teaching Professor, Sean O'Brien, UMKC

that upon the recommendation of Chancellor Agrawal, President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Sean O'Brien be named to the position University of Missouri Curators' Distinguished Teaching Professor, effective 09/01/2024.

O. Curators' Distinguished Professor, Cody Ding, UMSL

that upon the recommendation of Chancellor Sobolik, President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Cody Ding be named to the position University of Missouri Curators' Distinguished Professor, effective 09/13/2024.

P. Curators' Distinguished Professor, David Kimball, UMSL

that upon the recommendation of Chancellor Sobolik, President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor David Kimball be named to the position University of Missouri Curators' Distinguished Professor, effective 09/13/2024.

Q. Curators' Distinguished Professor, Xuemin Wang, UMSL

that upon the recommendation of Chancellor Sobolik, President Mun Y. Choi, the Provost, and the University of Missouri System Office of Academic Affairs, it is recommended that Professor Xuemin Wang be named to the position University of Missouri Curators' Distinguished Professor, effective 09/13/2024.

R. Appointment, Interim Secretary of the Board of Curators, UM

That Valerie Slayton is appointed Interim Secretary of the Board of Curators pursuant to the attached letter dated August 8, 2024; further, that all acts undertaken by Ms. Slayton pursuant to the said letter are fully ratified and confirmed.

Ms. King, Mr. Strange, and Mr. MacLean left the meeting.

General Business – Executive Session

Restated Appointment Letter, Missouri University of Science and Technology Chancellor,
Mohammad Dehghani, Ph.D

Pursuant to Collected Rule and Regulation 320.020.A.4., it was recommended by President Choi, moved by Curator Holloway and seconded by Curator Sinuefield that:

President Choi is authorized to enter into a restated appointment for Mohammad Dehghani, Ph.D. as Chancellor for the Missouri University of Science and Technology under the same or substantially similar terms as those contained in the attached appointment letter, with the final agreement subject to approval by General Counsel as to legal form.

Roll call vote of the Board:

Curator Blitz voted yes.

Curator Fry voted yes.

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

Mr. Mark A. Menghini, General Counsel

Ms. Valerie Slayton, Interim Secretary of the Board of Curators

Dr. C. Mauli Agrawal, Chancellor, University of Missouri–Kansas City

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

The adoption of a resolution attached hereto and incorporated herein, captioned as follows:

A RESOLUTION RECOGNIZING THE MUSEUM OF ART AND ARCHAEOLOGY AT UNIVERSITY OF MISSOURI-COLUMBIA

WHEREAS, the mission of the Museum of Art and Archaeology (“Museum”), a department within the College of Arts and Science of the University of Missouri (“University”), is to preserve, research, interpret, and share art and artifacts with students, scholars, and the broader community to advance collective understanding of and respect for diverse artistic and cultural heritages; and

WHEREAS, the Museum’s collections hold over 16,000 objects, from 6 continents, representing over 6,000 years of human history and creativity, such objects being made available to University faculty, students, and outside researchers for analysis and study; and

WHEREAS, the Museum develops and presents multiple exhibitions and education programs each year, free of charge, for the benefit of the students, faculty, and staff of the University and the citizens of and visitors to mid-Missouri; and

WHEREAS, the University supports the Museum through annual allocations that cover staff salaries and benefits and most of the Museum’s operating expenses, and the University maintains the building that houses the Museum as well as the surrounding grounds, and provides other services to the Museum through the College of Arts and Science and the University’s advancement, information technology, human resources, marketing and communications, security, and other departments; and

WHEREAS, of the more than 33,000 museums nationwide, only approximately 1,100 have achieved accreditation through the American Alliance of Museums, which recognizes a museum’s commitment to improvement; and

WHEREAS, the Museum is the only accredited museum within the University of Missouri System, and the only accredited museum of its kind in mid-Missouri;

- The University is committed to following American Alliance of Museums and museum field standards, particularly with regard to the Museum's collections, the use of deaccession proceeds, and collecting and gift-acceptance policies; and
- The University looks forward to the Museum's continuing service to the campus community and the people of Missouri for years to come.

H. Amendment, Collected Rule and Regulation 600.020 Sexual Harassment under Title IX - for matters involving conduct alleged to have occurred on or after August 14, 2020

Collected Rules and Regulations CRR 600.020 Sexual Harassment under Title IX – for matters involving conduct alleged to have occurred on or after August 14, 2020 be amended as indicated in the attached documents.

600.020 Sexual Harassment under Title IX - for matters involving conduct alleged to have occurred on or after August 14, 2020
Executive Order 40, 4-8-14; Revised 6-19-14; Revised 9-22-14 by Executive Order 41. Revised 2-9-17 with an effective date of 3-1-17; Revised 7-28-20 with effective date of 8-14-20; Revised 9-7-23; Revised 6-27-24.

A) **Sexual Harassment in Education.** The University is committed to affording equal employment and education opportunities to its employees and students, and to creating an environment free from discrimination and harassment. In furtherance of these commitments, both University policy and applicable state and federal law, prohibit all students, employees, volunteers and visitors at the University from engaging in sexual harassment in a University education program or activity against a person in the United States. This policy applies to sexual harassment in any phase of the University's employment process, any phase of its admission or financial aid programs, and all other aspects of its education programs or activities. For purposes of this policy, "education program or activity" includes locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the conduct occurs, and includes any building owned or controlled by a student organization that is officially recognized by the University. This policy and CRR 600.030 do not apply to sexual harassment that happens outside the United States, even when the conduct occurs in an education program or activity of the University.

B) **Definitions**

- 1) **Sexual Harassment.** Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- a) **“Quid Pro Quo”** - An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct;
- b) **“Hostile Environment”** - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity;
- c) **“Sexual assault”** - Any sexual act that constitutes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape, as defined below:
 - (i) **“Rape”** is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object, without the consent of the victim. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent. Attempted Rape is included.
 - (ii) **“Sodomy”** is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
 - (iii) **“Sexual Assault with an Object”** is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An **“object”** or **“instrument”** is anything used by the offender other than the offender’s genitalia.
 - (iv) **“Fondling”** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
 - (v) **“Incest”** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Missouri law.
 - (vi) **“Statutory Rape”** is sexual intercourse with a person who is under the statutory age of consent as defined by Missouri law.
- d) **“Dating Violence”** - The term **“dating violence”** means violence committed by a person-- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship, (ii) The type of relationship, and (iii) The frequency of interaction between the persons involved in the relationship.

- e) **“Domestic violence”** - The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Missouri, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Missouri.
 - f) **“Stalking”** - The term “stalking” means engaging in a course of conduct directed at a specific person knowing or consciously disregarding a substantial and unjustifiable risk that the course of conduct would cause a reasonable person to--(A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.
- 2) **Consent to Sexual Activity.** Consent to sexual activity is knowing and voluntary. Consent to sexual activity requires of all involved persons a conscious and voluntary agreement to engage in sexual activity. Each person engaged in the sexual activity must have met the legal age of consent. It is the responsibility of each person to ensure they have the consent of all others engaged in the sexual activity. Consent must be obtained at the time of the specific activity and can be withdrawn at any time. Consent, lack of consent, or withdrawal of consent may be communicated by words or non-verbal acts.
- Someone who is incapacitated cannot consent. Silence or absence of resistance does not establish consent. The existence of a dating relationship or past sexual relations between the Parties involved should never by itself be assumed to be an indicator of consent. Further, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Coercion and force, or threat of either, invalidates consent.
- 3) **Incapacitated or incapacitation.** A state in which rational decision-making or the ability to consent is rendered impossible because of a person’s temporary or permanent physical or mental impairment, including but not limited to physical or mental impairment resulting from drugs or alcohol, disability, sleep, unconsciousness or illness. Consent does not exist when the Respondent knew or should have known of the other individual’s incapacitation. Incapacitation is determined based on the totality of the circumstances. Incapacitation is more than intoxication but intoxication can cause incapacitation.
- Factors to consider in determining incapacity include, but are not limited to, the following:

- a) Lack of awareness of circumstances or surroundings (e.g., an inability to understand, either temporarily or permanently, the who, what, where, how and/or why of the circumstances; blackout state)
- b) Inability to physically or verbally communicate coherently, particularly with regard to consent (e.g., slurred or incoherent speech)
- c) Lack of full control over physical movements (e.g., difficulty walking or standing without stumbling or assistance)
- d) Physical symptoms (e.g., vomiting or incontinence).

C) **Title IX Coordinators.** Duties and responsibilities of the University's Title IX Coordinators include monitoring and oversight of overall implementation of Title IX compliance at the University, including coordination of training, education, communications and coordination with the Title IX Processes for faculty, staff, students and other members of the University community and investigation of Formal Complaints of sexual harassment, and to respond promptly to reports of sexual harassment of which the University has actual knowledge in University education programs and activities. The University may designate Deputy Coordinators as needed to assist in fulfillment of the Coordinator's duties and responsibilities. NOTE: All references to "Title IX Coordinator" throughout this policy refer to the Title IX Coordinator or the Coordinator's designee.

For the purposes of this section, "actual knowledge" means notice of sexual harassment or allegations of sexual harassment to a University's Title IX Coordinator or any official of the University who has authority to institute corrective measures on behalf of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the University with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the University.

The following individuals serve as Title IX Coordinators and are designated to handle inquiries regarding the Anti-

equity.missouri.edu

University of Missouri-Kansas City

KC Atchinson, J.D.

Title IX Coordinator

Address:

Administrative Center

5115 Oak Street, Room 212D

Kansas City, MO 64112

Telephone: 816-235-6705

Email: atchinsonk@umkc.edu

www.umkc.edu/titleix

Missouri University of Science and Technology

If the report of alleged sexual harassment in a University education program or activity involves the University's Title IX Coordinator, reports may be made to the System Title IX Coordinator. If the report involves the System Title IX Coordinator, reports may be made to the System President. The contact information for the System President is:

Office of the President
105 Jesse Hall
Columbia, MO 65211
Telephone: 573-882-2011
Email: president@umsystem.edu

NOTE: The above-listed contact information for Title IX Coordinators may be updated as needed and without requiring the approval of the Board of Curators.

- D) **Title IX Resolution Process.** The University is committed to preventing and eliminating impermissible sexual harassment in its education programs, activities and employment. To that end, the University maintains policies regarding reporting, investigation, and resolution of complaints of sexual harassment. Specifically, please see:
Section 600.030 – Resolution Process for Resolving Complaints of Sexual Harassment Under Title IX
- E) **Designated Officials.** The following are the officials designated by the University as those who have “authority to institute corrective measures.” These officials are mandated reporters and shall report to the Title IX Coordinators any information that puts them on notice of sexual harassment or allegations of sexual harassment.
- 1) The President of the University of Missouri System;
 - 2) The Chancellors of each University in the University of Missouri System;
 - 3) The Provosts of each University in the University of Missouri System; and
 - 4) The Chief Human Resource Officers for each University in the University of Missouri System.
 - (a) Any person having inquiries concerning the application of Title IX should contact their respective UM System or University Title IX Coordinator.
- F) **Reporting Sexual Harassment**
- 1) **Students, Employees, Volunteers, and Visitors.** Students, employees, volunteers, and visitors of the University who have experienced any form of sexual harassment are encouraged to report the incident promptly to the appropriate Title IX Coordinator listed in Section 600.020.C. above. In addition, students, volunteers, and visitors of the University who have witnessed such conduct are encouraged to report the incident promptly to the appropriate Title IX Coordinator. The University will respond to all

such reports pursuant to one of its Title IX and Equity Resolution Processes (see Sections 600.030, 600.040, 600.050).

- 2) **Mandated Reporters.** Any employee of the University, except as noted below, who becomes aware of sexual harassment as defined in this policy is a Mandated Reporter, regardless of whether the recipient of the behavior is a student, employee, volunteer or visitor of the University.
- 3) **Employees with a Legal Obligation or Privilege of Confidentiality.**

G) Retaliation, False Reporting, and Witness Intimidation or Harassment.

- 1) Retaliation is any adverse action taken against a person because of that person's participation or refusal to participate in the process set forth in CRR 600.030. Any person who engages in such retaliation shall be subject to disciplinary action, up to and including expulsion or termination, in accordance with applicable procedures. Any person who believes they have been subjected to retaliation is encouraged to notify the

TDD: 800-877-8339
Email: OCR.KansasCity@ed.gov

I. Amendment, Collected Rule and Regulation 330.015 Policy on Conflict of Interest

- Revisions to Collected Rules and Regulations 330.015: Policy on Conflict of Interest be approved.

330.015 Policy on Conflict of Interest

Bd. Min. 1-25-90, Amended 10-05-07, Amended 11-29-07, Amended 3-22-11, Amended 7-27-12, Amended 6-17-16; Amended 4-9-20; Amended 7-28-20.

A. Conflict of Interest -- General Provisions

1. **Applicability.** This policy is applicable to all Employees of the University as defined herein. Additionally, for research involving human subjects, researchers and certain University officials must also comply with Collected Rules and Regulations (“CRR”) 410.020 pertaining to Institutional Conflicts of Interest in Human Subjects Research. Likewise, investigators on funded or proposed NSF or PHS research or educational activities must also comply with CRR 420.030.
2. **Policy.** Employees shall faithfully discharge their duties and shall refrain from knowingly engaging in any outside matters of financial interest or commitment incompatible with the impartial, objective, and effective performance of their University Responsibilities and in the conduct of University affairs. They shall not realize personal gain in any form which would influence improperly the conduct of their University Responsibilities. They shall not improperly use University property, funds, confidential or proprietary information, students, position or power for personal or political gain. They shall inform their chairpersons/supervisors in writing of their Outside Interests. Compliance with this policy promotes objectivity in research by establishing standards that provide a reasonable expectation that the proposal, design, conduct, and reporting of research will be free from bias resulting from Employee conflicts of interest.
3. **Sanctions.** Conduct by an Employee that violates the University's policies, regulations or rules pertaining to conflict of interest shall constitute a breach of the employment contract and may lead to disciplinary action. The Conflict of Interest Committee may make a determination of a violation of this policy and will report such violation to the Chancellor. After the finding of a violation, the Chancellor of each campus, in consultation with the respective Conflict of Interest Committee, may apply sanctions, including but not limited to, one or more of the following:
 - a. Letter of warning or admonishment.

- a. Gifts that are available to the Employee on the same conditions as for the general public;
- b. Educational materials utilized in the performance of the Employee's University job;
- c. Awards or honoraria administered by or through the University;
- d. Gifts from the Employee's relatives, by blood or marriage;
- e. Any item of food, refreshment, entertainment or other benefit provided to the Employee while attending a meeting, conference or convention provided on the same conditions as for other attendees; provided that if the item could be considered as lavish, then approval must be obtained under subparagraph f. below;
- f. Any Gift if approved in writing in advance by an administrative superior who is a University General Officer, or in the event of the President, then approval of the Chair of the Board of Curators.

2. Each General Officer approving acceptance of Gifts under Section 330.015.D.1.f. shall report all such approvals annually to the President.

E. **Responsibilities of University Employees** -- An Employee's Outside Interests must not interfere with the Employee's University Responsibilities nor represent a conflict of interest that is not or cannot be Managed. Exempt staff and faculty Employees shall disclose all Outside Interests annually, and shall disclose any changes or acquisition of a new Outside Interest, as such interests arise. Provided that each campus may adopt procedures by which adjunct faculty are not subject to annual reporting requirements (except as required by federal law) and instead disclose all Outside Interests prior to initial employment and disclose any changes or acquisition of a new Outside Interest as such interests arise. All other Employees shall disclose Outside Interests as such interests arise (e.g., transactional reporting). The following situations are illustrative of such activities and interests. This list should not be considered exhaustive.

1. **Grants and Contracts Involving an Employee Financial Interest.** When it is proposed that the University enter into (1) contracts for the sale of goods or services, or (2) research contracts or grants, or (3) other contracts with individuals, private firms or business entities in which an Employee knows the Employee has a direct or indirect financial interest, the following procedure shall be followed:

Before the proposed contract is negotiated by the University, the Employee shall make a disclosure of such financial interest, in writing, which disclosure shall be forwarded to the official having contract approval authority.

If there is a change in the financial interest of the Employee during the term of the contract, the change shall be disclosed immediately by the Employee, in writing, and forwarded to the official having contract approval authority.

Except as provided in Paragraph E.1.d., if the financial interest of the Employee in the private firm or business entity is such that it could influence the decision-making process of the private firm or business entity and the Employee could also influence the decision-making process of the University in entering into or performing the contract:

The University shall not enter into the contract or shall cancel the contract, if the terms of the contract so permit; or

The University and Employee shall enter into a Conflict of Interest Management Plan which shall, among other things require that:

The Employee shall take such action as is necessary to be removed from a relationship with the private firm or business entity which could influence the decision-making process of the private firm or business entity; and/or

The University shall establish a procedure to remove any opportunity for the Employee to influence the entering into the contract by the University or the manner in which the contract is performed by the University.

If the financial interest of the Employee is as an owner or employee in a private firm or business entity that is proposing to license or otherwise acquire University-owned intellectual property, then the University may enter into such transaction upon the approval of the applicable campus technology transfer office and Chief Research Officer, and upon the adoption of a Conflict of Interest Management Plan.

2. **Overlapping Business Activities.** Before an Employee enters into or has a business activity which relates to, overlaps with, or competes with the University's teaching, research, service, or economic development missions, the Employee shall make a full disclosure, in writing. The chairperson/supervisor and dean/director/supervisor must approve or disapprove in writing the proposed activity and such activity must be Managed.
3. **Full-time Employment - Faculty and Exempt Personnel.** Full-time faculty and full-time exempt personnel may not be concurrently employed full-time with another employer.
4. **Teaching.** An Employee of the University who teaches either credit or non-credit courses not connected with the University may have a conflict of interest. To avoid conflicts of interest an Employee must disclose the proposed teaching activity and secure written approval in advance. The chairperson/supervisor and dean/director/supervisor must approve or disapprove in writing the proposed activity. Approval for such teaching shall be granted unless the proposed teaching is not in the best interests of

the University. In reaching the decision, the chairperson/supervisor and dean/director or Provost on campuses having no schools or colleges should consider all relevant matters including such concerns as duplication of University courses or programs and accreditation standards.

5. **Faculty-Authored Textbooks and Other Educational Materials.**

Textbooks, tapes, software and other materials authored by the course instructor may be assigned to be purchased by students for a course taught by the author if the royalties arising from the purchase of the assigned materials are returned to the University, another educational institution, a charitable organization, or a not-for-profit foundation. Any proceeds from other University uses of such materials, such as purchase by the library, shall be the property of the author. Course instructors or any other Employee responsible for selecting, ordering, assigning course materials cannot accept Gifts, development grants, or other compensation from any company or organization for the adoption of course textbooks, software or other educational material.

6. **Consultation.** Consultation is a significant means of professional

F. Responsibilities of Each Campus:

Each campus shall:

1. Establish a committee to coordinate the solicitation and review of disclosures of Outside Interests from each Employee, including development of campus specific standards and procedures, determine whether a conflict of interest exists, and determine what conditions or restrictions, if any, should be imposed by the campus to Manage such conflict of interest, resolve problems revealed, and enforce sanctions as appropriate, including adoption of a Conflict of Interest Management Plan.
2. Comply with all laws and regulations regarding conflict of interest, including the provision of initial and ongoing financial conflict of interest reports to the Public Health Service (PHS) as required pursuant to 42 C.F.R. Part 50 Subpart F and 45 C.F.R. Part 95.
3. Develop and publish corresponding procedures to support implementation of this policy and any other related laws or regulations regarding conflict of interest. Such procedures shall include, at a minimum, requirements for exempt staff and faculty Employees to submit annual reports disclosing all Outside Interests or verifying the absence of any Outside Interests (except to the extent that a campus may adopt alternative procedures for adjunct faculty as provided in Section 330.015.E).

G. Use of University Stationery -- Official University stationery may not be used in outside business, personal, and other private or political activities of Employees. However, for use in such activities, faculty may have printed at their own expense personal business stationery carrying their academic title, University address and telephone number.

H. Use of University Logos, Trademarks, and Service Marks -- It is a violation of University policy to use the name of the University or any of the University's logos, trademarks or service marks in materials intended to endorse or promote Employee Outside Interests or to otherwise enhance private gain without the written permission of the University President or the President's designee.

I. Appeals -- Appeals of decisions made under these procedures, except for decisions made by the Chancellor in applying a sanction (CRR 330.015, Section A.3.), should be brought to resolution informally and at the lowest possible administrative level. Should attempts to resolve appeals informally fail, procedures set forth in CRR 370.010 and CRR 380.010, shall be followed. Appeals of sanctions issued by the Chancellor shall be governed by the procedures set forth in Section 370.010.C.3.b. through 370.010.D.

J. Ethics, Compliance, and Audit Services Charter Approval

The newly revised and updated Ethics, Compliance, and Audit Services Charter, the governing document which establishes the mission, purpose, organizational position, reporting relationships, scope of work, and other specifications of internal

audit and other entities within the Office of Ethics, Compliance, and Audit Services (ECAS), be approved consistent with the recommendations provided in the following pages.

K. Naming Opportunity, The O’Keefe Center for Critical Minerals, S&T

To name the University Research Center for Critical Minerals to the O’Keefe Center for Critical Minerals

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Curator Sinquefield provided time for discussion of committee business.

UMKC Annual Intercollegiate Athletics Report – presented by UMKC Athletic Director

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

- The strategic use of investment earnings from UM System as presented on the accompanying schedules.

Roll call vote of the Committee:

The motion carried unanimously (4-0) by voice vote with no abstentions.

Roll call vote of the Board:

The motion carried unanimously (8-0) by voice vote with no abstentions.

2024 Campus Master Plan, Missouri MU – presented by Executive Vice President Rapp (slides and information on file)

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

that the 2024 University of Missouri-Columbia Campus Master Plan be approved.

Roll call vote of the Committee:

The motion carried unanimously (4-0) by voice vote with no abstentions.

Roll call vote of the Board:

The motion carried unanimously (8-0) by voice vote with no abstentions.

Approval, Fiscal Year 2025 Mid-Year Modifications to Capital Plans for MU, MU Health Care, Missouri S&T, UMKC and UMSL - presented by Executive Vice President Rapp (slides and information on file)

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

MU: Capital Plan modifications included in Finance Plan:

- Modified NextGen MURR Phase One
- Modified Radioisotope Facility at Discovery Ridge
- Shifted Memorial Stadium Improvements
- Added MURR Production Support Facility
- Shifted Jesse Hall Exterior Masonry/Metal Repairs & Window Replacement

Strategic Projects Development Plan:

Modified New Swine Research Facility
Added Energy Management – Campus Cooling Capacity

MUHC: Capital Plan modifications included in Finance Plan:

- No Changes

Strategic Projects Development Plan:

- Added Callaway County Rural Health Expansion

UMKC: Capital Plan modifications included in Finance Plan:

- Modified KCUR Building
- Shifted Olson Performing Arts Center Addition & Renovations

Strategic Projects Development Plan:

- Shift as noted above.

S&T: Capital Plan modifications included in Finance Plan:

- No changes

Strategic Projects Development Plan:

- No Changes

UMSL: Capital Plan modifications included in Finance Plan:

- Modified Central Utility Plant – North Campus
- Added UMSL School of Engineering – Stadler Renovation

Strategic Projects Development Plan:

- Modified Stadler Hall Renovation (second phase)

be approved for further planning and development as described in the following materials.

It was moved by Curator Holloway and seconded by Curator Fry that the Board of Curators meeting and committee meetings, September 12, 2024, be adjourned.

Roll call vote of the Board:

Curator Blitz voted yes.
Curator Fry voted yes.
Curator Graves voted yes.
Curator Holloway voted yes.
Curator Krewson voted yes.
Curator Layman voted yes.
Curator Sinuefield voted yes.
Curator Wenneker voted yes.
Curator Williams was absent.

The motion carried.

There being no other business to come before the Board of Curators, the meeting was adjourned at 5:30 P.M. on Thursday, September 12, 2024.

Respectfully submitted,

Valerie M. Slayton
Secretary of the Board of Curators
University of Missouri System

Approved by the Board of Curators on November 20, 2024