

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



BOARD OF CURATORS

Minutes of the Board of Curators Meeting
January 29 – February 1, 2014
Reynolds Alumni Center, University of Missouri
Columbia, Missouri

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the University of Missouri Board of Curators was convened in public session

Mr. Leo E. Morton, Chancellor for University of Missouri – Kansas City
Mr. Stephen J. Owens, Interim Chancellor for University of Missouri
Mr. Tom Richards, Treasurer and Interim Vice President of Finance
Dr. Betsy Rodriguez, Vice President for Human Resources
Dr. Cheryl B. Schrader, Chancellor for Missouri University of Science and Technology
Dr. Robert W. Schwartz, Chief of Staff
Mr. John Fougere, Chief Communications Officer, UM System
Media representatives

General Business

Approval of 2014 Executive Committee and Board Standing Committee Appointments

Pamela Q. Henrickson
Wayne Goode
Michael Ponder

Finance Committee

Ann K. Covington, Chairwoman
Donald L. Cupps
Wayne Goode
John R. Phillips
David L. Steward

- **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

Reynolds Alumni Center on the University of Missouri campus, Columbia, Missouri, pursuant to public notice given of said meeting. Curator Don M. Downing, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley
The Honorable Ann K. Covington
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Wayne Goode
The Honorable Pamela Q. Henrickson
The Honorable John R. Phillips
The Honorable J. Michael Ponder

The Honorable David L. Steward was absent for the meeting.

Also Present

Mr. Timothy M. Wolfe, President
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Miss Amy G. Johnson, Student Representative to the Board of Curators
Mr. Stephen J. Owens, Interim Chancellor, University of Missouri
Dr. Betsy Rodriguez, Vice President for Human Resources

Compensation and Human Resources Committee – Executive Session

Report on personnel and contracts – presented by Chairman Phillips.

No action taken by the Board.

Vice President Rodriguez excused herself from the meeting.

Finance Committee – Executive Session

Legal advice provided by Acting General Counsel Hoskins.

No action taken by the Board.

The Board of Curators executive session recessed at 3:55 P.M. on Wednesday, January 29, 2014.

PUBLIC SESSION

A meeting of the University of Missouri Board of Curators was reconvened in public session at 4:00 P.M., on Wednesday, January 29, 2014, in Columns Room C, D & E of the Reynolds Alumni Center on the University of Missouri campus, Columbia, Missouri, pursuant to public notice given of said meeting. Curator Don M. Downing, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley
The Honorable Ann K. Covington
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Wayne Goode
The Honorable Pamela Q. Henrickson
The Honorable John R. Phillips
The Honorable J. Michael Ponder

The Honorable David L. Steward was absent for the meeting.

Also Present

Mr. Timothy M. Wolfe, President

Mr. Phillip J. Hoskins, Acting General Cou(ki)-2(nsw2(l(e)4(s)-1(i)310 P). W)-6(ol(1(. D)tn2(i)T -0 <</p>

Finance Committee

Chairwoman Covington provided time for discussion of committee business.

Action

1. FY 2015 Resident Undergraduate Tuition, UM
2. FY 2015 Student Activity, Facility and Health Service Fees, UM
3. FY 2015 Residence Hall and Family Student Housing Rates, UM
4. FY 2015 Tuition and Other Related Enrollment Fees, UM
5. Collected Rules and Regulations 230.060 eLearning and Special Program Tuition and Fees – Exception, MU

Fiscal Year 2015 Resident Undergraduate Tuition, UM – presented by Treasurer and Interim Vice President Richards (information and slides on file)

It was recommended by the respective Chancellors, endorsed by President Wolfe, recommended by the Finance Committee, moved by Curator Covington and seconded by Curator Cupps, that the following schedule of rates (as on file with the minutes of this meeting) for Missouri resident undergraduate tuition be approved, effective beginning with the 2014 Summer Session.

Effective beginning with the 2014 summer session, the Board of Curators revokes and repeals all previous tuition schedules and adopts the following rates for Missouri resident undergraduate tuition. The Board finds such action to be necessary for the maintenance and operation of the University. These rates are unchanged from FY2014.

| | <u>FY2015 Per Credit Hour Rate</u> |
|------|--------------------------------------------|
| MU | \$274.00 |
| UMKC | \$270.10 |
| S&T | \$274.00 |
| UMSL | \$315.80 |

UMKC and UMSL have Metropolitan undergraduate tuition rates for students from Kansas and Illinois counties in their market area. The Metropolitan tuition rates are the same as Missouri resident rates.

Roll call vote of Board of Curators:

Curator Bradley voted yes.
Curator Covington voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Goode voted yes.
Curator Henrickson voted yes.
Curator Phillips voted yes.
Curator Ponder voted yes.
Curator Steward was absent.

The motion carried.

Fiscal Year 2015 Student Activity, Facility, and Health Services Fees, UM – presented by Treasurer and Interim Vice President Richards (information and slides on file)

It was recommended by the respective Chancellors, endorsed by President Wolfe, recommended by the Finance Committee, moved by Curator Covington and seconded by Curator Cupps, that the attached schedule of rates for the Student Activity, Facility, and Health Service fees (as on file with the minutes of this meeting) be approved, effective beginning with the 2014 Summer Session.

Roll call vote of Board of Curators:

Curator Bradley voted yes.
Curator Covington voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Goode voted yes.
Curator Henrickson voted yes.
Curator Phillips voted yes.
Curator Ponder voted yes.
Curator Steward was absent.

The motion carried.

January 29 – February 1, 2014

University of Missouri - Columbia, Proposed Changes in Housing Contracts

MU Changes in Housing Contracts (continued)

| Room and Board Plans (continued) | MU | | | |
|--------------------------------------------------|---------------|---------------|-------------------------------|---------------------------|
| | FY2014 | FY2015 | Increase/ Decrease | Percent Change |
| Summer Session (Eight Weeks) | | | | |
| Single | \$1,495 | \$1,555 | \$60 | 4.0% |
| Double | 1,065 | 1,105 | 40 | 3.8% |
| | | | | |
| Family Student Housing (Per Month) | FY2014 | FY2015 | Increase/ Decrease | Percent Change |
| University Heights and University Village | | | | |
| 1 Bedroom (Basic) | \$426 | \$440 | \$14 | 3.3% |
| 2 Bedroom (Basic) | 504 | 520 | 16 | 3.2% |
| 2 Bedroom (Renov.) | 588 | 605 | 17 | 2.9% |
| 2 Bedroom (Enlarged) | 614 | 630 | 16 | 2.6% |
| | | | | |
| Manor House Apartments | | | | |
| 1 Bedroom Efficiency | \$489 | \$505 | \$16 | 3.3% |
| 1 Bedroom | 572 | 590 | 18 | 3.1% |
| 2 Bedroom | 697 | 720 | 23 | 3.3% |
| | | | | |
| Tara Apartments | | | | |
| 1 Bedroom (Basic) | \$530 | \$545 | \$15 | 2.8% |
| 1 Bedroom (Basic with Laundry) | 562 | 580 | 18 | 3.2% |
| 2 Bedroom (Basic) | 567 | 585 | 18 | 3.2% |
| 2 Bedroom (Basic with Laundry) | 582 | 600 | 18 | 3.1% |
| 2 Bedroom (Large) | 603 | 620 | 17 | 2.8% |
| 2 Bedroom (Large with Laundry) | 640 | 660 | 20 | 3.1% |

**University of Missouri - Kansas City, Proposed Changes in Housing Contracts
 Effective Beginning with the 2014 Summer Session**

| Room and Board Plans Academic Year - 2 Semesters | FY2014 | FY2015 | Increase/ Decrease | Percent Change |
|----------------------------------------------------------------|---------------|---------------|-------------------------------|---------------------------|
| Predominant Plan | | | | |
| Room and Board | \$9,267 | \$9,451 | \$184 | 2.0% |
| Traditional Double - A/C | \$6,327 | \$6,422 | 95 | 1.5% |
| Meal Plan Block 180 Meal w/\$175 Flex per sem | 2,940 | 3,029 | 89 | 3.0% |
| Meal Plans Defined | | | | |
| Meal Plan 1 - 15 meal - w/\$125 Flex/sem | \$2,957 | \$3,046 | \$89 | 3.0% |
| Meal Plan 2 - 12 meal - w/\$175 Flex/sem | 2,830 | 2,915 | 85 | 3.0% |
| Meal Plan 3 - 180 Block Meal w/ \$175 Flex/sem | 2,940 | 3,029 | 89 | 3.0% |
| Meal Plan 4 - 160 Block Meal w/\$200 Flex/sem | 2,940 | 3,029 | 89 | 3.0% |
| Meal Plan 5 - 140 Block Meal w/\$300 Flex/sem | 3,168 | 3,263 | 95 | 3.0% |
| Housing Options - Regular Academic Year (Two Semesters) | | | | |
| Johnson Hall | | | | |
| Double A/C | \$6,327 | \$6,422 | \$95 | 1.5% |
| Single Private Bath A/C | 8,007 | 8,127 | 120 | 1.5% |
| Single Shared Bath A/C | 7,832 | 7,949 | 117 | 1.5% |
| Oak Street East | | | | |
| Double A/C | \$6,327 | \$6,422 | \$95 | 1.5% |
| Single Private Bath A/C | 8,007 | 8,127 | 120 | 1.5% |
| Single Shared Bath A/C | 7,832 | 7,949 | 117 | 1.5% |
| Oak Place Apts | | | | |
| Quad Apt | \$7,375 | \$7,596 | \$221 | 3.0% |
| Double Apt | 8,560 | 8,817 | 257 | 3.0% |
| Single Apt | 9,445 | 9,728 | 283 | 3.0% |
| Beacon Hill Apts | | | | |
| Quad Apts | - | \$7,740 | - | - |
| Double Apt | - | 8,820 | - | - |
| Single Apt | - | 9,740 | - | - |

UMKC Changes in Housing Contracts (continued)

- iii. College of Education course fee at MU will increase to \$47.60 per credit hour.
 - iv. School of Health Professions course fee at MU will increase to \$92.40 per credit hour.
 - v. MU School of Journalism course fee will increase to \$74 per credit hour.
 - vi. MU Sinclair School of Nursing undergraduate course fee will increase to \$70 and graduate clinical nursing fee will increase to \$190 per credit hour.
 - vii. UMKC School of Education course fee will increase to \$15.50 per credit hour.
 - viii. UMKC Engineering course fee will increase to \$72.20 per credit hour.
 - ix. Supplemental course fees at S&T for Engineering will increase to \$90.50 per credit hour.
 - x. S&T Science supplemental fee for Biological Sciences and Chemistry will increase to \$88 per credit hour.
 - xi. S&T Science supplemental fee for Computer Science, Geology, and Geophysics will increase to \$86.50 per credit hour.
 - xii. S&T Science supplemental fee Physics will increase to \$43.10 per credit hour.
 - xiii. S&T Business, IS&T and M&IS course fee will increase to \$44 per credit hour.
- d. New supplemental course fees will be approved as follows:
- i. MU College of Arts & Science course fee of \$25 per credit hour in FY15 increasing to \$40 over four years for 2000 level and above A&S courses as well as 2000 level and above science courses taught by the School of Medicine (see amendment above).
 - ii. MU Engineering Excellence course fee of \$30 per credit hour for resident students and \$70 for nonresident students increasing over the following four years in a similar manner.
 - iii. Health Management and Informatics graduate course fee of \$30 per credit hour at MU.
 - iv. MU Truman School graduate course fee of \$40 per credit hour.
2. Effective beginning with the 2014 summer session, the Board of Curators revokes and repeals all previous tuition and fee schedules and adopts the attached tuition and other related enrollment fee schedules. The Board finds such action to be necessary for the maintenance and operation of the University.

Roll call vote of Board of Curators:

Curator Bradley voted yes.

Curator Covington voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Goode voted yes.
Curator Henrickson voted yes.
Curator Phillips voted yes.
Curator Ponder voted yes.
Curator Steward was absent.

The motion carried.

Collected Rules and Regulations 230.060 eLearning and Special Program Tuition and Fees, Exception – MU – presented by Treasurer and Interim Vice President Richards (information on file)

It was recommended by Interim Chancellor Owens, endorsed by President Wolfe, recommended by the Finance Committee, moved by Curator Covington and seconded by Curator Phillips, that the following be approved:

the eLearning tuition rate for MU undergraduate nonresident distance students shall be set at \$350 per credit hour, as an exception to CRR 230.060 (A)(1), with the understanding that the terms of CRR 230.060 will be revisited by the Board of Curators no later than the June 2014 board meeting.

Roll call vote of Board of Curators:

Curator Bradley voted yes.
Curator Covington voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Goode voted yes.
Curator Henrickson voted yes.
Curator Phillips voted yes.
Curator Ponder voted yes.
Curator Steward was absent.

The motion carried.

The public session of the Board of Curators meeting recessed at 7:10 P.M.

BOARD OF CURATORS MEETING – EXECUTIVE SESSION

A meeting of the University of Missouri Board of Curators was reconvened in executive session at 7:15 P.M., on Wednesday, January 29, 2014, in Columns Room C, D & E of the Reynolds Alumni Center on the University of Missouri campus, Columbia, Missouri, pursuant to public notice given of said meeting. Curator Don M. Downing, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley
The Honorable Ann K. Covington
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Wayne Goode
The Honorable Pamela Q. Henrickson
The Honorable John R. Phillips
The Honorable J. Michael Ponder

The Honorable David L. Steward was absent for the meeting.

Also Present

Mr. Timothy M. Wolfe, President
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Miss Amy G. Johnson, Student Representative to the Board of Curators
Mr. Stephen J. Owens, Interim Chancellor, University of Missouri

Compensation and Human Resources Committee – Executive Session

Report on personnel – presented by Chairman Phillips

No action taken by the Board.

General Business

Report on personnel and legal advice – presented by President Wolfe and Acting General Counsel Hoskins.

No action taken by the Board.

President Wolfe, Acting General Counsel Hoskins and Interim Chancellor Owens excused themselves from the meeting.

Independent External Investigation – presented by Chairman Downing

Curator Phillips voted yes.
Curator Ponder voted yes.
Curator Steward was absent.

The motion carried.

The Board of Curators executive session meeting recessed at 9:15 P.M. on Wednesday, January 29, 2014.

BOARD OF CURATORS MEETING – PUBLIC SESSION

A meeting of the University of Missouri Board of Curators reconvened in public session at 9,

Ms. Joan Nesbitt, Vice Chancellor for University Advancement, Missouri University of Science and Technology

Mr. Tom Hiles, Vice Chancellor for Development and Alumni Affairs, University of Missouri

Mr. Murray Blackwelder, UMKC Foundation President

Mr. Curt Crespino, Vice Chancellor for University Advancement, University of Missouri-Kansas City

Mr. Martin Leifeld, Vice Chancellor for University Advancement, University of Missouri-St. Louis

Media representatives

Board Development Session– facilitation and presentation by Dr. Carol Cartwright with Association of Governing Boards (AGB) (slides on file)

Dr. Cartwright and attendees discussed principles of fund-raising at public universities and roles of the campuses, System and Board of Curators.

The public session of the Board of Curators meeting recessed at 5:00 p.m.

Dinner was held for the Board of Curators, President, General Officers, Vice Chancellors and Consultant. Hosted by President Wolfe at Providence Point, Columbia, Missouri.

BOARD OF CURATORS MEETING – PUBLIC SESSION

MU Faculty Council Breakfast

Friday, January 31, 2014

8:00 – 8:45 AM

Columns Room 208 A & B, Reynolds Alumni Center

University of Missouri Campus, Columbia, Missouri

Program: Thinking Right in Sport: Missouri Volleyball

Presenter: Ms. Scotta Morton

A meeting of the University of Missouri Board of Curators reconvened in public session at 9:00 A.M., on Friday, January 31, 2014, in Columns Rooms C, D & E of the Reynolds Alumni Center on the University of Missouri campus, Columbia, Missouri, pursuant to public notice given of said meeting. Curator Don M. Downing, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley

The Honorable Ann K. Covington

January 29

Finance Committee

Chairwoman Covington provided time for discussion of committee business.

Information

1. Strategic Investment in our Facilities, UM (slides on file)
2. Upcoming Committee Meeting Topics (slides on file)

Action

6. Project Approval and Supplemental Student Fee Approval, Optometry and Nursing Building Project Phase One – Optometry Clinic, UMSL

Project Approval and Supplemental Student Fee Approval, Optometry and Nursing Building Project Phase One – Optometry Clinic, UMSL – presented by Treasurer and Interim Vice President Richards and Chancellor George (information on file)

It was recommended by Chancellor George, endorsed by President Wolfe, recommended by the Finance Committee, moved by Curator Covington and seconded by Curator Phillips, that the following action be approved:

the project approval and supplemental student fee approval for the Optometry and Nursing Building Project Phase One – Optometry Clinic, for the University of Missouri-St. Louis. The supplemental student fee of \$450/semester will be charged to each student enrolled in the College of Optometry beginning with Fall 2014. This fee will increase to \$900/semester per student once construction begins.

Funding of the Phase One project budget is from:

| | |
|-------------------------------|------------------|
| Debt Financing | \$12,000,000 |
| College of Optometry Reserves | <u>5,000,000</u> |
| Total Funding | \$17,000,000 |

Roll call vote Full Board:

- Curator Bradley voted yes.
- Curator Covington voted yes.
- Curator Cupps voted yes.
- Curator Downing voted yes.
- Curator Goode voted yes.
- Curator Henrickson voted yes.
- Curator Phillips voted yes.

Curator Ponder voted yes.
Curator Steward was absent.

The motion carried.

Audit Committee

Chairwoman Henrickson provided time for discussion of committee business.

Information

1. Internal Audit Quarterly Report, UM (information and slides on file)
2. Ethics and Compliance Hotline, Annual Report 2013, UM (information on file)
3. University of Missouri Code of Conduct Review, UM (information on file)
4. Upcoming Committee Meeting Topics (slides on file)

Action

1. Engagement of Independent Auditors and Related Fees, UM

Engagement of Independent Auditors and Related Fees, UM – presented by Treasurer and Interim Vice President Richards (information on file)

It was recommended by Interim Vice President Richards, endorsed by President Wolfe, recommended by the Audit Committee, moved by Curator Henrickson, seconded by Curator Goode, that the following action be approved:

that the Interim Vice President for Finance be authorized to employ the firm of KPMG LLP to provide audit services to the University of Missouri for fiscal year ending June 30, 2014 for fees of \$778,059 plus expenses not to exceed \$68,577.

Roll call vote of the Board:

Curator Bradley voted yes.
Curator Covington voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Goode voted yes.
Curator Henrickson voted yes.
Curator Phillips voted yes.
Curator Ponder voted yes.
Curator Steward was absent for meeting.

The motion carried.

The public session of the Board of Curators meeting recessed at 12:40 p.m.

BOARD OF CURATORS – PUBLIC SESSION

A meeting of the University of Missouri Board of Curators reconvened in public session at 1:20 P.M., on Friday, January 31, 2014, in Columns Rooms C, D & E of the Reynolds Alumni Center on the University of Missouri campus, Columbia, Missouri, pursuant to public notice given of said meeting. Curator Don M. Downing, Chairman of the Board of Curators, presided over the meeting.

Present

The Honorable David R. Bradley
The Honorable Ann K. Covington
The Honorable Donald L. Cupps
The Honorable Don M. Downing
The Honorable Wayne Goode
The Honorable Pamela Q. Henrickson
The Honorable John R. Phillips
The Honorable J. Michael Ponder

The Honorable David L. Steward was absent for the meeting.

Also Present

Mr. Timothy M. Wolfe, President
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Miss Amy G. Johnson, Student Representative to the Board of Curators
Dr. Gary Allen, Vice President for Information Technology

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Curator Steward was absent.

The motion carried.

1. Minutes, November 21-22, 2013 Board of Curators meeting – as provided to the curators for review and approval.
2. Minutes, November 21-22, 2013 Board of Curators Committee meetings – as provided to the curators for review and approval.
3. Minutes, November 17, 2013

Bd. Min. 2-24-78, Amended Bd. Min. 5-26-78, Amended Bd. Min. 7-27-79;
Revised 1-21-98; Revised 10-1-98, Amended Bd. Min. 11-22-02, Amended Bd.
Min. 01-31-14.

Article I: Definitions -- As used herein:

1. **Plan** -- -

the University of Missouri pursuing courses of instruction at or under the direction or auspices of the "medical facility". The term "employee" shall not include medical residents employed by Employer as part of the residency program at the University of Missouri - Kansas City School of

facility", resulting claims or suits brought, including recommendations on settlements of such claims or suits.

2. Coverage shall not extend to medical residents employed by Employer as part of the residency program at the University of Missouri - Kansas City School of Medicine so long as professional liability coverage is provided to those medical residents by an entity other than the Employer or to health care professionals jointly employed by Employer at the University of Missouri-Kansas City School of Medicine and any entity other than Employer.
3. The coverage afforded applies separately to each covered person against whom claim is made or suit is brought, except with respect to the limits of the Plan's liability.

D. Article IV: Coverage Agreement

1. The Employer, based on the provisions of the Plan and from the Plan Trust will pay on behalf of the covered person all sums which the covered person shall become legally obligated to pay as damages because of injury to the person or property of a patient arising out of the operations of a medical facility or because of injury arising out of the rendering of or failure to render, while the Plan is in effect, professional services by the covered person, or by any person for whose acts or omissions such covered person is legally responsible, performed in the practice of the individual covered person's profession including service by the individual covered person as a member of a formal accreditation or similar professional board or committee of a medical facility or professional society.
2. The Employer shall have the right and duty to defend any suit seeking such damages against the covered person, even if any or all of the allegations of the suit are groundless, false or fraudulent, and may make such investigation and such settlement of any claim or suit as it deems expedient, but the Employer shall not be obligated to pay any claims or judgment or to defend any suit after the applicable limit of the Plan's liability has been exhausted by payment of judgments or settlements. In the event that a claim or suit is being defended at the time the applicable

(2) Resulting from the hazardous properties of nuclear material and with respect to which (a) any person or organization is required to maintain financial protection pursuant to the Atomic Energy Act of 1954, or any law amendatory thereof, or (b) the covered person is, or had the Plan not been established, would be, entitled to indemnity from the United States of America, or any agency thereof, under any agreement entered into by the United States of America, or any agency thereof, with any person or organization.

b. Under any Medical Payments Coverage, or under any Supplementary Payments provision relating to first aid, to expenses incurred with respect to bodily injury resulting from the hazardous properties of nuclear material and arising out of the operation of a nuclear facility by any person or organization.

c. Under any Liability Coverage, to bodily injury or property damage resulting from the hazardous properties of nuclear material, if

(1) The nuclear material (a) is at any nuclear facility owned by, or operated by or on behalf of, a covered person or (b) has been discharged or dispersed therefrom;

(2) The nuclear material is contained in spent fuel or waste at any time possessed, handled, used, processed, stored, transported or disposed of by or on behalf of a covered person; or

(3) The bodily injury or property damage arises out of the furnishing by a covered person of services, materials, parts or equipment in connection with the planning, construction, maintenance, operation or use of any nuclear facility, but if such facility is located within the United States of America, its territories or possessions or Canada, this exclusion (3) applies only to property damage to such nuclear facility and any property thereat.

- d. The provisions of Section 490.020 E.4.a, b and c above notwithstanding, this exclusion shall not apply to any covered person as respects his liability for injury arising from the treatment in a medical facility; provided however, this exclusion shall apply if such injury is otherwise covered by any other policy of insurance of the Employer and such other policy of insurance was in effect and the covered person under the Plan was a covered person under such other policy of insurance at the time of the occurrence.

5. **As used in this exclusion:**

- a. **"Hazardous properties"** include radioactive, toxic or explosive properties;
- b. **"Nuclear material"** means source material, special nuclear material or byproduct material;
- c. **"Source material"**, "special nuclear material", and "byproduct material" have the meanings given them in the Atomic Energy Act of 1954 or in any law amendatory thereof;
- d. **"Spent fuel"** means any fuel element or fuel component, solid or liquid, which has been used or exposed to radiation in a nuclear reactor;
- e. **"Waste"** means any waste material (1) containing byproduct material and (2) resulting from the operation by any person or organization of any nuclear facility included within the definition of nuclear facility under paragraph (1) or (2) thereof;
- f. **"Nuclear facility"** means
 - (1) Any nuclear reactor,
 - (2) Any equipment or device designed or used for (a) separating the isotopes of uranium or plutonium, (b) processing or utilizing spent fuel, or (c) handling, processing or packaging waste,

(3) Any equipment or device used for the processing, fabricating or alloying of special nuclear material if at any time the total amount of such material in the custody of the insured at the premises where such equipment or device is located consists of or contains more than 25 grams of plutonium or uranium 233 or any combination thereof, or more than 250 grams of uranium 235,

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January 29

3. The Plan Trust Fund shall be the sole source of all payments authorized by the Plan and in no circumstances shall any other funds of the Employer, any member of the Board of Curators individually, employees of the Employer or any other covered persons of the Plan be liable or responsible therefor.
4. Employer's General Counsel shall prepare the required Trust Agreement and shall have same properly executed after the approval of the Board of Curators.

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2. **Action Against the Plan** -- No action shall be maintained by a covered person against the Employer unless, as a condition precedent thereto, there shall have b

on covered persons then continue to contribute equal shares of the remaining amount of the loss until the Plan and each insurance policy on such covered person has paid its limit in full or the full amount of the loss is paid.

- b. **Contribution by Limits** -- If any of such other insurance does not provide for contribution by equal shares, the Plan shall not be liable for a greater proportion of such loss than the applicable limit of liability under the Plan for such loss bears to the total applicable limit of liability of the Plan and all valid and collectible insurance against such loss.
4. **Subrogation** -- In the event of any payment under the Plan, the Employer shall be subrogated to all the covered person's rights or recovery therefor against any person or organization and the covered person shall execute and deliver instruments and papers and do whatever else is necessary to secure such rights. The covered person shall do nothing after loss to prejudice such rights. Any such recovery by the Employer shall be used to adjust the next annual contribution to the Trust Fund from the medical facility on whose behalf the subrogation was effected.
5. **Changes in the Plan** -- All changes in the Plan subsequent to the first approval of the Plan by the Board of Curators on the date appearing on the Plan cover page, shall be prepared by the Assistant Vice President and forwarded to the ICRC for review and recommendation. After approval as to legal form by the General Counsel, the Assistant Vice President will submit the changes to the President of the Board of Curators. Changes shall become effective on the date fixed by the Board of Curators.
6. **Assignment** -- The interest hereunder of any covered person is not assignable. If the covered person shall die or be adjudged incompetent or cease for any reason to be a covered person under the Plan, this coverage shall thereupon terminate, but shall cover the covered person's legal representative as the covered person with respect to damages previously

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The Honorable Wayne Goode
The Honorable Pamela Q. Henrickson
The Honorable John R. Phillips
The Honorable J. Michael Ponder

The Honorable David L. Steward was absent for the meeting.

Also Present

Mr. Timothy M. Wolfe, President
Mr. Phillip J. Hoskins, Acting General Counsel
Ms. Cindy Harmon, Secretary of the Board of Curators
Miss Amy G. Johnson, Student Representative to the Board of Curators
Mr. Stephen J. Owens, Interim Chancellor, University of Missouri

General Business

Vice President Foley and Richards joined the meeting.

Curators' Professor Emeritus, Walter Eversman, Missouri S&T – presented by Executive Vice President Foley

It was recommended by Chancellor Cheryl B. Schrader, endorsed by President Timothy M. Wolfe, recommended by the Academic, Student and External Affairs Committee, moved by Curator Cupps, and seconded by Curator Bradley, that the following action be approved:

that upon the recommendation of Chancellor Cheryl B. Schrader it is recommended that Professor Walter Eversman be named to the position University of Missouri Curators' Professor Emeritus, effective March 1, 2014.

Campus recommendation materials are on file in the office of Academic and Student Affairs, UM System.

Roll call vote:

Curator Bradley voted yes.
Curator Covington voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Goode voted yes.
Curator Henrickson voted yes.

Curator Phillips voted yes.
Curator Ponder voted yes.
Curator Steward was absent.

The motion carried.

Curators' Professor, Barbara Harbach, UMSL – presented by Executive Vice President Foley

It was recommended by Provost Glen Cope, endorsed by President Timothy M. Wolfe, recommended by the Academic, Student and External Affairs Committee, moved by Curator Cupps, and seconded by Curator Bradley, that the following action be approved:

that upon the recommendation of Provost Glen Cope and the Dean of the College of Fine Arts Communication, it is recommended that Professor Barbara Harbach be named to the position University of Missouri Curators' Professor, effective September 1, 2014. Professor Harbach will receive a \$10,000 annual stipend as long as she holds this position. \$5,000 will go to increased compensation (salary and benefits less applicable taxes) with the remaining \$5,000 available for professional expenses associated with her teaching, research, or creative activities. In accordance with Collected Rules and Regulations, 320.070, this appointment is for a period of five years which

~~Curator Cupps~~ (s)12 Cupps (T)5,000 of (3) (Type)405 R)w31(t)-6(voe)4(d

It was recommended by Chancellor Thomas F. George, endorsed by President Timothy M. Wolfe, recommended by the Academic, Student and External Affairs Committee, moved by Curator Cupps, and seconded by Curator Bradley, that the following action be approved:

that upon the recommendation of Chancellor Thomas F. George, the Provost, and the

Property Lease Extension, Lot 1 University Fraternity Subdivision, Rolla, Missouri, Missouri S&T – presented by Treasurer and Interim Vice President Richards (information on file)

It was recommended by Chancellor Schrader, endorsed by President Wolfe, moved by Curator Goode and seconded by Curator Henrickson, that the following action be approved:

that the Interim Vice President for Finance be authorized to enter into an extension of the current lease for fifty-six (56) additional years for approximately 2.5 acres, Lot 1 University Fraternity Subdivision, Rolla, Missouri, with Students Educational & Loan Foundation, a pro forma corporat

January 29 – February 1, 2014

Hosted by

Roll call vote:

Curator Bradley voted yes.
Curator Covington voted yes.
Curator Cupps voted yes.
Curator Downing voted yes.
Curator Goode voted yes.
Curator Henrickson voted yes.
Curator Phillips voted yes.
Curator Ponder voted yes.
Curator Steward was absent.

The motion carried.

There being no other business to come before the Board of Curators, the meeting was adjourned at 10:15 A.M. on Saturday, February 1, 2014.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cindy S. Harmon", is written over a solid green rectangular background.

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

Approved by the Board of Curators on April 11, 2014.