NOTICE OF MEETING
Board of Governors, Truman State University
Saturday, August 1, 2015

The Board of Governors for Truman State University will hold a meeting on Saturday, August 1, 2015. The meeting will be held in the Conference Room (3000) of the Student Union located on the University campus in Kirksville, Missouri. The public is invited to attend.

The tentative agenda for the meeting is attached to this notice. Items M, N and O on the attached agenda are eligible for consideration in closed session under the provisions of Section 610.010 thru 610.030 of the Revised Statutes of Missouri, commonly known as the Open Meetings Law. During the open session of the meeting, the Board of Governors will select the items of business to be conducted in closed session and will state its reasons for considering such items in closed session.

Persons with disabilities who may need assistance for the meeting should contact the President’s Office at Truman State University (200 McClain Hall or by telephone 660-785-4100).

Dated this 24th day of July, 2015.

Troy D. Paino
President of the University
TENTATIVE AGENDA
Board of Governors, Truman State University
Saturday, August 1, 2015

10:00 a.m.  Board of Governors Board Policy Review Committee Meeting
            Room 3204, Student Union Building
            (Governors Potter, Burkemper, Cozette, Haber, Plassmeyer and O’Donnell)

11:00 a.m.  Board of Governors Academic and Student Affairs Committee Meeting
            Room 3201, Student Union Building
            (Governors Cozette, Bonner, Kochanski and O’Donnell)

11:00 a.m.  Board of Governors Budget and Capital Projects Committee Meeting
            Room 3202, Student Union Building
            (Governors Plassmeyer, LaBeth, Haber and O’Donnell)

11:00 a.m.  Board of Governors Finance and Auditing Committee Meeting
            Room 3203, Student Union Building
            (Governors Burkemper, Potter, Zito and O’Donnell)

12:00 noon Board Luncheon
            Activities Room (3200), Student Union Building

1:00 p.m.   Open Session of Board of Governors Meeting
            Conference Room (3000), Student Union Building
            ITEM A   Call to Order and Chair Report
            ITEM B   Minutes for Open Session of Meeting on June 13, 2015
            ITEM C   President’s Report
            ITEM C.1 Resolution of Appreciation—HLC Leadership Team
            ITEM D   Annual Athletics Report
            ITEM E   Staff Council Report
            ITEM F   Finance and Auditing Committee Report
            ITEM F.1 Financial Report
            ITEM G   Academic and Student Affairs Committee Report
            ITEM H   Budget and Capital Projects Committee Report
            ITEM H.1 Construction Projects Report
            ITEM H.2 Contracts for Construction Projects and Equipment Purchases Report
            ITEM H.3 Local Capital Budgets for Fiscal Year 2016
            ITEM H.4 State Appropriation Request for Fiscal Year 2017
            ITEM H.5 Food Service Contractor
            ITEM I   Board Policy Review Committee Report
            ITEM I.1 Resolution amending Chapter 8 of the Code of Policies of the Board of Governors pertaining to Student Sexual Misconduct
            ITEM I.2 Resolution amending Chapter 10 of the Code of Policies of the Board of Governors titled Fiscal and Business Affairs—Personnel
            ITEM J   Agenda Items for Future Meetings
            ITEM K   Dates for Future Meetings
            ITEM L   Agenda Items for Closed Session

Board of Governors – August 1, 2015
Closed Session of Board of Governors Meeting
ITEM M Minutes for Closed Session of Meeting on June 13, 2015
ITEM N Personnel Actions Report
ITEM O General Counsel Report
ITEM O.1 Motion to Adjourn
ITEM A
Call to Order and Chair Report

Governor Jim O'Donnell, Chair of the Board, will call the meeting to order, recognize Board members participating by phone or absent and provide a Chair Report as needed.

RECOMMENDED ACTION

This is a discussion item only.
ITEM B
Minutes for Open Session of Meeting on June 13, 2015

RECOMMENDED ACTION

BE IT RESOLVED that the minutes for the open session of the meeting on June 13, 2015, be approved.

Moved by __________________________
Seconded by _________________________
Vote: Aye _____________________________
Nay ________________________________

ATTACHMENT

Minutes for Open Session of Meeting on June 13, 2015

Board of Governors – August 1, 2015
The Board of Governors for Truman State University met on Saturday, June 13, 2015, at the Mark Twain Boyhood Home and Museum located at 120 North Main Street in Hannibal, Missouri. The meeting was held in the Auditorium located on the second floor, and the open session of the meeting was called to order shortly after 1:00 p.m. by the Chair of the Board of Governors, Jim O’Donnell.

Participating in the meeting were all seven voting members: Sarah Burkemper, Cheryl J. Cozette, Karen Haber, Mike LaBeth, Jim O’Donnell, Susan Plassmeyer and Matthew W. Potter.

Also participating in the meeting were all three non-voting members: David Lee Bonner and Michael A. Zito, the two out-of-state members, and Kelly Kochanski, student representative.

Call to Order and Chair Report
Jim O’Donnell, Chair of the Board of Governors, called the meeting to order and welcomed all in attendance.

Minutes for Open Sessions of Meetings on April 11, 2015 and May 6, 2015
Matthew W. Potter moved the adoption of the following resolution:

BE IT RESOLVED that the minutes for the open sessions of the meetings on April 11, 2015 and May 6, 2015, be approved.

The motion was seconded by Susan Plassmeyer and carried by a unanimous vote of 7 to 0. Jim O’Donnell then declared the motion to be duly adopted.

President’s Report
Dr. Troy D. Paino, University President, provided a report on several items of current interest. He shared a selected engagements report summarizing his external and internal relations activities from April 11, 2015 through June 12, 2015. He then provided a brief legislative report, noting within that report that Missouri Governor Jay Nixon signed a bond issue bill on June 5, 2015, which designated $160 million for higher education including $9.2 million for Truman’s $14.5 million Baldwin Hall renovation project.

Finance and Auditing Committee Report
Sarah Burkemper, chair of the Finance and Auditing Committee, provided a report on the committee meeting held on June 8, 2015.

Financial Report
Sarah Burkemper provided a review of the financial reports which included a review as of April 30, 2015, of education and general revenues and expenditures and auxiliary systems revenues and expenditures and a review as of April 30, 2015, of the Truman State University Foundation revenues and expenditures.

External Audit Scope Revision
Karen Haber moved the adoption of the following resolution:

WHEREAS, an audit scope change is necessary under the provisions of Office of Management and Budget, Circular A-133, “Audits of States, Local Governments
and Non-Profit Organizations” that requires additional audit steps for certain federal programs;

NOW, THEREFORE, BE IT RESOLVED that the President of the University be authorized to execute an agreement with RubinBrown LLP of St. Louis, Missouri, for two additional federal funds audits for the period ending June 30, 2015, at the fee amounts listed below:

<table>
<thead>
<tr>
<th>Federal Funds Audits</th>
<th>Fees*</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRIO Program</td>
<td>$5,000</td>
</tr>
<tr>
<td>National Science Foundation Program</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

*Plus out-of-pocket additional travel costs not to exceed $1,200

The motion was seconded by Cheryl J. Cozette and carried by a unanimous vote of 7 to 0. Jim O’Donnell then declared the motion to be duly adopted.

Academic and Student Affairs Committee Report
Cheryl J. Cozette, chair of the Academic and Student Affairs Committee, provided a report on the committee meeting held on June 9, 2015. Governor Cozette then asked Dr. Sue Thomas, Executive Vice President for Academic Affairs and Provost, to provide a brief overview of the report submitted by the Higher Learning Commission (HLC) visiting team in regard to the reaccreditation of the University. Dr. Thomas noted that the report was very positive, noting that all criteria for reaffirmation had been met and no interim monitoring was recommended. Dr. Thomas noted that the final step in the process is for the HLC Institutional Actions Council to reaffirm the visiting team report at their meeting on June 15, 2015.

Budget and Capital Projects Committee Report
Susan Plassmeyer, chair of the Budget and Capital Projects Committee, provided a report on the committee meeting held on June 10, 2015.

Construction Projects Report
Susan Plassmeyer provided an update on construction projects which had been approved by the Board at previous meetings.

Contracts for Construction Projects and Equipment Purchases Report
Susan Plassmeyer reported that one construction project and one equipment purchase totaling $25,000 to $100,000 had been approved since the last meeting of the Board:

<table>
<thead>
<tr>
<th>Construction Project</th>
<th>Project Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>1110 South Franklin Abatement and Demolition</td>
<td>$25,230</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Equipment Item</th>
<th>Item Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Performance Liquid Chromatograph Data System</td>
<td>$32,526.76</td>
</tr>
</tbody>
</table>
State Capital Improvement and Maintenance Request
Sarah Burkemper moved the adoption of the following resolution:

BE IT RESOLVED that the FY 2017 State Capital Improvement and Maintenance Request, to be submitted to the Coordinating Board for Higher Education and the Office of Administration, be approved and ratified; and

BE IT FURTHER RESOLVED that a copy of the document, which lists total requests of $106,197,760 for FY 2017 thru FY 2021, be attached to the minutes as an exhibit; and

BE IT FURTHER RESOLVED that the President of the University is authorized to revise costs estimated based on additional input from the Office of Administration and to negotiate the priorities list and requested amount with the legislature, Governor and MDHE staff as appropriate.

The motion was seconded by Karen Haber and carried by a unanimous vote of 7 to 0. Jim O’Donnell then declared the motion to be duly adopted, and the Secretary designated a copy of the document as Exhibit A.

Operating Budgets FY 2016
Matthew W. Potter moved the adoption of the following resolution:

BE IT RESOLVED that the “Operating Budgets for Fiscal Year 2016” be approved and adopted for the 2015-2016 Fiscal Year; and

BE IT FURTHER RESOLVED that the President of the University is authorized to adjust the operating budget should state appropriations levels change; and

BE IT FURTHER RESOLVED that a copy of the document be attached to the minutes as an exhibit.

The motion was seconded by Cheryl J. Cozette and carried by a unanimous vote of 7 to 0. Jim O’Donnell then declared the motion to be duly adopted, and the Secretary designated a copy of the document as Exhibit B.

Salary Policies for FY 2016
Cheryl J. Cozette moved the adoption of the following resolution:

BE IT RESOLVED that the following salary and wage policies for the 2015-2016 Fiscal Year be approved:

1) 2015-2016 Policy for Faculty and Exempt Staff Salaries;
2) 2015-2016 Policy for Hourly Personnel Wage Rates;
3) 2015-2016 Policy for Unit I Wage Rates; and
4) 2015-2016 Policy for Off-Campus and Workshop Faculty Salaries; and
BE IT FURTHER RESOLVED that a copy of the four documents be attached to
and made a part of the minutes for this meeting.

The motion was seconded by Karen Haber and carried by a unanimous vote of 7 to 0. Jim O’Donnell then
declared the motion to be duly adopted, and the Secretary then designated copies of the documents as Exhibit C.

Board Policy Review Committee Report
Matthew W. Potter, chair of the Board Policy Review Committee, provided a report on the committee meeting
held on June 9, 2015.

Resolution Amending Chapter 15 of the Code of Policies of the Board of Governors Pertaining to Procedures
for Addressing Sexual Harassment Issues
Matthew W. Potter moved the adoption of the following resolution:

BE IT RESOLVED, that section 15.040.4 of the Code of Policies of the Board of Governors be amended in the manner shown below:

Any verbiage that would be deleted by this Resolution is shown in \textit{brackets and in bold italics}. Any verbiage that would be added to this section is shown in \textit{(parenthesis and in bold underlined type)}; and

BE IT FURTHER RESOLVED, that this Resolution will become effective at such
time as the President approves and adopts new policies for the disposition of
sexual harassment complaints.

15.010. \textbf{Sexual Harassment} \textbf{.} The policy regarding sexual harassment is set forth in the following manner.

15.010.1. \textbf{Purpose}. The University is committed to the advancement of knowledge, to freedom of thought and
inquiry, and to the personal, social, and intellectual development of its students. The University has a
professional and ethical responsibility to provide a healthy living, learning, and working environment
and a climate of academic freedom for all its members—students, faculty, and staff. To foster
educational development and promote true academic freedom, the University requires an environment
in which no person is intimidated, exploited, or coerced. These goals cannot be attained where sexual
harassment exists. This policy is designed to promote behavior that supports personal and social
development in an environment that fosters academic performance and intellectual growth. Its
purpose is to ensure the academic freedom of everyone while protecting the rights of all.

15.010.2. \textbf{Definition}.

1. Sexual harassment is a form of sex discrimination which may violate Title VII of the Civil Rights
Act of 1964 (employee rights) or Title IX of the Education Amendments of 1972 (employee and
student rights). The following definition adapts the 1980 Equal Employment Opportunity
Commission guidelines to the academic setting.

2. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a
sexual nature constitute sexual harassment when:
a. Submission is made an express or implied term or condition of employment or status in a class, program, or activity;
b. Submission to or rejection of the behavior is used to make an employment or educational decision (such as hiring, promotion or grading a course);
c. The conduct may unreasonably interfere with a person’s work or educational performance or creates an intimidating, hostile, or offensive environment for working or learning.
3. Both men and women can be sexually harassed. Sexual harassment can occur between equals, but most often occurs in situations where one person has power over another.

15.010.3. Coverage. This sexual harassment policy applies to all members of the University community: students, faculty, and staff, in both on-campus and off-campus settings, when involved in University employment, classes, programs, or activities.

15.010.4. Procedures. Alleged sexual harassment shall be dealt with through procedures, both formal and informal, to be established by the President of the University. A Sexual Harassment Board to conduct hearings on alleged violations shall be included in the formal procedure. The procedures also shall include an appeal process with the President of the University to decide the final appeal and to act on behalf of the Board of Governors. (The procedures established by the President shall include provisions for hearings and appeals.)

15.010.5. Sanctions. Violations of this policy on sexual harassment shall be subject to a variety of sanctions, including formal reprimand, reassignment, probation, suspension, or dismissal.

15.010.6. Retaliation Prohibited. Retaliatory action of any kind against any individual as a result of a person’s attempt to seek redress under the applicable procedures dealing with sexual harassment is prohibited. Retaliatory action shall be regarded as a separate and distinct cause for complaint under this policy and any other applicable policies.

15.010.7. Malicious Complaints. If it is determined that a report or complaint of sexual harassment is totally without foundation, and if there is evidence of malicious intent, the unfounded report or complaint shall be a violation of this policy, and the reporter or complainant shall be subject to disciplinary action under this policy and any other applicable policies.

15.010.8. Prevention. The best tool for eliminating sexual harassment is prevention. This sexual harassment policy seeks to emphasize the need for, first, prevention and second, elimination of offending behaviors rather than only response to crises and punishment. The keys to successful prevention are campus-wide education and wide dissemination of information on the University’s policies and procedures as well as the nature of sexual harassment.

15.010.9. General Responsibility. Preventing sexual harassment is the responsibility of all members of the campus community. Students, faculty, and staff should educate themselves about the range of behavior included within the definition and should become sensitive to the potential impact of various actions, however intended, on others. All members of the campus community should become informed about their rights and responsibilities.

15.010.10. Specific Responsibility.

1. All supervisory personnel of the University are responsible for understanding and upholding this policy on sexual harassment. The President of the University shall be responsible for the
implementation of campus-wide educational programs on prevention of sexual harassment, as well as informal and formal means of dealing with alleged sexual harassment.

2. EEOC guidelines stipulate that:
   An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned.

3. While all members of the campus community should work to eliminate prohibited behaviors from their own actions and to create an environment free of sexual harassment and intimidation, academic deans, supervisors, and administrators have a special responsibility for preventing and/or responding to instances of sexual harassment.

The motion was seconded by Susan Plasmeyer and carried by a unanimous vote of 7 to 0. Jim O’Donnell then declared the motion to be duly adopted.

Agenda Items for Future Meetings
The Board reviewed a list of proposed agenda items for the regular meetings during the next year.

Dates for Future Meetings
Sarah Burkemper moved the adoption of the following resolution:

BE IT RESOLVED that the next regular meeting of the Board of Governors be scheduled for Saturday, August 1, 2015, on the University campus in Kirksville, Missouri, beginning at 1:00 p.m., with the understanding that the Chair may alter the starting time and/or place for the meeting by giving due notice of such change; and

BE IT FURTHER RESOLVED that other regular meetings of the Board during the next year be tentatively scheduled for the following dates:

   Friday, October 9, 2015;
   Saturday, December 5, 2015;
   Saturday, February 6, 2016;
   Saturday, April 9, 2016; and
   Saturday, June 11, 2016.

The motion was seconded by Mike LaBeth and carried by a unanimous vote of 7 to 0. Jim O’Donnell then declared the motion to be duly adopted.

Agenda Items for Closed Session
Mike LaBeth moved the adoption of the following resolution:

BE IT RESOLVED that this meeting be continued in closed session, with closed records and closed votes as permitted by law, for consideration of the following items as authorized by Section 610.021, Revised Statutes of Missouri:
1. Approval of minutes for the closed session of the last meeting under Subsection 14 of the statute for “Records which are protected from disclosure by law”;
2. Individual personnel actions under Subsection 3 of the statute for “Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded”;
3. Confidential communications with the General Counsel; and

BE IT FURTHER RESOLVED that if any business not covered by the stated reasons for the closed session is raised during the closed session, then this meeting shall be reopened to the public and an announcement about a resumption of the open session shall be made in the hallway outside of the meeting room.

The motion was seconded by Sarah Burkemper and carried by a unanimous vote of 7 to 0. Jim O’Donnell then declared the motion to be duly adopted.

The closed session of the meeting began shortly after 2:00 p.m.

______________________________
Mike LaBeth
Secretary of the Board of Governors

I hereby certify that the foregoing minutes were approved by the Board of Governors on the 1st day of August, 2015.

______________________________
Jim O’Donnell
Chair of the Board of Governors
ITEM C
President's Report

DESCRIPTION AND BACKGROUND

Dr. Troy D. Paino, President of the University, will provide a report on several items of current interest.

RECOMMENDED ACTION

This is a discussion item only.
ITEM C.1
Resolution of Appreciation—HLC Leadership Team

RECOMMENDED ACTION

WHEREAS, the Institutional Actions Council of the Higher Learning Commission (HLC) took action at its June 15, 2015, meeting to affirm the recommendation of the HLC Visiting Team to reaffirm the accreditation of Truman State University with the next Reaffirmation of Accreditation to occur in 2024-25; and

WHEREAS, the Higher Learning Commission confirmed within their report that all criteria for reaffirmation was met and no interim monitoring was recommended, a feat that clearly distinguished Truman in the reaffirmation process given that approximately 80 percent of schools accredited by HLC receive at least one interim monitoring recommendation; and

WHEREAS, Dr. Karen Vittengl, Chair of Truman’s HLC Leadership Team, admirably led a group of twelve talented and dedicated individuals who worked as a team to accomplish all of their major responsibilities which included preparing all relevant documents and materials, facilitating the site visit, and communicating with campus constituents;

NOW, THEREFORE, BE IT RESOLVED that the genuine appreciation of the Board of Governors of Truman State University be extended to Team Chair Karen Vittengl, to the members of Truman’s HLC Leadership Team comprised of Scott Alberts, Nancy Asher, Clayton Berry, John Bohac, Richard Coughlin, Deborah Engen, Lou Ann Gilchrist, Maggie Herron, Ian Lindevald, Kevin Minch, Jim O’Donnell and Sue Thomas, and to all members of the University community who worked so diligently and cooperatively to assure reaccreditation by the Higher Learning Commission; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Dr. Vittengl and all team members as a tangible expression of appreciation and felicitation.

Moved by __________________________
Seconded by ________________________
Vote: Aye __________________________
Nay __________________________
ITEM D
Annual Athletics Report

DESCRIPTION AND BACKGROUND
Jerry Wollmering, Director of Athletics, will provide the annual report on athletics.

RECOMMENDED ACTION
This is a discussion item only.
ITEM E
Staff Council Report

DESCRIPTION AND BACKGROUND

Jonathan Vieker, Chair of Staff Council and Academic Advisor in the Center for Academic Excellence, will provide a report from Staff Council.

RECOMMENDED ACTION

This is a discussion item only.
ITEM F
Finance and Auditing Committee Report

DESCRIPTION AND BACKGROUND

Governor Sarah Burkemper, chair of the Finance and Auditing Committee, will provide a report on the committee meeting held earlier in the day.

RECOMMENDED ACTION

This is a discussion item only.
ITEM F.1
Financial Report

DESCRIPTION AND BACKGROUND

The following financial reports include a review as of June 30, 2015, of education and general revenues and expenditures and auxiliary systems revenues and expenditures, and a review as of June 30, 2015, of the Truman State University Foundation revenues and expenditures.

RECOMMENDED ACTION

This is a discussion item only.

ATTACHMENTS

Financial Report
Truman State University  
Financial Report  
June 30, 2015 compared to June 30, 2014  

Education & General (Pages A1-A3)  

Revenue  

Revenues totaled $97.1 million this year compared to $94.5 million a year ago; representing 102.6% of revenue budgeted for FY15 compared to 101.8% of the revenue for FY14. Total revenues for FY15 were up $2.6 million, or 2.78% over last year.  

The FY15 State appropriation totaled $42,602,063. Three percent was withheld in July 2014 which is anticipated each year. Total withholding for FY15 was $1,278,062, or 3% of the FY15 appropriation. State appropriations withholding for FY14 totaled $1,970,939 or 4.86%. Net of withholdings, funds received totaled $41,324,001 for FY15 compared to $38,542,055 for FY14, up $2,781,946 or 7.22%. This exceeds the percentage increase in appropriations, as additional funds were withheld in FY14.  

Enrollment and related fees are down $172,812. Summer school enrollment revenue is up $102,273 but both fall and spring semester categories and study abroad were slightly down. “Other Income” is up $263,834. This category includes small and one-time miscellaneous revenues. For example, this category included an insurance recovery ($12,440), and increased payments for international student insurance ($78,000). Revenue from Foundation is down $212,805 due to Planetarium expenses funded by the Foundation in FY14.  

Expenses  

Overall, expenditures were up $1.1 million, or 1.22% over last year. Categories up more than $200,000 include faculty and staff salaries, fringe benefits, and institutional aid. Categories down more than $200,000 include equipment and capital expenses.  

- Faculty and staff salaries are up $849,024 primarily due to salary increases provided last July.  
- Fringe benefits are up $509,894 primarily due to retirement contributions (up $73,450) and health insurance (up $480,533). The health insurance category includes $186,206 for early retirees.  
- Equipment and capital projects are down $884,091 primarily due to the Planetarium and Kirk Memorial projects that were paid last year from current funds and a general decrease in equipment purchases.
- Institutional aid is up $949,701 (or 4.88%) due to the Midwest Student Exchange Program and an increase in need-based and merit aid.

Rubin Brown’s audit work is not complete and the above figures are considered tentative. Some accounts remain in the current funds as resources to cover the expense of items ordered with FY15 funds, but not delivered by June 30, and some accounts with dedicated uses rollover to the designated purpose in future years. Some examples include athletic fee funds and student activity fee funds. Revenue from parking sticker sales and parking fines is transferred to the Plant fund to be used for parking lot maintenance and repair. An estimated $3,350,000 is available to be budgeted as a part of the Local Funds Capital budget for FY16.

**Auxiliary Systems** (Pages B1-B3)

Revenues total $25.4 million this year compared to $23.8 million a year ago, representing 105% of the budgeted revenues for this year compared to 95.8% for last year. Total revenues are up $1.6 million or 6.9% over last year. Increase in housing contracts of $1.5 million accounts for most of the change.

Expenditures total $22.2 million this year compared to $21.7 million last year, representing 88.4% of the current year’s budget compared to 83.7% of the expenditures budgeted for last year. Total expenditures are up $515,362 from last year, or an increase of 2.38%.

Increases in expenses over $100,000 include institutional aid and meal expense. Expense categories down more than $100,000 include bond principal and interest.

- Institutional aid is up $133,777 due to an increase in need-based and merit aid.
- Meal expense is up $779,404 due to increased occupancy in the halls, as well as an increased rate paid to Sodexo. The daily rate was $11.75 in FY14 compared to $12.15 in FY15.
- Bond principal and interest is down $306,296 due to the refinancing housing bond issues.

Rubin Brown’s audit work is not complete and the above figures are considered tentative. Some accounts remain in the current funds as resources to cover the expense of items ordered with FY15 funds, but not delivered by June 30, and some accounts with dedicated uses rollover to the designated purpose in future years. Some examples include the leftover funds in the Recreation Center and Student Union budgets. Revenue from parking stickers and parking fines is transferred to the Plant fund to be used for parking lot maintenance and repair. An estimated $3 million is available to be budgeted as a part of the Local Funds Capital budget to be used for renovation and repair projects to the Housing and Student Union Systems.
Truman State University Foundation (Pages C1-C3)

Statement of Revenues, Expenditures and Changes in Net Assets (Pages C1-C3)

As of June 30, contributions and additions to permanent endowments total $2.5 million this year compared to $2 million last year, an increase of $431,773. Both contributions and donations classified as additions to permanent endowments are up.

Investment income, net of fees, shows a gain of $1 million this year compared to $5.5 million a year ago, with the majority of the change in the realized and unrealized gains and losses categories. Realized gains totaled $1.4 million this year compared to $530,962 last year. Unrealized losses totaled $1 million this year compared to a $4.3 million gain last year.

Significant differences in expenditures include scholarships (up $233,526) and Transfers to Truman were down $214,504 as FY14 included a large transfer for the Planetarium.

Statement of Net Position

Net position increased from $42.8 million a year ago to $44.3 million this year, an increase of $1.5 million. The most significant asset, cash and investments, is up from $42.5 million last year to $44 million this year. Loans Receivable is down $80,621 from $800,195 last year to $719,574 this year.

Liabilities are down $77,438 from $646,284 last year to $568,846 this year, with the decrease in all categories.
<table>
<thead>
<tr>
<th></th>
<th>FY15 Budget</th>
<th>FY15 To Date</th>
<th>Percent of Budget This Year</th>
<th>Percent of Budget Last Year</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Education &amp; General</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Appropriation</td>
<td>$42,538,644</td>
<td>$41,324,001</td>
<td>97.14%</td>
<td></td>
</tr>
<tr>
<td>Local Income</td>
<td>$52,119,356</td>
<td>$55,821,216</td>
<td>107.10%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Budgeted Revenues</strong></td>
<td>$94,658,000</td>
<td>$97,145,217</td>
<td>102.63%</td>
<td>101.80%</td>
</tr>
<tr>
<td>Rollover from prior year</td>
<td>$1,771,770</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Resources to Spend</strong></td>
<td>$96,429,770</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Salaries &amp; Fringe Benefits</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Faculty/Staff Salaries</td>
<td>$37,630,971</td>
<td>$38,327,944</td>
<td>101.85%</td>
<td></td>
</tr>
<tr>
<td>Student Employment</td>
<td>$3,204,619</td>
<td>$3,254,923</td>
<td>101.57%</td>
<td></td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>$16,030,667</td>
<td>$14,066,775</td>
<td>87.75%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Salaries &amp; Fringe Benefits</strong></td>
<td>$56,866,257</td>
<td>$55,649,642</td>
<td>97.86%</td>
<td>98.91%</td>
</tr>
<tr>
<td><strong>Equipment &amp; Capitalized Expense</strong></td>
<td>$2,635,965</td>
<td>$2,297,777</td>
<td>87.17%</td>
<td>85.49%</td>
</tr>
<tr>
<td><strong>Operations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Expense</td>
<td>$13,809,859</td>
<td>$11,783,702</td>
<td>85.33%</td>
<td></td>
</tr>
<tr>
<td>Institutional Aid</td>
<td>$19,587,480</td>
<td>$20,392,421</td>
<td>104.11%</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>$3,530,209</td>
<td>$2,713,726</td>
<td>76.87%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Operations</strong></td>
<td>$36,927,548</td>
<td>$34,889,849</td>
<td>94.48%</td>
<td>92.91%</td>
</tr>
<tr>
<td><strong>Total Education &amp; General Expense</strong></td>
<td>$96,429,770</td>
<td>$92,837,268</td>
<td>96.27%</td>
<td>96.07%</td>
</tr>
</tbody>
</table>
Truman State University  
Operating Receipts by Fund  
For the period ending June 30

<table>
<thead>
<tr>
<th>Education &amp; General</th>
<th>FY13 Receipts</th>
<th>FY14 Receipts</th>
<th>FY15 Receipts</th>
<th>Change FY14 to FY15</th>
<th>% Change FY14 to FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State Appropriation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Appropriation</td>
<td>$ 38,722,022</td>
<td>$ 38,542,055</td>
<td>$ 41,324,001</td>
<td>$ 2,781,946</td>
<td>7.22%</td>
</tr>
<tr>
<td><strong>Total State Sourced Income</strong></td>
<td>$ 38,722,022</td>
<td>$ 38,542,055</td>
<td>$ 41,324,001</td>
<td>$ 2,781,946</td>
<td>7.22%</td>
</tr>
<tr>
<td><strong>Enrollment Fees</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enrollment Fees</td>
<td>$ 50,208,173</td>
<td>$ 51,739,225</td>
<td>$ 51,550,333</td>
<td>$ (188,892)</td>
<td>-0.37%</td>
</tr>
<tr>
<td>Student Activity Fees</td>
<td>$ 464,161</td>
<td>$ 459,546</td>
<td>$ 485,861</td>
<td>$ 26,515</td>
<td>5.77%</td>
</tr>
<tr>
<td>Athletic Fees</td>
<td>$ 552,535</td>
<td>$ 546,653</td>
<td>$ 539,845</td>
<td>$ (6,808)</td>
<td>-1.25%</td>
</tr>
<tr>
<td>Health Clinic Fees</td>
<td>$ 298,370</td>
<td>$ 295,194</td>
<td>$ 291,567</td>
<td>$ (3,627)</td>
<td>-1.23%</td>
</tr>
<tr>
<td><strong>Total Student Fees</strong></td>
<td>$ 51,523,239</td>
<td>$ 53,040,418</td>
<td>$ 52,867,606</td>
<td>$ (172,812)</td>
<td>-0.33%</td>
</tr>
<tr>
<td>Other Income</td>
<td>$ 2,753,502</td>
<td>$ 2,937,348</td>
<td>$ 2,953,610</td>
<td>$ 16,262</td>
<td>0.55%</td>
</tr>
<tr>
<td><strong>Total Education &amp; General</strong></td>
<td>$ 92,998,763</td>
<td>$ 94,519,821</td>
<td>$ 97,145,217</td>
<td>$ 2,625,396</td>
<td>2.78%</td>
</tr>
</tbody>
</table>
Truman State University
Operating Expense by Fund
For the period ending June 30

<table>
<thead>
<tr>
<th></th>
<th>FY13 Expense</th>
<th>FY14 Expense</th>
<th>FY15 Expense</th>
<th>Change FY14 to FY15</th>
<th>% Change FY14 to FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Education &amp; General</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries &amp; Fringe Benefits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Faculty &amp; Staff Salaries</td>
<td>$37,222,940</td>
<td>$37,478,920</td>
<td>$38,327,944</td>
<td>$849,024</td>
<td>2.27%</td>
</tr>
<tr>
<td>Student Salaries</td>
<td>$3,378,258</td>
<td>$3,200,915</td>
<td>$3,254,923</td>
<td>$54,008</td>
<td>1.69%</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>$12,326,480</td>
<td>$13,556,881</td>
<td>$14,066,775</td>
<td>$509,894</td>
<td>3.76%</td>
</tr>
<tr>
<td>Total Salary &amp; Fringe Benefits</td>
<td>$52,927,678</td>
<td>$54,236,716</td>
<td>$55,649,642</td>
<td>$1,412,926</td>
<td>2.61%</td>
</tr>
<tr>
<td>Equipment &amp; Capital Expenses</td>
<td>$2,289,080</td>
<td>$3,181,868</td>
<td>$2,297,777</td>
<td>($884,091)</td>
<td>-27.79%</td>
</tr>
<tr>
<td><strong>Operations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional Aid</td>
<td>$18,589,000</td>
<td>$19,442,720</td>
<td>$20,392,421</td>
<td>$949,701</td>
<td>4.88%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>$2,074,668</td>
<td>$1,790,257</td>
<td>$1,601,470</td>
<td>($188,787)</td>
<td>-10.55%</td>
</tr>
<tr>
<td>Travel</td>
<td>$2,909,770</td>
<td>$3,115,024</td>
<td>$3,058,225</td>
<td>($66,799)</td>
<td>-1.82%</td>
</tr>
<tr>
<td>Utilities</td>
<td>$2,446,670</td>
<td>$2,788,456</td>
<td>$2,713,726</td>
<td>($74,730)</td>
<td>-2.68%</td>
</tr>
<tr>
<td>Supplies</td>
<td>$1,333,461</td>
<td>$1,662,968</td>
<td>$1,492,420</td>
<td>($170,548)</td>
<td>-10.26%</td>
</tr>
<tr>
<td>Maintenance Contracts</td>
<td>$1,108,399</td>
<td>$1,168,154</td>
<td>$1,234,830</td>
<td>$66,676</td>
<td>5.71%</td>
</tr>
<tr>
<td>Communications</td>
<td>$980,019</td>
<td>$1,026,929</td>
<td>$1,039,835</td>
<td>$12,906</td>
<td>1.26%</td>
</tr>
<tr>
<td>Other Expense</td>
<td>$3,223,321</td>
<td>$3,304,561</td>
<td>$3,356,922</td>
<td>$52,361</td>
<td>1.58%</td>
</tr>
<tr>
<td>Total Operations</td>
<td>$32,665,308</td>
<td>$34,299,069</td>
<td>$34,889,849</td>
<td>$590,780</td>
<td>1.72%</td>
</tr>
<tr>
<td><strong>Total Education &amp; General</strong></td>
<td>$87,882,066</td>
<td>$91,717,653</td>
<td>$92,837,268</td>
<td>$1,119,615</td>
<td>1.22%</td>
</tr>
</tbody>
</table>
Truman State University  
Auxiliary  
Budget to Actual  
For the period ending June 30

<table>
<thead>
<tr>
<th></th>
<th>FY15 Budget</th>
<th>FY15 To Date</th>
<th>Percent of Budget This Year</th>
<th>Percent of Budget Last Year</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Auxiliary Systems</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residence Halls</td>
<td>$ 20,782,500</td>
<td>$ 21,994,266</td>
<td>105.83%</td>
<td></td>
</tr>
<tr>
<td>Student Union</td>
<td>$ 1,395,000</td>
<td>$ 1,540,011</td>
<td>110.40%</td>
<td></td>
</tr>
<tr>
<td>Recreation Center</td>
<td>$ 1,335,000</td>
<td>$ 1,337,742</td>
<td>100.21%</td>
<td></td>
</tr>
<tr>
<td>Other Auxiliary</td>
<td>$ 686,000</td>
<td>$ 540,341</td>
<td>78.77%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Budgeted Revenues</strong></td>
<td>$ 24,198,500</td>
<td>$ 25,412,359</td>
<td>105.02%</td>
<td>95.80%</td>
</tr>
<tr>
<td>Rollover from prior year</td>
<td>$ 879,829</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Resources to Spend</strong></td>
<td>$ 25,078,329</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Salaries &amp; Fringe Benefits</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$ 2,100,248</td>
<td>$ 1,917,452</td>
<td>91.30%</td>
<td></td>
</tr>
<tr>
<td>Student Salaries</td>
<td>$ 1,404,915</td>
<td>$ 1,034,953</td>
<td>73.67%</td>
<td></td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>$ 1,116,091</td>
<td>$ 924,518</td>
<td>82.84%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Salaries &amp; Fringe Benefits</strong></td>
<td>$ 4,621,254</td>
<td>$ 3,876,923</td>
<td>83.89%</td>
<td>85.31%</td>
</tr>
<tr>
<td><strong>Equipment /Capitalized Expense</strong></td>
<td>$ 763,883</td>
<td>$ 230,542</td>
<td>30.18%</td>
<td>23.18%</td>
</tr>
<tr>
<td><strong>Operations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bond Principal &amp; Interest</td>
<td>$ 4,032,393</td>
<td>$ 4,386,250</td>
<td>108.78%</td>
<td></td>
</tr>
<tr>
<td>Meals/Banquets/Refreshments</td>
<td>$ 7,150,000</td>
<td>$ 7,306,163</td>
<td>102.18%</td>
<td></td>
</tr>
<tr>
<td>Other Expense</td>
<td>$ 5,124,444</td>
<td>$ 2,601,864</td>
<td>50.77%</td>
<td></td>
</tr>
<tr>
<td>Institutional Aid</td>
<td>$ 1,575,000</td>
<td>$ 1,824,507</td>
<td>115.84%</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>$ 1,811,355</td>
<td>$ 1,959,081</td>
<td>108.16%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Operations</strong></td>
<td>$ 19,693,192</td>
<td>$ 18,077,865</td>
<td>91.80%</td>
<td>85.69%</td>
</tr>
<tr>
<td><strong>Total Auxiliary Expense</strong></td>
<td>$ 25,078,329</td>
<td>$ 22,185,330</td>
<td>88.46%</td>
<td>83.65%</td>
</tr>
</tbody>
</table>
Truman State University  
Operating Receipts by Fund  
For the period ending June 30

<table>
<thead>
<tr>
<th>Auxiliary</th>
<th>FY13 Receipts</th>
<th>FY14 Receipts</th>
<th>FY15 Receipts</th>
<th>Change FY14 to FY15</th>
<th>% Change FY14 to FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residence Halls</td>
<td>$21,222,008</td>
<td>$20,295,297</td>
<td>$21,994,266</td>
<td>$1,698,969</td>
<td>8.37%</td>
</tr>
<tr>
<td>Student Union</td>
<td>$1,395,019</td>
<td>$1,449,644</td>
<td>$1,540,011</td>
<td>$90,367</td>
<td>6.23%</td>
</tr>
<tr>
<td>Recreation Center</td>
<td>$1,465,502</td>
<td>$1,472,577</td>
<td>$1,337,742</td>
<td>$(134,836)</td>
<td>-9.16%</td>
</tr>
<tr>
<td>Other Auxiliary</td>
<td>$564,021</td>
<td>$556,656</td>
<td>$540,341</td>
<td>$(16,316)</td>
<td>-2.93%</td>
</tr>
<tr>
<td><strong>Total Auxiliary</strong></td>
<td><strong>$24,646,550</strong></td>
<td><strong>$23,774,174</strong></td>
<td><strong>$25,412,359</strong></td>
<td><strong>$1,638,185</strong></td>
<td><strong>6.89%</strong></td>
</tr>
</tbody>
</table>
Truman State University
Operating Expense by Fund
For the period ending June 30

<table>
<thead>
<tr>
<th></th>
<th>FY13 Expense</th>
<th>FY14 Expense</th>
<th>FY15 Expense</th>
<th>Change FY14 to FY15</th>
<th>% Change FY14 to FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Auxiliary</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Salaries &amp; Fringe Benefits</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$1,845,406</td>
<td>$1,961,337</td>
<td>$1,917,452</td>
<td>$ (43,885)</td>
<td>-2.24%</td>
</tr>
<tr>
<td>Student Wages</td>
<td>$1,016,269</td>
<td>$1,027,520</td>
<td>$1,034,953</td>
<td>$ 7,433</td>
<td>0.72%</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>$838,427</td>
<td>$939,407</td>
<td>$924,518</td>
<td>$ (14,889)</td>
<td>-1.58%</td>
</tr>
<tr>
<td><strong>Total Salary &amp; Fringe Benefits</strong></td>
<td>$3,700,102</td>
<td>$3,928,264</td>
<td>$3,876,923</td>
<td>$ (51,341)</td>
<td>-1.31%</td>
</tr>
<tr>
<td><strong>Equipment &amp; Capital Expenses</strong></td>
<td>$362,146</td>
<td>$189,769</td>
<td>$230,542</td>
<td>$ 40,773</td>
<td>21.49%</td>
</tr>
<tr>
<td><strong>Operations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional Aid</td>
<td>$1,530,131</td>
<td>$1,690,730</td>
<td>$1,824,507</td>
<td>$ 133,777</td>
<td>7.91%</td>
</tr>
<tr>
<td>Supplies</td>
<td>$725,390</td>
<td>$924,083</td>
<td>$939,549</td>
<td>$ 15,466</td>
<td>1.67%</td>
</tr>
<tr>
<td>Maintenance Contracts</td>
<td>$217,922</td>
<td>$250,353</td>
<td>$229,245</td>
<td>$ (21,108)</td>
<td>-8.43%</td>
</tr>
<tr>
<td>Communications</td>
<td>$166,818</td>
<td>$155,462</td>
<td>$121,314</td>
<td>$ (34,148)</td>
<td>-21.97%</td>
</tr>
<tr>
<td>Meals</td>
<td>$6,799,727</td>
<td>$6,526,759</td>
<td>$7,306,163</td>
<td>$ 779,404</td>
<td>11.94%</td>
</tr>
<tr>
<td>Utilities</td>
<td>$1,977,513</td>
<td>$1,995,613</td>
<td>$1,959,081</td>
<td>$ (36,532)</td>
<td>-1.83%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>$184,914</td>
<td>$183,661</td>
<td>$250,464</td>
<td>$ 66,803</td>
<td>36.37%</td>
</tr>
<tr>
<td>Bond Principal &amp; Interest</td>
<td>$5,059,281</td>
<td>$4,692,546</td>
<td>$4,386,250</td>
<td>$ (306,296)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Expense</td>
<td>$1,124,269</td>
<td>$1,132,728</td>
<td>$1,061,292</td>
<td>$ (71,436)</td>
<td>-6.31%</td>
</tr>
<tr>
<td><strong>Total Operations</strong></td>
<td>$17,785,965</td>
<td>$17,551,935</td>
<td>$18,077,865</td>
<td>$ 525,930</td>
<td>3.00%</td>
</tr>
<tr>
<td><strong>Total Auxiliary</strong></td>
<td>$21,848,213</td>
<td>$21,669,968</td>
<td>$22,185,330</td>
<td>$ 515,362</td>
<td>2.38%</td>
</tr>
</tbody>
</table>
Truman State University Foundation  
Statement of Net Position  
June 30, 2014 Compared to June 30, 2015

<table>
<thead>
<tr>
<th>Assets</th>
<th>30-Jun-14 FY14</th>
<th>30-Jun-15 FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash</td>
<td>$ 388,197</td>
<td>$ 406,216</td>
</tr>
<tr>
<td>Short Term Investments</td>
<td>$ 1,813,821</td>
<td>$ 2,159,093</td>
</tr>
<tr>
<td>Prepaid Expenses</td>
<td>$ 10,495</td>
<td>$ 5,543</td>
</tr>
<tr>
<td>Loans Receivable, net of allowance</td>
<td>$ 309,115</td>
<td>$ 283,512</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>$ 2,521,629</td>
<td>$ 2,854,364</td>
</tr>
<tr>
<td><strong>Non-Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investments</td>
<td>$ 40,314,605</td>
<td>$ 41,469,954</td>
</tr>
<tr>
<td>Loans Receivable, net of allowance</td>
<td>$ 491,080</td>
<td>$ 436,062</td>
</tr>
<tr>
<td>Cash Value of Life Insurance</td>
<td>$ 96,338</td>
<td>$ 96,338</td>
</tr>
<tr>
<td><strong>Total Non-Current Assets</strong></td>
<td>$ 40,902,022</td>
<td>$ 42,002,354</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>$ 43,423,651</td>
<td>$ 44,856,718</td>
</tr>
</tbody>
</table>

**Liabilities**

<table>
<thead>
<tr>
<th>Liabilities</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>$ 87,731</td>
<td>$ 61,440</td>
</tr>
<tr>
<td>Annuities &amp; Trusts Payable</td>
<td>$ (17)</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>$ 87,714</td>
<td>$ 61,440</td>
</tr>
<tr>
<td><strong>Non-Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annuities &amp; Trusts Payable</td>
<td>$ 558,570</td>
<td>$ 507,406</td>
</tr>
<tr>
<td><strong>Total Non-Current Liabilities</strong></td>
<td>$ 558,570</td>
<td>$ 507,406</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td>$ 646,284</td>
<td>$ 568,846</td>
</tr>
<tr>
<td><strong>Net Position</strong></td>
<td>$ 42,777,367</td>
<td>$ 44,287,872</td>
</tr>
<tr>
<td>Truman State University Foundation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Statement of Revenues, Expenses &amp; Changes in Net Position</td>
<td></td>
<td></td>
</tr>
<tr>
<td>June 30, 2014 Compared to June 30, 2015</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Operating Revenue

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest on Student Loan Receivable</td>
<td>$41,786</td>
<td>$35,010</td>
</tr>
<tr>
<td><strong>Total Operating Revenues</strong></td>
<td>$41,786</td>
<td>$35,010</td>
</tr>
</tbody>
</table>

### Operating Expenses

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scholarships</td>
<td>$642,260</td>
<td>$875,786</td>
</tr>
<tr>
<td>Supplies &amp; Other Services</td>
<td>$376,267</td>
<td>$390,332</td>
</tr>
<tr>
<td>Travel Expense</td>
<td>$142,917</td>
<td>$163,093</td>
</tr>
<tr>
<td>Other Expense</td>
<td>$179,656</td>
<td>$172,883</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>$1,341,101</td>
<td>$1,602,094</td>
</tr>
</tbody>
</table>

### Operating Gain (Loss)

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1,299,315)</strong></td>
<td>$1,567,084</td>
<td></td>
</tr>
</tbody>
</table>

### Non-Operating Revenues (Expenses)

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$1,107,324</td>
<td>$1,360,479</td>
</tr>
<tr>
<td>Interest &amp; Dividends</td>
<td>$752,714</td>
<td>$850,051</td>
</tr>
<tr>
<td>Realized Gain (Loss)</td>
<td>$530,962</td>
<td>$1,372,734</td>
</tr>
<tr>
<td>Unrealized Gain (Loss)</td>
<td>$4,346,763</td>
<td>$(1,053,648)</td>
</tr>
<tr>
<td>Other Non-Operating Income</td>
<td>$50,416</td>
<td>$45,039</td>
</tr>
<tr>
<td>Other Non-Operating Expense</td>
<td>$(91,393)</td>
<td>$(96,618)</td>
</tr>
<tr>
<td>Actuarial Loss on Annuity &amp; Trust Obligation</td>
<td>$(46,436)</td>
<td>$(2,478,037)</td>
</tr>
<tr>
<td><strong>Net Non-Operating Revenues (Expenses)</strong></td>
<td>$6,650,350</td>
<td>$2,478,037</td>
</tr>
</tbody>
</table>

### Income before other Revenues, Expenses, Gains, Losses & Transfers

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5,351,035</strong></td>
<td>$910,953</td>
<td></td>
</tr>
</tbody>
</table>

### Additions to Permanent Endowments

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>916,167</strong></td>
<td>$1,094,785</td>
<td></td>
</tr>
</tbody>
</table>

### Transfers to Education & General for Administration

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(119,300)</strong></td>
<td>$(119,300)</td>
<td></td>
</tr>
</tbody>
</table>

### Transfers to Education & General

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(285,927)</strong></td>
<td>$(343,847)</td>
<td></td>
</tr>
</tbody>
</table>

### Transfer to Auxiliary - Other

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(41,607)</strong></td>
<td>$(29,230)</td>
<td></td>
</tr>
</tbody>
</table>

### Transfer to Auxiliary - Student Union

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>-</strong></td>
<td>$(212)</td>
<td></td>
</tr>
</tbody>
</table>

### Transfer to Fundraising

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(547)</strong></td>
<td>$-</td>
<td></td>
</tr>
</tbody>
</table>

### Transfer to Capital Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(270,000)</strong></td>
<td>$(2,645)</td>
<td></td>
</tr>
</tbody>
</table>

### Transfer in from Truman

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>7,643</strong></td>
<td>$-</td>
<td></td>
</tr>
</tbody>
</table>

### Increase (Decrease) in Net Assets

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5,557,464</strong></td>
<td>$1,510,505</td>
<td></td>
</tr>
</tbody>
</table>

### Net Position, Beginning of Year

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>37,219,903</strong></td>
<td>$42,777,367</td>
<td></td>
</tr>
</tbody>
</table>

### Net Position Ending Balance

<table>
<thead>
<tr>
<th>Description</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>42,777,367</strong></td>
<td>$44,287,872</td>
<td></td>
</tr>
</tbody>
</table>

C-2
## Investments

<table>
<thead>
<tr>
<th></th>
<th>30-Jun-14 FY14</th>
<th>30-Jun-15 FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Invested with Outside Manager</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endowment Pool</td>
<td>$ 38,628,629</td>
<td>$ 39,779,501</td>
</tr>
<tr>
<td><strong>Total Endowment Pool</strong></td>
<td>$ 38,628,629</td>
<td>$ 39,779,501</td>
</tr>
<tr>
<td>Short-Term Pool</td>
<td>$ 1,813,821</td>
<td>$ 2,159,093</td>
</tr>
<tr>
<td>Long Trust</td>
<td>$ 682,839</td>
<td>$ 679,290</td>
</tr>
<tr>
<td>Courtright Elmwood Unitrust</td>
<td>$ 35,546</td>
<td>$ 34,032</td>
</tr>
<tr>
<td>Rufener M.E.T. Unitrust</td>
<td>$ 31,517</td>
<td>$ 29,923</td>
</tr>
<tr>
<td>Annuities Payable - CGA</td>
<td>$ 835,355</td>
<td>$ 848,853</td>
</tr>
<tr>
<td>Fitzpatrick - CA CGA</td>
<td>$ 74,657</td>
<td>$ 72,527</td>
</tr>
<tr>
<td>Annuities Payable - FL CGA</td>
<td>$ 26,062</td>
<td>$ 25,826</td>
</tr>
<tr>
<td><strong>Total Investments</strong></td>
<td>$ 42,128,426</td>
<td>$ 43,629,047</td>
</tr>
</tbody>
</table>

## Beneficial Interest in Trusts

<table>
<thead>
<tr>
<th></th>
<th>30-Jun-14</th>
<th>30-Jun-15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Invested through Citizens Bank, Chillicothe, MO</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ludlow Trust</td>
<td>$ 244,784</td>
<td>$ 238,609</td>
</tr>
<tr>
<td><strong>Invested through First Bankers Trust, Quincy, IL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cozean Trust</td>
<td>$ 315,175</td>
<td>$ 312,714</td>
</tr>
<tr>
<td><strong>Invested through Citizens Bank, Chillicothe, MO</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lyle Ingraham Trust</td>
<td>$ 2,949,504</td>
<td>$ 3,018,680</td>
</tr>
<tr>
<td><strong>Total Beneficial Interest in Trusts</strong></td>
<td>$ 3,509,462</td>
<td>$ 3,570,003</td>
</tr>
</tbody>
</table>
ITEM G
Academic and Student Affairs Committee Report

DESCRIPTION AND BACKGROUND

Governor Cheryl J. Cozette, chair of the Academic and Student Affairs Committee, will provide a report on the committee meeting held earlier in the day.

RECOMMENDED ACTION

This is a discussion item only.
ITEM H
Budget and Capital Projects Committee Report

DESCRIPTION AND BACKGROUND

Governor Susan Plassmeyer, chair of the Budget and Capital Projects Committee, will provide a report on the committee meeting held earlier in the day.

RECOMMENDED ACTION

This is a discussion item only.
ITEM H.1
Construction Projects Report

DESCRIPTION AND BACKGROUND

The following report is an update on construction projects which have been approved by the Board at previous meetings.

RECOMMENDED ACTION

This is a discussion item only.

ATTACHMENT

Construction Projects Report

Board of Governors – August 1, 2015
## Construction Projects Report

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Project Budget</th>
<th>Approval Date</th>
<th>Expenditure To Date</th>
<th>Status*</th>
<th>Completion Occupancy**</th>
<th>Project Completion</th>
<th>Final Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014 Roofing, Masonry and Windows</td>
<td>$1,686,000</td>
<td>4-12-14</td>
<td>$1,217,184</td>
<td>72%</td>
<td>NA</td>
<td>8-11-15</td>
<td></td>
</tr>
<tr>
<td>2015 Roofing and Building Repairs Project</td>
<td>$2,235,000</td>
<td>4-11-15</td>
<td>$1,053,001</td>
<td>47%</td>
<td>NA</td>
<td>8-14-15</td>
<td></td>
</tr>
<tr>
<td>McClain Hall/Student Union Building Mall Replacement Project</td>
<td>$1,410,000</td>
<td>4-11-15</td>
<td>$504,016</td>
<td>35%</td>
<td>8-7-15</td>
<td>9-18-15</td>
<td></td>
</tr>
<tr>
<td>Summer 2015 Concrete Project</td>
<td>$110,000</td>
<td>4-11-15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guaranteed Energy Savings Program</td>
<td>$10,500,000</td>
<td>4-11-15</td>
<td></td>
<td></td>
<td></td>
<td>8-31-16</td>
<td></td>
</tr>
</tbody>
</table>

*completion status based on payments made

**occupancy date based on primary construction contract
ITEM H.2
Contracts for Construction Projects and Equipment Purchases Report

DESCRIPTION AND BACKGROUND

The following is a report of construction projects and equipment purchases totaling $25,000 to $100,000 which have been approved since the last meeting of the Board.

RECOMMENDED ACTION

This is a discussion item only.

ATTACHMENT

Contracts for Construction Projects/Equipment Purchases
Contracts for Construction Projects

The following construction projects totaling $25,000 to $100,000 have been approved since the last meeting of the Board.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Project Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Underground Fuel Tank Repairs and Upgrades</td>
<td>$46,342.08</td>
</tr>
</tbody>
</table>

This project replaced corroded pipes and access points connected to the underground back-up fuel tanks for the boilers within the Power Plant and located under the northeast corner of the Violette Hall/Magruder Hall parking lot. Concrete was removed to make the repair and then replaced. The project was bid with four contractors providing bids. The low bid was submitted by Mid-State Petroleum Equipment from Hallsville, Missouri. The project was completed May 31, 2015.

Equipment Purchases

The following single items of equipment totaling $25,000 to $100,000 have been approved since the last meeting of the Board.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Project Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Safety Patrol Vehicle</td>
<td>$28,278.41</td>
</tr>
</tbody>
</table>

A new Public Safety patrol vehicle was purchased to replace an older patrol vehicle which was experiencing mechanical problems and in need of major repair. The vehicle was purchased using the State of Missouri contract through Lou Fusz Ford in St. Louis, Missouri. The vehicle was ordered in October 2014 and delivered on June 16, 2015. The old patrol vehicle will be sent to surplus.
ITEM H.3  
Local Capital Budgets for Fiscal Year 2016

DESCRIPTION AND BACKGROUND

The local capital improvement budgets are reviewed and approved annually to provide funding for major building and renovation projects for the campus. These budgets are divided into two categories based upon the primary function of the facility. The Local State Funds Capital Budget is utilized for projects related to facilities which are eligible for capital appropriations from the State of Missouri. This includes the academic buildings and the infrastructure which supports these facilities. The Auxiliary Funds Capital Budget is utilized to address needs related to facilities which are not funded via state appropriations. This includes auxiliary enterprises such as the residence halls, the Student Union, Recreation Center, and related site work surrounding these buildings such as walkways and parking lots.

The budgets which follow are designed to reflect institutional priorities identified in Truman’s Strategic Plan and the Campus Master Plan and provide general budget parameters. As capital projects are designed and bid, approval by the Board of Governors will be obtained for each project following established procedures.

The total recommended for FY 2016 Capital Budgets for the Local State Funds Capital Budget is $3,350,000 and for the Auxiliary Funds Capital Budget is $3,000,000.

RECOMMENDED ACTION

BE IT RESOLVED that the “Local State Funds Capital Budget – FY 2016” of $3,350,000 and the proposed “Auxiliary Funds Capital Budget – FY 2016” of $3,000,000 be approved and that copies of the budgets be attached to the minutes as exhibits.

Moved by __________________________
Seconded by ________________________
Vote: Aye __________________________
     Nay ____________________________

ATTACHMENT

Local State Funds Capital Budget – FY 2016
Auxiliary Funds Capital Budget – FY 2016

Board of Governors – August 1, 2015
LOCAL CAPITAL BUDGETS FOR FISCAL YEAR 2016

Local State Funds Capital Budget – FY 2016

The estimated FY 2015 carry-over funds and interest income from Education and General total $3,350,000. These funds will be used for University needs and priorities that cannot be funded by Maintenance and Repair Funds or for which the M&R funds are inadequate. Included among these are utility and infrastructure improvements such as masonry and roofing repairs, storm drainage improvements, utility and infrastructure improvement, as well as HVAC system replacements. A portion of these funds will be utilized for the local match required for the Baldwin Hall renovation project, and $200,000 will be allocated to the Land Acquisition and Development Budget.

Auxiliary Funds Capital Budget – FY 2016

For FY 2016 the primary funding source for the Auxiliary Funds Capital Budget is the operating carry-over from the auxiliary enterprises for FY 2015. This operating carry-over and auxiliary interest income total is $3,000,000.

Funds will be allocated to the residence halls, Student Union Building and Recreation Center as necessary for repairs and renovations.

All proposed project expenditures will come before the Board of Governors following the usual procedures and will be subject to individual Board approval.
ITEM H.4
State Appropriation Request for Fiscal Year 2017

DESCRIPTION AND BACKGROUND

The University’s Fiscal Year 2017 State Appropriation request is submitted to the Missouri Department of Higher Education (MDHE) as well as the State Office of Administration. This request is for funding to support the Education and General Budget.

For FY 2017, the request is based upon the higher education appropriation bill for FY 2016 which was approved by the legislature and signed by the Governor. Truman’s FY17 request includes funding based on the Performance Funding model as well as an increase for STEM programs. This is consistent with the approach agreed to by the Council on Public Higher Education (COPHE), which includes all state supported four year institutions.

Table 1 provides a summary of the request, and Table 2 provides more detailed information. This request will be prepared in a more specific format as required by state budget submission guidelines.

This is the first step in the FY 2017 process. Truman’s request will be reviewed by the MDHE staff in August and September, and in October the Coordinating Board for Higher Education (CBHE) will make official budget recommendations for each campus. The next major step in the process occurs in January when the Governor presents budget recommendations to the General Assembly. Committee hearings will follow with appropriations finalized by the legislature in May, 2016.

RECOMMENDED ACTION

BE IT RESOLVED that the State Appropriation Request for Fiscal Year 2017 totaling $46,911,894 be approved and ratified; and

BE IT FURTHER RESOLVED that a copy of the State Appropriation Request for Fiscal Year 2017, be attached to the minutes as an exhibit and that the President of the University be authorized to modify this request based upon input from the staff of the Coordinating Board for Higher Education, Office of Administration, and the Legislature as appropriate.

Moved by
Seconded by
Vote:
Aye
Nay

ATTACHMENTS
Table 1
Table 2

Board of Governors – August 1, 2015
TABLE 1

Fiscal Year 2017 State Appropriation Request for Operating Funds

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation Base (Core Total + FY16 Performance Funding)</td>
<td>$43,110,124</td>
</tr>
<tr>
<td>New Requests for FY 2017</td>
<td></td>
</tr>
<tr>
<td>Funding for Improved Outcomes (5%)</td>
<td>$2,155,550</td>
</tr>
<tr>
<td>STEM Program Investments (2%)</td>
<td>$866,220</td>
</tr>
<tr>
<td>Added Maintenance and Repair funds</td>
<td>$780,000</td>
</tr>
<tr>
<td>Total New Requests</td>
<td>$3,801,770</td>
</tr>
<tr>
<td>TOTAL FY17 FUNDING REQUEST (FY16 appropriation + new)</td>
<td>$46,911,894</td>
</tr>
</tbody>
</table>
The state appropriations request for FY 2017 has two components, the Core Operating request based on FY 2016 actual appropriations, and the new requests for FY 2017. Requests beyond the core are typically referred to as Decision Items or New Investments.

1. **Funding for Core Operations: State Request**  
   $43,110,124  
   The top priority for funding is to maintain the existing base level. These funds provide 45% of the Education and General budget for FY16, and are crucial to meeting the mission of the institution.

2. **New Requests for FY 2017**  
   $ 3,801,770  
   For FY17 the members of COPHE have agreed to focus on two key requests, performance or outcomes based funding, and support for STEM. In addition, Truman’s request includes funds for maintenance and repair of buildings.

   A. **Funding for Improved Outcomes**  
   $ 2,155,500  
   The funding for Improved Outcomes (Performance Funding) was developed in 2012 by the CBHE Performance Funding Task Force. It is designed to demonstrate success and reward outcomes with increased appropriations. The five performance funding measures selected by Truman are as follows:

   1. Freshman to Sophomore Retention Rate
   2. Six-year (150 percent time) Cohort Graduation Rate
   3. Improvements in assessments in the Major Field
   4. Percent of Total E&G Expenditures Expended on the Core Mission
   5. Increased Performance on High-Impact Practices as measured by the National Survey of Student Engagement (NSSE)

   A sixth measure which involves placement rates is still in a pilot stage. The increase requested in this category ($2,155,550) represents 5% of the FY16 core appropriation.

   B. **STEM Program Investments**  
   $ 866,220  
   STEM (Science, Technology, Engineering, and Math) programs are considered by many to be the key to economic growth and competitiveness. At Truman, enrollment in STEM includes Biology, Chemistry, Agriculture, Physics, Statistics, Mathematics, and Computer Science. These majors represented 21% of undergraduates in Fall 2014.

   This request is consistent with the COPHE agreement to request 2% for STEM as a targeted investment. Funds will be utilized for additional faculty and staff to allow increased enrollment in the programs as well as purchase academic equipment to support instructional activity.

Board of Governors – August 1, 2015
C. Maintenance and Repair: Protecting Investments $ 780,000

Truman currently has over one-million square feet of state-funded buildings, and additional funds are requested for the upkeep of campus facilities. Based on projected FY 2017 building replacement costs ($230,000,000) and the generally accepted standard of 2% of replacement costs, Truman needs $4.6 million annually for maintenance and repair. When combined with the current budget ($1,361,000) in this category, the requested additional $780,000 of state funding for maintenance and repair would allow Truman to make progress toward meeting campus upkeep needs. This decision item request is for $780,000.
ITEM H.5
Food Service Contractor

DESCRIPTION AND BACKGROUND

Sodexo currently provides food service for the campus under a five-year contract which expires in May 2016. This contract was established after a competitive bid process in 2011. Although several interested vendors visited campus during the bid process, the only firms submitting a proposal other than Sodexo were relatively small and did not have any higher education operations comparable in scope to those at Truman.

During the last few months Truman officials have worked with Sodexo management to develop plans for multi-year upgrades for the on-campus food service operations. Current plans call for the following improvements:

- Starbucks Coffee in Library – June 2015
- Renovation to Mainstreet Market in Student Union – June-August 2016
- Update to Missouri Hall Dining – Summer 2017 or Summer 2018

The upgrades planned for Mainstreet Market currently include a Chick-Fil-A, a Mexican food venue, a pizza concept, and an Asian food venue. In order to obtain franchise agreements and develop renovation plans, contracts must be executed by October 2015 for the Mainstreet project to be completed by August 2016.

Funding for these improvements would be provided from food service commissions and the surplus generated under the Sodexo contract. Given the good working relationship with Sodexo, the lead time for executing needed renovations, and the lack of interest from other large firms during the last bid process, it is recommended that a contract extension be negotiated with Sodexo. This will include an increased guaranteed base commission on cash sales, which would in turn help finance the planned improvements.

Student satisfaction with campus food service is evaluated in multiple ways. Sodexo conducts a survey two times per year to obtain student input. Truman’s Student Services staff utilizes the Educational Benchmarking, Inc. survey, a nationally normed survey, to benchmark multiple services. On this survey, Truman students consistently rate food service here higher than students at peer institutions rate food service. To provide additional student feedback, a Food Service Advisory Committee meets regularly with Sodexo management and Truman staff responsible for this contract. Finally, Truman faculty, staff, and administrators regularly eat at various food service venues to interact with students and monitor food quality.

RECOMMENDED ACTION

WHEREAS, the University sought food service proposals for a five-year period commencing May 20, 2011; and

Board of Governors – August 1, 2015
WHEREAS, the proposal of Sodexo Food Service was selected for a five-year period ending May 20, 2016; and

WHEREAS, it is advisable to extend this contract for one additional five year period, with the stipulation that the contract will be competitively bid at the conclusion of this period;

NOW, THEREFORE, BE IT RESOLVED that the President of the University is hereby authorized to negotiate an extension to the current Sodexo Food Services contract; and

BE IT FURTHER RESOLVED that the President of the University, or his designee, be authorized to sign a contract with Sodexo Food Services for a five-year period beginning May 20, 2016, and ending May 20, 2021.

Moved by
Seconded by

Vote:
Aye
Nay

ATTACHMENT
Food Service Contract Highlights
Food Service Contract Highlights

The following is intended to provide a summary of key provisions in the proposed contract for food service operations at Truman. It also provides information regarding the scale of the food service programs.

Contract Term: The contract will cover a five year period (May 2016 – May 2021). However, Truman or the contractor may terminate the agreement with 60 days written notice.

Scope of Operation: The contractor has exclusive rights to operate the dining facilities and provide a dining program for students, faculty, staff, and guests of the University. Specific venues include the following:

1. Three Dining Halls (Ryle, Missouri and Centennial)
2. Two Convenience Stores (West Campus and Dobson)
3. Mainstreet Market and other Student Union services
   a. Jazzman’s Coffee (current)
   b. Zime’s Bistro (current)
   c. Chick-fil-A Express (August ‘16)
   d. Mein Bowl (August ‘16)
   e. Slice of Life (August ‘16)
   f. Holy Habanero (August ‘16)
4. Starbucks Coffee (Pickler Memorial Library)
5. Catering Services

Other branded concepts may be added during the contract period as mutually agreed. Truman also retains the right to provide vending/snack services in multiple locations.

Meal Plans and Rates: Meal plan options available for students are reviewed and agreed to on an annual basis. For 2015-16 there are five plans available for students living on-campus and two plans for off-campus students. Most of these plans provide a fixed number of meals per week plus flex dollars which can be used at any on-campus location.

Financial Records: The contractor provides profit and loss statements for the operation on an annual basis which are conducted and certified by an independent accounting firm.

Commissions: The University will receive a 15% commission on all cash and catering sales with a guaranteed minimum of $150,000 per year.

Reinvestment Program: The contractors profit is limited to 3.5%. Any surplus is returned to the University to be used for equipment replacement, food service program enhancements, and renovations.

Ownership of equipment and facilities: All food service equipment (kitchens, dining service, etc.) is owned by the University. The only equipment furnished by the contractor is the point-of-
sale system (cash registers), card swipe system, office equipment, and vehicles used for food deliveries. This allows for a quick transition should it become necessary to switch vendors.

**Management:** All of the contractors, directors, and managers must have University approval prior to selection. Each residence hall facility must have an experienced manager/supervisor on duty at all meals.

**Food Specifications:** The contract includes 11 pages of specifications which cover quality (USDA Grade A, etc.), quantity (12 dry cereals available, 29 beverages available, etc. for example), and requirements for menus at breakfast, lunch, and dinner.

**Scale of Operations:** In 2014-15 the food service operation served 1,054,000 meals. Under the current contract, the University paid Sodexo $7,560,820 in 2014-15 for residence hall meals, on-campus dinners, and receptions. Total expenditures depend on the number of students housed on campus as well as the number of off-campus students who utilized dining services. Expenditures in recent years are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013-14</td>
<td>$6,791,275</td>
</tr>
<tr>
<td>2012-13</td>
<td>$7,003,700</td>
</tr>
<tr>
<td>2011-12</td>
<td>$7,310,950</td>
</tr>
<tr>
<td>2010-11</td>
<td>$7,093,915</td>
</tr>
</tbody>
</table>

**Contract History:** The food service contract is the largest vendor contract other than those related to construction projects. Multiple vendors have provided food service for Truman. In 1993 a five-year contract was awarded to Morrison’s Hospitality Group. They were acquired by Gardner Merchant Food Services in 1994. In 1999 a five year contract was awarded to Sodexho Marriott Services, and in 2003 after a competitive bid Sodexo Food Service was awarded the contract. Most recently, after a competitive bid Sodexo was awarded a contract for 2011-2016.

**Largest Vendors:** In terms of annual cost, Truman had six vendors that were paid over one million dollars in FY 2015.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Amount</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sodexo</td>
<td>$7,560,820</td>
<td>(food service)</td>
</tr>
<tr>
<td>Aetna</td>
<td>$6,260,334</td>
<td>(health insurance)</td>
</tr>
<tr>
<td>MOSERS</td>
<td>$5,618,572</td>
<td>(state retirement)</td>
</tr>
<tr>
<td>Ameren</td>
<td>$2,366,400</td>
<td>(electric)</td>
</tr>
<tr>
<td>Irvinbilt</td>
<td>$1,288,720</td>
<td>(construction)</td>
</tr>
<tr>
<td>PSR</td>
<td>$1,074,002</td>
<td>(construction)</td>
</tr>
</tbody>
</table>

**Projected Contract Cost:** The proposed extension of the contract covers May 2016 – May 2021. Actual expenditures will be based on the number of students housed on-campus as well as the number of off-campus students purchasing meal plans. Cash sales and catering is dependent upon the attractiveness of the dining venues and options made available. With the planned renovations to Mainstreet Market in 2016, sales to students, faculty and staff should increase, which should yield additional commissions utilized to cover Student Union operations.
ITEM I
Board Policy Review Committee Report

DESCRIPTION AND BACKGROUND
Governor Matthew W. Potter, chair of the Board Policy Review Committee, will provide a report on the committee meeting held earlier in the day.

RECOMMENDED ACTION
This is a discussion item only.
ITEM I.1
Resolution amending Chapter 8 of the Code of Policies of the Board of Governors pertaining to Student Sexual Misconduct

DESCRIPTION AND BACKGROUND

This resolution is one step of a major reform of the handling of all discrimination and sexual misconduct complaints by the University. At the present time, we have (1) a process for handling sexual harassment complaints under Chapter 15 of the Code of Policies; (2) a process for handling student sexual misconduct complaints under Chapter 8 of the Code of Policies (Student Conduct Code); and (3) an administrative policy for handling discrimination complaints of all types and student sexual misconduct complaints where the student chooses to use this process instead of the Student Conduct Code.

Sexual harassment and student sexual misconduct both constitute sex discrimination under the law and under University policies. The two policies for the handling of sexual harassment complaints and student sexual misconduct complaints have grown up over the years as a way to respond to various needs. More recently, the U.S. Department of Education, Office of Civil Rights (OCR) has required the adoption of the third policy for the handling of all complaints of discrimination which was adopted administratively. The result is a mish-mash of inconsistent and overlapping policies.

It is our desire to consolidate these various processes into one process for the handling of any and all discrimination complaints of every type. This new process will be adopted administratively and will ultimately replace all three processes currently in use. Further, it is anticipated that a new officer will be hired to administer the new policy. This will permit the University to focus more carefully on these cases and respond in a more professional and cohesive way to complaints. It will simplify the process for complainants and for University officials and make it easier for everyone to navigate the system. It is our desire to have the new process in place and the new officer hired before the start of the 2015 Fall Semester, if at all possible.

The new administrative policy has been drafted and has been reviewed by legal consultants who are experts in this field. They reviewed the policy and provided the guidance needed to make sure we have a sound, workable policy that is in compliance with all regulations. We are ready to implement the new policy very shortly.

At the June Board meeting, you revised a portion of Chapter 15 pertaining to Sexual Harassment cases to facilitate this consolidation of effort. The next step (and the purpose of this Resolution) is to remove those portions of Chapter 8 in the Student Conduct Code that pertain to student sexual misconduct since those concerns will also be covered by the new administrative policy. (The current administrative policy will also be repealed at such time as the new administrative policy is adopted.) The Chapter 15 amendment was made contingent on the approval and adoption of the new administrative policy and today's recommended changes to Chapter 8 are offered with the same proviso. This will insure that there will be no lapse in coverage for complaints that could arise during this changeover in process.

New Provisions: Two new sections have been added to 8.100. These new sections pertain to "Deferred Resolutions." In a forum Senator Claire McCaskill held regarding sexual violence with our students in the fall, a few students expressed concern regarding the consequences students might face
in returning to the residence halls after consuming alcohol. The students indicated that students might prefer to spend the night in dangerous circumstances rather than to return to the halls and face conduct consequences. Senator McCaskill’s office has since followed up with the Student Affairs Office regarding steps that can be taken to minimize this concern. The deferred resolution option was developed to allow us to continue enforcing our dry campus policy while minimizing the negative consequences of returning to the residence halls intoxicated.

RECOMMENDED ACTION

BE IT RESOLVED, that Chapter 8 of the Code of Policies, titled Student Conduct Code, (marked as Attachment 1 and incorporated herein by reference) be amended by deleting any verbiage that is shown in [brackets and in bold type]. Any verbiage that would be added to this chapter is shown in bold italics and underlined type.

In all other respects, Chapter 8 remains unchanged.

BE IT FURTHER RESOLVED, that this Resolution will become effective at such time as the President approves and adopts new policies for the disposition of student sexual misconduct complaints; and

BE IT FURTHER RESOLVED that a copy of the document be attached to the minutes as an exhibit.

Moved by ____________________
Seconded by ____________________
Vote:
Aye ____________________
Nay ____________________
CHAPTER 8

STUDENT CONDUCT CODE

8.010. Purpose
8.020. Definitions
8.030. Administrative Authority
8.040. Jurisdiction
8.050. Expectations for Conduct
8.060. Relationship of Law Enforcement and University Conduct System
8.070. Interim Suspension
8.080. University Conduct System
8.090. Investigation and Disposition of Gender-Based Misconduct
8.100. Investigation and Disposition of [All Other] Offenses
8.110. Sanction and Remedies
8.120. Review of Decisions
8.130. Interpretation and Periodic Review

8.010. Purpose. State statutes provide that the governing boards of public colleges and universities "shall possess full power and authority to adopt all needful rules and regulations for the guidance and supervision of the conduct of all students" and "to enforce obedience to the rules." Although the grant of authority is broadly stated, it is well recognized that students are citizens. Students have legal rights and deserve to be treated with dignity and respect. For that reason, it is important that the University’s standards of student conduct, and the procedures for the enforcement of such standards, are fair and reasonable and are made available to all members of the University community.

Truman State University is a community of scholars. The University aspires to transmit knowledge, to foster student development, and to promote the quality of a mature and diverse society. By enrolling in the University, the student neither loses the rights nor escapes the duties of a citizen but conducts his or her life in the context of mutual regard for the rights, property, and privileges of others. In seeking these goals, the University recognizes the significance of students’ rights. Those rights include:

- freedom of expression
- autonomy,
- procedural protection,
- and equity.

By ensuring those individual rights, the University fosters an environment conducive to student success and well-being. In addition, efforts are made to foster the personal and social development of students.

Of course, students have obligations as well as rights. As members of an academic community, students must observe rules that benefit this community. Students must practice personal integrity. By doing so, they respect the dignity, rights, and property of all members of the University community. The Student Conduct Code thus creates an expectation of behavior that the University views as acceptable and appropriate. By fulfilling these expectations, students can enjoy their own rights, while also respecting others’ rights and furthering the University’s mission.
Attachment 1

Student organizations often enrich the campus and community by providing a source of intellectual, personal, and social development for students through their programs and activities. The University fulfills an important mission by providing procedures and policies for the registration and support of student organizations. Inherent in University registration of student organizations is the obligation of each organization to conduct activities in accordance with all University rules, policies, and applicable laws. It is the responsibility of the officers of each student organization to ensure that the student organization complies with the Student Conduct Code, that activities of the organization are conducted properly, and to actively oppose and prevent any organizational activity that would violate the Student Conduct Code. It is also the obligation of the officers of any student organization to advise and counsel individual members of their organization whose conduct could lead to misconduct allegations against the organization.

The University, as any other, must have a system to address those instances when a member, members, or student organization(s) fails to adhere to the expectations of the community. This Student Conduct Code describes University expectations of students and student organizations and the processes available when a student or student organization has failed to adhere to these expectations. The Code also strives to support the educational environment by being proactive in nurturing appropriate personal and organizational development.

While the university places a high priority on student rights, the University conduct process differs from criminal law processes. This process is designed, in part, to determine whether a student has violated the Student Conduct Code only, not guilt or innocence. The University conduct process is informal and it is not bound by legal jargon, court-like proceedings, formal rules of evidence or the legal definitions that are the province of the criminal courts. Procedures and rights in student conduct proceedings are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, within these procedures, assures:

- written notice;
- a hearing before an objective decision-maker;
- a finding of violation of Truman State University policy only when information shows that it is more likely than not that a policy violation occurred; and
- sanctions that are proportionate to the severity of the violation and prior conduct history

This policy has been developed in accord with such philosophy and will be administered accordingly.

8.020 Definitions. Unless the context clearly requires otherwise, these terms will be accorded the following meanings.

1. [The term “administrative investigator” refers to a Truman employee with special training and expertise in conducting investigations related to accusations of gender-based misconduct.]
2. The term "attempting to commit an act" means when a student or student organization, with the purpose of committing an act, takes any action that is a substantial step toward the commission of the act.
3. The term "calendar day" means any recognized day of a year.
4. The term "complainant" means a member of the University community, visitor, guest or the University itself who is considering filing a complaint, makes an oral complaint or files a written complaint with the University alleging that a student or student organization has violated the Student Conduct Code.
5. The term “complicit” means associated with or participating in an act of misconduct.
6. The term "condoned by an officer" means a student organization and its officers may be held collectively or individually responsible when violations of this Code by those associated with the organization have received the tacit or overt consent or encouragement of the organization or the organization’s leaders, officers, or spokespersons.
7. The term "conduct hearing board" means a committee appointed by the Dean of Student Affairs to determine whether a student or student organization has violated the Student Conduct Code and, if a violation is found, to recommend the imposition of sanctions.
8. The term "Conduct Officer" means any person authorized by the Dean of Student Affairs to implement the provisions of the Student Conduct Code and to provide assistance for any person involved in its operation. In most situations, the Conduct Officer is the Assistant Dean of Student Affairs for Citizenship and Community Standards.
9. The term "Dean of Student Affairs" means the person designated by the President of the University to be responsible for the administration of the Student Conduct Code.
10. The "deferential standard" means that the individual(s) conducting the review will defer to the judgment of the decision making person or body unless a reasonable person would conclude that a clear error was made in the finding or a compelling justification exist to alter the finding. It is not merely a matter of whether reviewer(s) agree with the decisions. Findings may only be altered if there is clear error. Sanctions may only be alter if a compelling justification exists to do so.
11. The term "faculty member" means any person hired by the University to conduct classroom activities, to supervise other academic credit experiences, or other learning/teaching activities.
12. The term "health" means physical or mental well-being.
13. The term "information" means any witness testimony, documents, statements, or tangible material presented at a hearing or in the course of an investigation of an alleged conduct violation.
14. [The term “interim measures” refers to interventions implemented to stop, prevent and remedy a hostile environment before the resolution of the complaint or when a complaint is not pursued.]
15. The term "in violation" means that the student or student organization has been found responsible for a violation of the Student Conduct Code.
16. The term "joint hearing" means any hearing at which two or more students or student organizations are accused of violating one or more provisions of the Student Conduct Code.
17. The terms "may" and "should" are used in the permissive sense.
18. The term "member of the University community" includes any person who is a student, administrator, faculty member, staff member, University official, or any other person employed by the University. A person's status in a particular situation will be determined by the Dean of Student Affairs.
19. The term “more likely than not” is the campus standard of proof. It is equivalent to the legal standard of "preponderance of evidence." The campus standard requires that a student or student organization will be found in violation of the Student Conduct Code only when the information would lead a reasonable person to conclude that it is more likely than not that the accused student’s actions violated the Student Conduct Code.
20. The terms “must” and “will” are used in the imperative sense.
21. The term "not in violation" means that the student or student organization has not been found responsible for a violation of the Student Conduct Code.
22. The term "officer" means a person in a student organization who holds an elected or appointed leadership position in that organization.
23. The term "paraphernalia" includes any object that contains the residue of (a) alcohol or (b) an illegal drug or (c) any object that is used in the consumption or distribution of an illegal drug. Examples of "a" include, but are not limited to a beer bong and empty alcoholic containers. Examples of "b" include, but are not limited to a marijuana pipe, bong, or blow tube. An example of "c" is a scale used in measuring quantities of an illegal drug.

24. The term "pervasive" means any conduct which is sufficiently widespread or severe that it pollutes the educational environment and can be said to deprive one of educational access, benefits or opportunities. Can also mean "persistent" in the sense of a repetition of the act.

25. The term "process advisor" refers to those individuals who assist the complainant or the respondent in navigating the process of resolving a conduct complaint. The role of the process advisor includes: providing information to help with decision making; responding to questions about the resolution process and support services available; assisting in preparation for interviews, meetings, hearing and review requests, and questions for the opposing party or witnesses; and communicating updates on the progress of the resolution process as needed. Process advisors may attend meetings involved in the resolution process but they are not allowed to speak or delay scheduling of meetings. Complainants and respondents may identify their own process advisors or request that one be provided for them. Process advisors do not have administrative, investigatory, or decision-making roles in the cases where they are serving as process advisors. The same individual cannot serve as the process advisor for both the complainant and respondent involved in the resolution of the complaint.

26. The term "policy" or "policies" means the written regulations of the University as approved by the Board of Governors, the President of the University, or other University officials, and as set forth in general publications such as, but not limited to, the bylaws and policies of the Board of Governors, general/graduate bulletins, student handbooks, residence life handbooks, student organization recognition agreement, vehicle rules and regulations, or in special announcements about specific issues which are openly and fairly made available to students and student organizations.

27. The term "prior record" means that the accused student or student organization engaged in acts prior to the incident in question which violated the Student Conduct Code or legal statutes. A prior record includes, but is not limited to, past action taken for misconduct, any previous conduct hearing, documents sent to an accused student or student organization concerning any act of misconduct, and informal hearing records. A finding of "in violation" of the Student Conduct Code will be considered a prior record even if a review of the finding and/or sanction is pending. A prior record can typically only be used in recommending or determining sanctions and will not be revealed during the hearing process except as outlined in the Sanctions section below. [In cases of gender-based misconduct, the previous history of the complainant or the respondent will only be considered if such behavior establishes a pattern relevant to the facts of the incident under consideration. In these cases, history may be used in the investigator’s consideration of findings as well as sanctions.]

28. [The term “remedies” refers to interventions implemented to stop, prevent and remedy a hostile environment as a result of a complaint resolution. Individual remedies refer to those remedies that are implemented to address the personal needs of those involved in a gender-based misconduct resolution process. Institutional remedies are those remedies implemented to address the environment in which gender-based misconduct occurred.]

29. The term “respondent” means a student, students or student organization who may have committed, is under investigation, or who has been charged with a violation of the Student Conduct Code.
Attachment 1

30. The term “sanctions” means the consequences and remedies imposed by the Office of Citizenship and Community Standards when a student is found to have violated the Student Conduct Code.

31. The term "student" or "students" include all persons taking or auditing classes at the University, both full-time and part-time, pursuing undergraduate, graduate, or professional studies; matriculated in any University program; and those who attend post-secondary educational institutions other than Truman State University and who reside in University residence halls. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the University, are considered "students."

32. The term "Student Conduct Code" means the policy in this chapter of the Code of Policies of the Board of Governors establishing rules for the conduct of students at Truman State University.

33. The term "student organization" means (a) any number of persons who have applied for recognition/registration as a student organization by the University or (b) any number of persons who have complied with the formal requirements for University recognition/registration as a student organization.

34. [The term “Title IX offenses” refers to gender-based misconduct described in Sections 8.050.14 and 8.050.2.12. Truman State University will adjudicate Title IX offenses in compliance with the mandates of the Office of Civil Rights. Questions or complaints regarding the University policies and procedures may be directed to the Office of Civil Rights at OCR.KansasCity@ed.gov. Complaints must be filed within 180 days of the completion of the University’s processes.]

35. [The term “Title IX Coordinator” refers to the University’s Title IX Coordinator or the designee appointed to provide Title IX coordination duties for a particular case.]

36. The term "University" means Truman State University.

37. The term "University conduct system" means the processes and entities created in this chapter to implement the provisions of the Student Conduct Code.

38. The term "University official" means any person employed by the University performing assigned administrative or professional responsibilities. This term specifically includes residence hall Student Advisors.

39. The term "University premises" includes all land, buildings, facilities, and other property owned or controlled by the University.

8.030. Administrative Authority. The authority to administer and implement the Student Conduct Code is vested in the President of the University. Unless the President of the University elects to be directly involved in the administration of the Student Conduct Code, the authority for such administration is delegated to the Dean of Student Affairs, who will implement the policy. The Dean of Student Affairs will develop policies for the administration of the student conduct program and procedural rules for the conduct of hearings that are consistent with state and federal laws and with the provisions of the Student Conduct Code.

8.040. Jurisdiction.

8.040.1. Jurisdiction over Student Conduct. Students at Truman State University are provided access to the Student Conduct Code on the Office of Citizenship and Community Standards website http://conduct.truman.edu or may request a printed copy from the office. Students are charged with the responsibility of having read, and agreeing to abide by, the provisions of the Student Conduct Code and the authority of the student conduct process. Because the Student Conduct Code is based on shared values, it sets a range of expectations for the Truman State University student no matter where or when their conduct may take place. Therefore, the Student Conduct Code will apply to behaviors that take place on the campus, at Truman State University-sponsored events, and may also apply off-campus,
when the administration determines that the off-campus conduct affects a substantial Truman State University interest. The University extends its jurisdiction to misconduct occurring online on university networks and sponsored sites. The University also responds to complaints of misconduct online (such as posts to social media websites), even if the misconduct occurs off campus, when it falls under the “substantial university interest” standard. A substantial Truman State University interest is defined to include:

a. Any action that constitutes a misdemeanor or felony criminal offense as provided in local, state, or federal law.
b. Any situation where it appears that the student or student organization may present a danger or threat to the health or safety of him/herself or others.
c. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder.

The Student Conduct Code may be applied to conduct that takes place from the time of admission, during the time a person is enrolled as a student, including during intra-semester breaks and between semesters. Further, the Student Conduct Code applies to guests of students, whose hosts may be held accountable for the misconduct of their guests. Visitors to and guests of Truman State University are also protected by the Student Conduct Code, and may initiate grievances for violations of the Student Conduct Code committed by students against them. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Citizenship and Community Standards.

8.040.2. Student Organization Jurisdiction. A student organization, its officers, and advisor(s) acknowledge on an annual basis through completion and signing of the Student Organization Recognition Agreement that they have read, reviewed, and agreed that the organization and its members will abide by the Student Conduct Code and the rules for student organization conduct. Student organization officers are responsible for actively addressing member behavior that violates the Student Conduct Code, both individually and behavior that is considered an organizational violation. The “reasonable person” standard will be utilized by the Conduct Officer in determining if the behavior by the organization, its officers, members, and/or guests is the responsibility of the student organization. A violation exists when a reasonable person would conclude that it is more likely than not that the act in question did occur and is the responsibility of the student organization. Organizational responsibility may extend to events in which organizations participate as well as act as sponsors, hosts and/or cohosts (i.e. mixers, Greek Week, Homecoming). In such cases, the University will consider the following criteria to determine the extent of responsibility:

- Number of members in attendance;
- National association definition of “events”;
- Location of an event (i.e. chapter house, organization rented property, etc.);
- Participation of an organization leader in the planning of the even;
- Use of organization funds to finance the event;
- Promotion or endorsement of the event by the organization to members and/or non-affiliated guests;
- Patterns of individual violations found to exist without proper and appropriate group control, remedy, or sanction; and/or the
- Importance of an organization’s participation in relation to the event’s purpose (i.e. Would the event still exist without the organization’s participation?).
A student organization is subject to the jurisdiction of the University Conduct System if it allegedly violated a provision of the Student Conduct Code:

1. Which occurs on University premises; or
2. Which occurs at any location during activities or events arranged or sponsored by the University or by a student, student organization(s), or by an officer or a student acting on behalf of, or at the request of an organization(s); or
3. Which occurs on a University network or a website identified as belonging to a student organization recognized by Truman, or
4. Which occurs at any location if such conduct presents a danger or threat to the health or safety of members, guests, or others; or
5. Which occurs at any location if such conduct is so grievous that it could seriously and adversely affect the reputation of the University, its community, and/or the pursuit of the University’s objectives, or
6. If the organization(s) chooses to protect one or more individual offenders who are members, alumni or guests of the organization(s) or guests at the organization(s)’ activity; or
7. The offense, by its nature or after a review of facts and circumstances, is deemed an organizational violation since the organization, its officers, and/or leadership failed to exercise reasonable supervision of its member(s) or guest(s); or
8. When, after hearing a complaint, the conduct officer or conduct hearing board deems that the offense, by its nature, was an organizational violation and not the actions of an individual member.

8.050. Expectations for Conduct.

8.050.1. Expectations for Student Conduct. At Truman State University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Student Conduct Code. These standards are embodied within a set of core values that include trust, community, civility and responsible citizenship. When members of the community fail to exemplify these values, campus conduct proceedings are used to assert and uphold the Student Conduct Code.

Any student found to have committed, to have attempted to commit, to have assisted, or to have been complicit in any of the following acts of misconduct is subject to the sanctions hereafter described in this chapter.

TRUST: Trust is a deeply held community value. Students at Truman State University exemplify honesty, integrity and a respect for truth in all of their dealings. Behavior that demonstrates a lapse of trust includes, but is not limited to:

1. Acts of academic misconduct/dishonesty, including, but not limited to the following:
   1.1. Cheating: Defined as using or attempting to use unauthorized (a) materials, (b) information, or (c) study aids in any academic exercise.
   1.2. Fabrication: Defined as unauthorized (a) falsification or (b) invention of any information (including research data) or citation in an academic exercise.
   1.3. Facilitating academic dishonesty: Defined as (a) assisting or (b) attempting to assist another to commit an act of academic dishonesty, whether or not that action is associated with any particular course.
1.4. Plagiarism: Intentional representation of the words or ideas of another as one’s own in any academic exercise. The term “plagiarism” includes, but is not limited to, (a) the use, by paraphrase or direct quotation, of the published or unpublished work or sections of a work of another person without full and clear acknowledgement; (b) the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials, including material taken from or ordered through the Internet; and/or (c) the unacknowledged use of original work/material that has been produced through collaboration with others without release in writing from collaborators.

1.5. Sabotage: Defined as, but is not limited to, the unauthorized interference with, modification of, or destruction of the work or intellectual property of another member of the University community.

2. Taking property/property damage.
   2.1. Intentional taking of (a) University property or (b) property of another.
   2.2. Intentional or reckless damage to (a) University property or (b) property of another.
   2.3. Procuring any money, goods, services, or thing of value under false pretenses, including the issuance of a check, draft, money order, or use of a credit card knowing that it will be dishonored upon presentation for payment.
   2.4. Knowingly taking possession of stolen property.

3. Providing false and/or misleading information and/or falsification of University records.
   3.1. (a) Lying, (b) deceiving, or (c) furnishing false and/or misleading information for the purpose of causing another person or University official to act or refrain from acting;
   3.2. (a) Forgery, (b) alteration, or (c) misuse of any document, record, material, file, or instrument of identification;
   3.3. Deliberately or purposefully providing false or misleading verbal or written information about another person that results in damage to the person’s reputation.
   3.4. Tampering with or improperly attempting to influence the election(s) of any student organization(s) or group.

4. Unauthorized use of keys, and/or entry.
   4.1. Unauthorized (a) possession, (b) duplication or (c) use of keys, codes or passwords to gain entry to any University premises.
   4.2. Unauthorized (a) entry, (b) attempted entry, (c) use of University premises or (d) remaining in private or restricted areas of University or community facilities is prohibited.

5. Misuse of computing resources through failure to comply with laws, license agreements, and contracts governing network, software, and hardware use. Abuse of the University Computer Use Policy, including, but not limited to:
   5.1. Any use deemed commercial or for-profit.
   5.2. Any use that is likely, intended, or by negligence causes unauthorized network (a) disruption, (b) system failure, or (c) data corruption.
   5.3. Any use related to achieving, enabling, or hiding unauthorized access to (a) network resources, (b) Truman owned software, or (c) other information belonging to Truman State University, either within or outside the Truman network.
   5.4. Any use related to sending/receiving electronic mail that includes, but not limited to, the following: (a) solicitation or commercial use, (b) forging any portion of an electronic mail
message, (c) spamming (bulk unsolicited email), (d) sending unwanted messages to unwilling recipients, or (e) invasion of privacy.

5.5. Intentionally circumventing or building an unauthorized conduit through the University firewall with intentions of bypassing University (a) network management and/or (b) security devices.

5.6. Use of another individual’s (a) identification; (b) network, email or other university based account; and/or (c) related passwords.

5.7. Unauthorized transfer or entry into a file, (a) to read, use, or change the contents; or (b) for any other reason.

5.8. Use of computing facilities or network resources to send (a) obscene, (b) harassing, (c) threatening messages, or (d) computer viruses or worms.

5.9. Any use that violates Truman (a) policies, (b) procedures, and (c) contractual agreements.

5.10. Any use that violates (a) local, (b) state or (c) federal laws.

6. University wordmark violations. Unauthorized use of the (a) University’s name, (b) abbreviation, (c) trademarks or (d) wordmarks, including the Bulldog, logo, seal, or other graphic identity symbols.

COMMUNITY: Truman State University students honor and value their community. Behavior that violates this value includes, but is not limited to:

7. Disruptive conduct.

7.1. Disruption or obstruction of (a) teaching, (b) research, (c) administration, (d) free flow of pedestrian or vehicular traffic on University premises (e) academic pursuits, (f) residential and/or social activities.

7.2. Disruption or obstruction of (a) teaching, (b) research, (c) administration, (d) free flow of pedestrian or vehicular traffic at University recognized activities and events.

7.3. Creating a fire, safety, or health hazard through misuse, abuse, rendering inoperable, or degrading the effectiveness of any University safety equipment, fire fighting equipment, or fire alarms.

7.4. Activating a fire or emergency alarm, extinguisher, or other safety device without good cause or reasonable justification.

7.5. Failure to evacuate a Truman State University-owned building during a fire alarm;

7.6. Intentionally providing a false report of an explosive or incendiary device that constitutes a threat or bomb scare.

7.7. Any act that deliberately interferes with the academic freedom or the freedom of speech of any member or guest of the University community.

7.8. Conduct that is (a) disorderly, (b) lewd, or (c) indecent.

7.9. [Conduct that is a violation of the Code and is perpetrated because of the person’s actual or perceived race, religion, national origin, gender, ethnicity, sexual orientation, disability or other protected status.]

7.10. [Conduct that excludes a member of the community or diminishes that member’s participation in academic, residential and/or social activities on the basis of that person’s actual or perceived race, religion, national origin, gender, ethnicity, sexual orientation, disability or other protected status. This expectation, however, will not be interpreted to abridge the right of any member or organization protected by the First Amendment of the United States Constitution or other applicable law.]
7.11. [Retaliation, defined as any adverse action taken against a member of the community for bringing or participating in a complaint of discrimination, harassment and/or sexual misconduct under this code.]

7.12. An act that (a) is a breach of peace or (b) that aids, abets, or procures another person to breach the peace on University premises, at activities or events arranged or sponsored by the University, or sponsored by a student organization(s), regardless of location.

7.13. Failure to comply with oral or written instruction from duly authorized (a) University officials acting within the scope of their job duties or (b) law enforcement officers acting in performance of their duties.

7.14. Failure to identify oneself upon request to (a) University officials acting within the scope of their job duties or (b) law enforcement officers acting in performance of their duties when requested to do so. A student is required to produce his/her University ID card upon the request of an official or law enforcement officer.

7.15. Complicity. Condoning, supporting, or encouraging a violation of University policy. Students who anticipate or observe a violation of University policy are expected to remove themselves from the situation, and are encouraged to report it immediately.

8. Violation of University policies as defined above in this chapter, when such policies are published or otherwise made known to students in a fair and open manner (including, but not limited to, the Student Handbook, Residence Life Handbook, General/Graduate Catalog, University websites, etc.).

9. Misconduct at University sponsored/related activities. Violation of University rules or regulations of a host institution sponsored/related activity.

10. Abuse of University conduct procedures, including, but not limited to:
    10.1. Failure to obey the summons of the University Conduct system or University official.
    10.2. Falsification, distortion, or misrepresentation of information to the University Conduct system.
    10.3. Disruption of or interference with the orderly operation of the University Conduct system.
    10.4. Initiation of a conduct proceeding knowingly without cause.
    10.5. Failure to provide, destroying or hiding information during an investigation of an alleged policy violation;
    10.6. Attempting to discourage an individual's proper participation in, or use of, the University Conduct system.
    10.7. Attempting or committing an act of retaliation against a person or student organization that has reported or intends to report a violation of the Student Conduct Code.
    10.8. Attempting to influence the impartiality of a member of a conduct hearing board prior to, or during the course of, participation in the University Conduct system;
    10.9. Harassment, abuse, or intimidation of a member of a conduct hearing board prior to, during, or after participation in the University Conduct system.
    10.10. Failure to comply with the sanction or sanctions imposed under the Student Conduct Code.
    10.11. Influencing or attempting to influence another person to commit an abuse of the University Conduct system.

11. Social Host. It is the responsibility of any student who hosts a visitor or guest on campus to ensure that the person knows and adheres to the Student Conduct Code and University policies. In instances where guests violate rules or policies, the student host may be held responsible. Whether
a visitor is a student, alumni, non-student, or non-identified guest, the student host may be held responsible for violations of the Student Conduct Code and University policies. Responsibility under these rules may occur even if the host is not a participant in the activity or has left the visitor(s) alone.

12. Conduct that is obscene based on contemporary community standards.

CIVILITY: Truman State University students exemplify civil and respectful treatment of each other in their dealings and interactions. Behavior that violates this value includes, but is not limited to:

13. Personal Abuse.
   13.1. Physical harm or threat of physical harm to any person.
   13.2. Harassment: physical, verbal, or written conduct on the basis of an individual's age, disability, ethnic background, nationality, gender, race, religion, or sexual orientation that is so severe, pervasive and objectively offensive that it interferes with, limits or denies educational, work and/or social access, benefits or opportunities. Student harassment occurs when the student's conduct (a) unreasonably interferes with a person's work or educational performance or (b) creates an intimidating, hostile, or offensive environment for working, learning, or social interaction at the University (including written, telephone, or electronic communication.) This definition, however, will not be interpreted to abridge the right of any member of the University community to freedom of expression protected by the First Amendment of the United States Constitution and other applicable law.
   13.3. Failure to respect the privacy of other individuals, including, but not limited to, eavesdropping, surveillance, or intruding upon the privacy of another person or group by means of bugging devices, concealed recorders, magnifying optics, etc.
   13.4. Student conduct that threatens or endangers the health or safety of any other person(s).
   13.5. Tobacco. Smoking or use of other nicotine delivery products on campus as prohibited by campus policy.
   13.6. Bullying and Cyberbullying. Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.
   13.7. Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.

   14.1. Sexual harassment. Sexual harassment is a form of sex discrimination that may violate Title VII (employee rights) and Title IX (student rights) of the Civil Rights Act of 1964. The following definition adapts the 1980 Equal Employment Opportunity Commission guidelines to the academic setting.

   Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:
   1. Submission is made an expressed or implied term or condition of employment or status in a class, program, or activity;
   2. Submission to or rejection of the behavior is used to make an employment or educational decision (such as hiring, firing, promotion, or grading a course);
3. The conduct may unreasonably interfere with a person’s work or educational performance or creates an intimidating, hostile, or offensive environment for working or learning.

Both men and women can be sexually harassed. Sexual harassment can occur between equals, but most often occurs in situations where one person has power over another. The University's sexual harassment policy applies to all members of the University community: students, faculty, and staff, in both on- and off-campus educational settings when involved in University employment, classes, programs, or activities.

Types of Sexual Harassment

A. Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive so that it alters the conditions of education or employment, from both a subjective (the complainant’s) and an objective (reasonable person’s) viewpoint. The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include:
- the frequency of the conduct;
- the nature and severity of the conduct;
- whether the conduct was physically threatening;
- whether the conduct was humiliating;
- the effect of the conduct on the alleged victim’s mental or emotional state;
- whether the conduct was directed at more than one person;
- whether the conduct arose in the context of other discriminatory conduct;
- whether the conduct unreasonably interfered with the alleged victim’s educational or work performance;
- whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness;
- whether the statement or conduct is speech protected by the US Constitution.

B. Quid pro quo sexual harassment exists when there are:
- unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
- submission to such conduct results in favorable educational or employment action; or
- rejection of such conduct results in adverse educational or employment action.

14.2. Retaliation Prohibited: Retaliatory action, as defined above, shall be regarded as a separate and distinct cause for complaint under this policy and any other applicable policies.

14.3. Non-consensual sexual intercourse is any sexual intercourse involving anal, oral or vaginal penetration, meaning vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), however slight, by a person upon another person, without consent.
14.4. Non-consensual sexual contact is any intentional sexual touching, meaning intentional contact with the breasts, buttocks, groin, genitals, mouth or other orifice, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts or any intentional body contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice, however slight, by a person upon another person, without consent.

Consent
Consent is clear, knowing and voluntary permission for specific sexual activity. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Missouri State Law (RSMo 556.061) defines consent as follows:
Consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or

b) It is given by a person who by reason of youth, mental disease or defect, or intoxication, is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or

c) It is induced by force, duress or deception.

The requirements of this policy are blind to the sexual orientation or preference of individuals engaging in sexual activity.

14.5. Sexual exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: prostituting another student; non-consensual video or audio-taping of sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); engaging in voyeurism (Peeping Tom); knowingly transmitting an STI or HIV to another student.

14.6. Violence between those in an intimate relationship to each other.

14.7. Gender-based stalking, defined as repetitive and/or menacing pursuit based on gender or intimate or desired intimate relationships, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.


14.9. Providing alcohol or other drugs to another student for the purpose of gaining sexual access.]
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15. Abusive affiliation (hazing), which the law might recognize by the term "hazing" is any act on or off the campus of the University, that a reasonable person would find to endanger the mental or physical health or comfort or safety of a student or prospective student or member, or which results in the destruction or removal of public or private property, or which causes extreme embarrassment, or public humiliation, for the purpose of initiation or admission into, affiliation with, or confirming any form of affiliation, or continued membership in a student organization regardless of an individual’s consent to participate in the activity. Acts of abusive affiliation include, but are not limited to:

15.1. Any activity which endangers the physical health or safety of the student or prospective member, including, but not limited to, physical brutality, whipping, beating, paddling, slapping, kicking, choking, scratching, branding, exposure to the elements, forced, pressured or coerced consumption of any food, liquor, drug, or other substance, or forced, pressured or coerced smoking or chewing of tobacco products; or

15.2. Any activity that endangers the mental health of the student or prospective member, including but not limited to sleep deprivation, physical confinement, placing prospective members of an organization or group in ambiguous situations which lead to confusion and emotional stress or other extreme stress inducing activity; or

15.3. Any activity that requires the student or prospective member to perform a duty or task that involves a violation of the criminal laws of this state or any University policies, rules, or regulations published in University documents; or

15.4. Subservience, including but not limited to any activity which promotes a class system within organizations or activities which facilitate inappropriate levels of authority over students.

RESPONSIBLE CITIZENSHIP: Truman State University students are given and accept a high level of responsibility as role models. Responsible citizenship requires self-reflection and acceptance of the duty to model ethical and moral conduct. Behavior that violates this value includes, but is not limited to:

16. Narcotics, controlled substances (including but not limited to marijuana), chemicals, and drug paraphernalia violations.

16.1. (a) Manufacture, (b) possession, (c) use or under the influence of, (d) sale, (e) distribution of narcotic or other controlled substances, (f) drug paraphernalia, and/or (g) other chemicals is prohibited, without proper prescription or required license, except as expressly permitted by law or University regulation. Possession could mean in the presence of narcotic or other controlled substances, drug paraphernalia, or other chemicals.

16.2. Misuse or abuse of prescription medications and/or drugs.

16.3. Operating a vehicle on University property, or on streets or roadways adjacent to or abutting University property, under the influence of a narcotic or other controlled substance.

17. Alcohol violations.

17.1. Public intoxication on University premises.

17.2. (a) Manufacture, (b) possession, (c) use, (d) sale, or (e) distribution of alcoholic beverages or alcohol paraphernalia on University premises, when such manufacture, possession, use, sale, or distribution is prohibited by law or University rules. Possession could mean knowingly in the presence of alcohol.

17.3. Operating a vehicle on University property, or on streets or roadways adjacent to or abutting University property, under the influence of alcohol.
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17.4. Furnishing or allowing the furnishing of any alcoholic beverage to any person (a) under the legal drinking age; (b) in a state of noticeable intoxication; or (c) who is on University premises.

18. Possession and/or use of a firearm and/or dangerous material.

18.1. Possession of (a) firearms (including BB, paint, and pellet guns) or (b) any other weapons other than a common pocket knife on University premises or at University sponsored/related activities unless specifically approved by a University official.

18.2. Possession of (a) fireworks, (b) explosives, (c) dangerous chemicals which are disruptive, explosive, or corrosive on University premises or at University sponsored/related activities unless specifically approved by a University official.

19. Gambling is prohibited at activities or events arranged or sponsored by the University, on University premises, or sponsored by a student organization(s), regardless of location. It is prohibited to:

19.1. Play or sponsor an unlawful game of chance for money or for anything of value (a) on University premises or (b) at a University or student organization sponsored activity or event.

19.2. Sell, barter, or dispose of a ticket, order, or any interest in a scheme of chance by whatever name (a) on University premises or (b) at a University or student organization sponsored activity or event.

19.3. Wager on a University team or organization in a competition, with or without an intent to have a direct influence on the outcome of the competition (a) on University premises or (b) at a University or student organization sponsored activity or event.

20. Instigation of or participation in activities that (a) unreasonably disrupts the normal operations of the University; (b) unreasonably infringes on the rights of other members of the University community; (c) obstructs or unreasonably interferes with freedom of movement, either pedestrian or vehicular, on University premises; or (d) which jeopardizes public order or safety.

21. Allegation of commission of felony or misdemeanor. Allegation of commission of an act which may be a (a) felony or (b) misdemeanor or (c) other crime as provided in local, state, or federal law will also constitute a violation of this Code, and subject the accused student to conduct action, whether or not prosecuted by public officials.

Acts of misconduct by a student will be cumulative in effect, and all acts of misconduct may be considered together in deciding whether the Student Conduct Code has been violated and, if a violation is found, the imposition of sanctions.

8.050.2. Expectations for Student Organization Conduct. In addition to all of the expectations for student conduct listed above, the following acts are prohibited and any student organization found to have committed, have attempted to commit, or to have assisted in any of the following acts of misconduct is subject to the sanctions hereafter described in this chapter. Sanctions for student organization misconduct may include revocation or denial of recognition, registration, or charter, as well as other appropriate sanctions, pursuant to 8.090 of this Code.
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TRUST: Trust is a deeply held community value. Organizations at Truman State University exemplify honesty, integrity and a respect for truth in all of their dealings. Behavior that demonstrates a lapse of trust includes, but is not limited to:

1. Taking property/property damage.
   1.1. Intentional taking of (a) University property or (b) property of another.
   1.2. Intentional or reckless damage to (a) University property or (b) property of another.
   1.3. Procuring any money, goods, services, or thing of value under false pretenses, including the issuance of a check, draft, money order, or use of a credit card knowing that it will be dishonored upon presentation for payment.
   1.4. Knowingly taking possession of stolen property;
   1.5. Keeping in its possession property or services not belonging to their organization without authorization.

2. Providing false and/or misleading information and/or falsification of University records.
   2.1. (a) Lying, (b) deceiving, or (c) furnishing false and/or misleading information for the purpose of causing another person or University official to act or refrain from acting.
   2.2. (a) Forgery, (b) alteration, or (c) misuse of any document, record, material, file, or instrument of identification.
   2.3. Deliberately or purposefully providing false or misleading verbal or written information about another person that results in damage to the person’s reputation.
   2.4. Tampering with or improperly attempting to influence the election(s) of any student organization(s) or group.

3. Unauthorized use of keys, and/or entry.
   3.1. Unauthorized (a) possession, (b) duplication or (c) use of keys, codes or passwords to gain entry to any University premises.
   3.2. Unauthorized (a) entry, (b) attempted entry, (c) use of University premises or (d) remaining in private or restricted areas of University or community facilities is prohibited.

4. University wordmark violations.
   4.1. Unauthorized use of the (a) University’s name, (b) abbreviation, (c) trademarks or (d) wordmarks, including the Bulldog, logo, seal, or other graphic identity symbols.
   4.2. The phrases “Truman State” or “Truman State University” (or some form thereof) cannot precede the title of the organization or group.

COMMUNITY: Truman State University organizations honor and value their community. Behavior that violates this value includes, but is not limited to:

5. Disruptive Conduct. No student organization will:
   5.1. Act in a manner that can reasonably be expected to disturb the academic pursuits or infringe upon the privacy, rights, privileges, health or safety of (a) students, (b) the University community, or (c) local community.
   5.2. Obstruct the (a) free movement of other students around the campus, (b) interfere with the use of University facilities, or (c) prevent the normal operation of University.
   5.3. Condone or encourage acts that cause physical harm.
   5.4. Engage in obscene or indecent conduct.
   5.5. Fail to comply with the administrative policies as enacted by the University.
5.6. Fail to comply with the directions of (a) University officials or (b) authorized agents acting in the performance of their duties.

6. Compliance with the Directions or Requests of University Officials.
   6.1. Student organization officers, leaders and spokespersons will comply with all directions or requests of (a) University officials or (b) law enforcement officers in a timely manner.
   6.2. Student organization members will comply with all directions or requests of (a) University officials or (b) law enforcement officers in a timely manner.

7. Use of Facilities.
   7.1. Registered student organizations planning events in University facilities are responsible for knowing any applicable policies.
   7.2. Registered student organizations planning events in University facilities are expected to be in full compliance with any applicable policies.
   7.3. Those individuals acting on behalf of an organization that reserves facilities should check with the University department or office responsible for the facility to guarantee that all procedures have been followed.

   8.1. (a) Tampering with or (b) damaging fire safety equipment is prohibited.
   8.2. (a) Causing, (b) condoning, or (c) encouraging the creation of any situation involving incendiary or other chemicals or substances, explosives or fire that reasonably may result in danger to another's person or property is prohibited.
   8.3. (a) Possession or (b) use of fireworks, incendiary devices, or dangerous explosives is prohibited.
   8.4. Failure to properly maintain a student organization's facilities, property (furnishings, equipment, etc.), or surrounding real estate property so as to create a potential danger to the health and/or safety of the occupants or members of the University and surrounding community is prohibited.

9. Abuse of University Conduct procedures, including but not limited to:
   9.1. Failure to obey the summons of the University Conduct system or University official.
   9.2. Falsification, distortion, or misrepresentation of information to the University Conduct system.
   9.3. Disruption or interference with the orderly conduct of the University Conduct system.
   9.4. Initiation of a conduct proceeding knowingly without cause.
   9.5. Failure to provide, destroying or hiding information during an investigation of an alleged policy violation;
   9.6. Attempting to discourage or discouraging an individual's proper participation in, or use of, the University Conduct system.
   9.7. Attempting or committing an act of retaliation against a person or student organization that has reported a violation of the Student Conduct Code.
   9.8. Attempting to influence the impartiality of a member of a conduct hearing body or hearing officer prior to, or during the course of, a University Conduct proceeding.
   9.9. Harassment of a member of a conduct hearing body prior to, during, or after a University Conduct proceeding.
   9.10. Failure to comply with the sanction or sanctions imposed under the Student Conduct Code.
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9.11. Influencing or attempting to influence another person to commit an abuse of the University Conduct system.

9.12. Complicity. Complicity with or failure of any organized group to appropriately address known and obvious violations of the Student Conduct Code or law by its members.

10. Conduct that is obscene based on contemporary community standards.

11. Other misconduct.

11.1. Social Host. It is the responsibility of any student organization who hosts a visitor or guest on campus, at a University sponsored event/activity or student organization sponsored event/activity, to ensure that the guest knows and adheres to the Student Conduct Code. In instances where guests violate rules or codes, the student organization host will be held responsible. Student organizations are also responsible for all that occurs within facilities they have reserved for use on campus, or which they own or rent off-campus. Whether a visitor is a student, alumni, non-student, or non-identified guest, the student organization host will be held responsible for violations of the Student Conduct Code. Responsibility under these rules may occur even if the host organizations’ officers are not participants in the activity or have left the visitor(s) alone.

11.2. Violation of University policies as defined above in this chapter, when such policies are published or otherwise made known to students in a fair and open manner (including, but not limited to, the Student Handbook, Residence Life Handbook, General/Graduate Catalog, University website, etc.).

11.3. Misconduct at University sponsored/related activities. Violation of University rules of a host institution sponsored/related activity.

CIVILITY: Truman State University organizations exemplify civil and respectful treatment of others in their dealings and interactions. Behavior that violates this value includes, but is not limited to:

12. [Gender-Based Misconduct

12.1 Sexual harassment. Sexual harassment is a form of sex discrimination that may violate Title VII (employee rights) and Title IX (student rights) of the Civil Rights Act of 1964. The following definition adapts the 1980 Equal Employment Opportunity Commission guidelines to the academic setting.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission is made an expressed or implied term or condition of employment or status in a class, program, or activity;

2. Submission to or rejection of the behavior is used to make an employment or educational decision (such as hiring, firing, promotion, or grading a course);

3. The conduct may unreasonably interfere with a person's work or educational performance or creates an intimidating, hostile, or offensive environment for working or learning.

Both men and women can be sexually harassed. Sexual harassment can occur between equals, but most often occurs in situations where one person has power over another. The University's sexual harassment policy applies to all members of the University community: students, faculty, and staff, in both on- and off-campus educational settings when involved in University employment, classes, programs, or activities.
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Types of Sexual Harassment

A. Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive so that it alters the conditions of education or employment, from both a subjective (the complainant’s) and an objective (reasonable person’s) viewpoint. The determination of whether an environment is “hostile” must be based on all of the circumstances. These circumstances could include:

- the frequency of the conduct;
- the nature and severity of the conduct;
- whether the conduct was physically threatening;
- whether the conduct was humiliating;
- the effect of the conduct on the alleged victim’s mental or emotional state;
- whether the conduct was directed at more than one person;
- whether the conduct arose in the context of other discriminatory conduct;
- whether the conduct unreasonably interfered with the alleged victim’s educational or work performance;
- whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness;
- whether the statement or conduct is speech protected by the US Constitution.

B. Quid pro quo sexual harassment exists when there are:

- unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
- submission to such conduct results in favorable educational or employment action; or
- rejection of such conduct results in adverse educational or employment action.

12.2. Retaliation Prohibited: Retaliatory action, as defined above, shall be regarded as a separate and distinct cause for complaint under this policy and any other applicable policies.

12.3. Sexual exploitation occurs when a student organization takes non-consensual or abusive sexual advantage of another for its own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: prostituting another student; non-consensual video or audio-taping of sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); engaging in voyeurism (Peeping Tom); knowingly transmitting an STI or HIV to another student.

12.4. Allowing alcohol or other drugs to be used during organizational events for the purpose of gaining sexual access to guests or participants.

13. Damage to Property. Intentional or reckless (a) damage or (b) destruction of another’s property is prohibited.

14.1. Origination or circulation of any advertising media that contains matter that violates or is contrary to the policies of the University, Student Organization Recognition Agreement, Center for Student Involvement, Department of Residence Life, Student Recreation Center, Student Union, and/or federal, state or local law is prohibited.

14.2. Origination or circulation of any advertising media containing (a) false information, (b) misleading information, (c) obscene language, (d) patently offensive material, (e) the promotion of alcohol consumption, or (f) illegal activities/behavior is prohibited.

15. Bullying and Cyberbullying. Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

16. Abusive affiliation, (hazing), which the law might recognize by the term "hazing" is any act on or off the campus of the University, that a reasonable person would find to endanger the mental or physical health or comfort or safety of a student or prospective student or member, or which results in the destruction or removal of public or private property, or which causes extreme embarrassment, or public humiliation, for the purpose of initiation or admission into, affiliation with, or confirming any form of affiliation, or continued membership in a student organization regardless of an individual's consent to participate in the activity. Acts of abusive affiliation include, but not be limited to:

16.1. Any activity which endangers the physical health or safety of the student or prospective member, including, but not limited to, physical brutality, whipping, beating, paddling, slapping, kicking, choking, scratching, branding, exposure to the elements, forced, pressured, or coerced consumption of any food, liquor, drug, or other substance, or forced, pressured, or coerced smoking or chewing of tobacco products; or

16.2. Any activity that endangers the mental health of the student or prospective member, including but not limited to sleep deprivation, physical confinement, placing prospective members of an organization or group in ambiguous situations which lead to confusion and emotional stress or other extreme stress inducing activity; or

16.3. Any activity that requires the student or prospective member to perform a duty or task that involves a violation of the criminal laws of this state or any University policies, rules, or regulations published in University documents; or

16.4. Subservience, including but not limited to any activity which promotes a class system within organizations or activities which facilitate inappropriate levels of authority over students.

RESPONSIBLE CITIZENSHIP: Truman State University organizations are given and accept a high level of responsibility as role models. Responsible citizenship requires self-reflection and acceptance of the duty to model ethical and moral conduct. Behavior that violates this value includes, but is not limited to:

17. Alcohol and Drug Related Misconduct. Missouri law prohibits possession or consumption of alcoholic beverages by those under the legal drinking age and prohibits making alcoholic beverages available to persons under the legal drinking age.

17.1. No organization will furnish or cause to be or allow to be furnished any alcoholic beverage to any person under the legal drinking age.

17.2. The sale of alcohol is prohibited at organization events, as are donations, sales of items, or other financial arrangements that are used to secure funding for the purchase of alcohol.

17.3. No organization will furnish or cause to be or allow to be furnished any alcoholic beverage to any person in a state of noticeable intoxication.
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17.4. The unlawful (a) manufacture (b) possession, (c) use, (d) sale, (e) distribution of narcotic or other controlled substances, (f) drug paraphernalia, and/or (g) other chemicals is prohibited. Each organization will take all necessary steps to see that this regulation is not violated at functions it sponsors as well as on any property it owns, operates, and/or rents.

17.5. Each student organization will take all necessary steps to see that no person under the legal drinking age possesses any alcoholic beverages at (a) functions it sponsors as well as within any (b) property or (c) transportation it owns, operates, and/or rents.

17.6. When alcoholic beverages are present at off-campus activities sponsored by a student organization, (a) the organization must provide non-carbonated, non-alcoholic beverages and an adequate supply of food that is in plain view of those attending; and (b) the organization must not permit, encourage, or sponsor participation in pre-partying or any drinking games or themes that might encourage the rapid/excessive consumption of alcohol.

18. Gambling. Student organizations are prohibited from the following:

18.1. Play or sponsor an unlawful game of chance for money or for anything of value (e.g., raffle) on (a) University premises or at (b) any event sponsored by a student organization.

18.2. Unlawfully sell, barter, or dispose of a ticket, order, or any interest in a scheme of chance by whatever name on (a) University premises or at (b) any event sponsored by a student organization.

18.3. Wager on a University team or organization in a competition, with or without an intent to have a direct influence on the outcome of the competition (a) on University premises or (b) at a University or student organization sponsored activity or event.

19. Outstanding Debt.

19.1. All student organizations are responsible for ensuring that all bills are paid to both on and off campus vendors and creditors in a timely manner.

19.2. Student organizations will not knowingly enter into purchase or rental agreements that are beyond the resources of the organization’s ability to pay.

20. Social Events.

20.1. Crowd size that exceeds such limits so as to infringe upon the rights and/or property of others and/or endanger those in attendance is prohibited. Student organizations should refer to other national parent organizations or University policies for specific information on crowd size.

20.2. Failure to provide adequate security personnel or other security measures in order to ensure the safety of those in attendance at an organization-sponsored event is prohibited.

20.3. Failure to provide adequate parking so that vehicles are impeding the normal flow of traffic, parked illegally or parked on private property without proper authorization is prohibited.

20.4. Conducting any event that interferes with the normal progress of academic events on campus is prohibited.

20.5. Failure to register and get appropriate approval for any outdoor event on or adjacent to campus with the Student Union at least five (5) days before the event is prohibited (30 days advance approval is required for parades and events involving fireworks).

20.6. Failure to adhere to specific time limits and other restrictions required of all outdoor events on campus involving bands or other forms of amplified music is prohibited. Outdoor events on campus must cease by 1:00 a.m. unless prior approval has been received from the University.
20.7 Failure to abide by the risk management policies established by the University, governing
councils, or national organizations.

21. Solicitation and Fundraising. All student organizations will conduct any solicitation and fundraising
activities in a manner that does not violate and is not contrary to the policies of the University or its
Center for Student Involvement, Department of Residence Life, Student Recreation Center, Student
Union, Business Office and/or federal, state, or local law.

Acts of misconduct by a student organization will be cumulative in effect, and all acts of misconduct may
be considered together in deciding whether the Student Conduct Code has been violated and, if a
violation is found, the imposition of sanctions.

8.060. Relationship of Law Enforcement and University Conduct System. Violations of federal, state and
local laws are incorporated as offenses under the Student Conduct Code. When an offense occurs over
which the university has jurisdiction, the university conduct process will usually go forward
notwithstanding any criminal charges that may arise from the same incident. Should a student
withdraw from the university when criminal charges are made, it is the typical practice of the university
to pursue investigation and resolution of campus conduct matters, regardless of the fact that the
student has withdrawn.

When a student is arrested, charged or indicted for a violent, alcohol, or drug-related off-campus crime,
the University may elect to take action against that student for violation of the Student Conduct Code,
which incorporates violation of local, state and federal laws as code infractions. In situations where
information from law enforcement necessary to establish the facts of the case is unavailable
proceedings may be delayed.

Students are always encouraged to report criminal activity to the appropriate law enforcement officials.
[In the case of Title IX offenses (see gender-based misconduct), the University may have an obligation
to conduct an investigation even if a criminal investigation is in progress.]

8.060.1. Cooperation with Authorities. When a student is charged by federal, state or local authorities
with a violation of law, the University will not request or agree to special consideration for that
individual because of his or her status as a student. If the alleged offense is also the subject of a
proceeding for a violation of the Student Conduct Code, the University may advise off-campus
authorities of the existence of the Student Conduct Code and of how such matters are handled
internally within the University community. The University will cooperate fully with law enforcement
and other agencies in the enforcement of criminal law on University premises and in the compliance
with conditions imposed by criminal courts for the rehabilitation of student violators. However, the
University cannot delay its processes unreasonably while criminal investigations are underway, and
without interfering, will undertake internal resolution of complaints even though those complaints may
arise from conduct that may also be criminal in nature. Individual students and employees, acting in
their personal capacities, will remain free to interact with governmental representatives, as they deem
appropriate.

8.070. Interim Suspension. In certain circumstances, the Dean of Student Affairs, or his/her designee,
may impose a University or residence hall suspension prior to a conduct hearing. The University reserves
the right to exercise its authority of interim suspension upon notification that a student is facing criminal
investigation and/or charges. The University will permit any student who receives an interim suspension
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to request a meeting as soon as possible with the Dean of Student Affairs or designee to show cause why an interim suspension is not merited. Regardless of the outcome of this meeting, the university may still proceed with the scheduling of a campus hearing. The following will be the only issues discussed at the meeting:

- Information related to the facts the university has regarding the student’s conduct as well as the identity of the student.
- The conduct in question and whether or not it is reasonable to believe that the student’s presence on campus poses a substantial or immediate threat to the safety and well-being of him/herself or others, undue interference with a university investigation and/or disturbance of the university’s educational mission

8.070.1. Reasons. Interim suspension may be imposed only to ensure the safety and well-being of members of the University community or preservation of any University premises, to ensure a student's own physical or emotional safety and well-being, or if the student or student organization poses a reasonable threat of disruption of, or interference with, the normal operations of the University.

8.070.2. Denial of Access. During the interim suspension, a student or student organization may be denied access to any or all University premises, or any activities or events arranged or sponsored by the University or student organizations, as the Dean of Student Affairs or his/her designee may determine to be appropriate.

8.080. University Conduct System. Reports and complaints of misconduct of a student will be administered in accordance with the standards of due process and fundamental fairness as established by this Code. [Due to the special circumstances involved in gender-based offenses and in order to comply with laws and regulations specific to these types of offenses, a separate process for addressing gender-based offenses appears below (8.090). All other Student Conduct Code complaints will be handled by the process explained in section 8.100.]

8.080.1. University as Complainant. Individuals outside the University may provide information related to student or student organization misconduct to the Conduct Officer for consideration. As necessary, Truman State University reserves the right to initiate a complaint, to serve as complainant, to initiate and/or complete conduct proceedings without a formal complaint or the cooperation of the alleged victim of misconduct when there is a substantial university interest to do so. Substantial university interest is defined in section 8.040.1.

8.080.2. Group Violations. When members of groups, individuals acting together collectively or members of an organization acting together in violation of any policy, they may be held accountable as a group, and a hearing may proceed against the group as joint respondents. In any such action, individual findings of responsibility and a determination of sanctions will be made with respect to each respondent involved in the incident.

8.080.3. Complaint Procedure. Any member of the University community may file a complaint of misconduct against students or student organizations. Complaints asking for action on the misconduct are to be prepared in writing and signed by the complainant. Complaints are to be directed to the Director for Citizenship and Community Standards. [Gender-based complaints may also be directed to the Title IX Coordinator. Any complaint should be submitted as soon as possible (generally within 180 days) after the misconduct takes place or becomes known. In some situations, however, the complainant may delay in filing a complaint. Such delays may make it more difficult to secure]
evidence and witnesses; however, resolution is still possible in special circumstances. The existence of special circumstances will be determined in each complaint by the Title IX Coordinator or designee. Special circumstances include, but are not limited to, any threats or actions that, through trauma or fear, caused the complainant or any witness to delay reports of the misconduct.

8.090. Investigation and Disposition of Gender-Based Misconduct: It is the responsibility of the Title IX Coordinator to ensure that investigations occur in all gender-based misconduct complaints. These complaints are not processed through the Student Conduct Code but are processed through the University Non-Discrimination Policy and Grievance Procedure. All other Student Conduct Code complaints will be handled by the process set forth in section 8.100, below. The Title IX Coordinator has the ability to assign any sanction available under the Student Conduct Code while implementing the University Non-Discrimination Policy and Grievance Procedure. All other Student Conduct Code complaints will be handled by the process set forth in section 8.100, below. [When a complaint is received by either the Office of Citizenship and Community Standards or the Human Resources Office, the Title IX Coordinator or designee will conduct an initial review. The initial review will be followed by a resolution process. The Title IX Coordinator or designee will determine the process of resolution of the complaint in consultation, if appropriate, with the complainant.]

[8.090.1. Confidentiality. Truman State University encourages those who have experienced sexual violence and other traumatic crimes to talk to appropriate people about what happened to them and to discuss options for filing a criminal complaint and/or complaint with the University. Students need to know where they can go for confidential support. Students also have a right to know the reporting obligations of faculty and staff before they disclose information about gender-based misconduct.

Students may discuss gender-based misconduct confidentially with staff of the University Counseling Services and the Student Health Center. These professional staff members are only required to disclose the names of complainants and respondents when the situation presents a risk of imminent harm to others. These staff members are also aware of the various reporting options and can provide information to complainants regarding filing complaints. University Counseling Services and the Student Health Center can arrange to have visit fees waived for those individuals seeking help in the aftermath of gender-based misconduct.

Off-campus confidential resources are also available. Health and mental health professionals in off-campus settings can provide confidential support as can Victim Support Services and clergy.

Students may disclose incidences of gender-based misconduct at public awareness events such as “Take Back the Night” or the “Clothesline Project.” The University has no obligation to act on information disclosed at these events.

Many faculty and staff members at Truman are required by the Clery Act to report certain crimes to the Department of Public Safety if those crimes occurred on-campus or off-campus at certain university related events. These reports do not need to include names of complainant or respondent.

Most staff members, including Student Advisors, are required to report to their supervisors when they are made aware of gender-based misconduct. Supervisors are required to share this information with the Title IX Coordinator. Truman will take requests for confidentiality seriously. Such requests, however, may significantly hinder the University’s ability to investigate and adjudicate the offense.
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There are circumstances where requests for confidentiality may not be honored due to legal requirements and the need to maintain a safe educational environment. These circumstances include the following:

- When the act of gender-based misconduct included the use of a weapon;
- When physical force or violence was used in the attack;
- When the complainant is a minor;
- When the act appears to be part of a pattern of similar violations by the same individual or individuals; or
- When there is a significant threat to the health and safety of others.

In these circumstances, the Title IX Coordinator or designee will likely determine that information must be shared with law enforcement and/or that an investigation must proceed with or without the complainant’s cooperation. Efforts will be made to address the concerns of complainants in these circumstances and to maintain confidentiality as much as possible. A safety plan will be developed with the complainant and appropriate interim measures will be implemented. The complainants will not be required to participate in any investigation or disciplinary procedure if they choose not to do so. However, the University is severely limited in its ability to proceed with resolution processes when complainants do not cooperate.

Conduct records are protected by the Family Education Rights and Privacy Act (FERPA). Conduct records are released only as required by law. Typically, release of information to a third party will occur with the knowledge and/or written permission of the respondent and, in some cases the complainant.

8.090.2. Interim Measures. In the case of gender-based offenses, the Title IX Coordinator or designee may take immediate measures to assist complainants in resuming educational activities while deciding what course of action, if any, to pursue against a respondent or while awaiting the results of a resolution process. Some interim measures can be utilized even when the decision is made not to file a complaint. Interim measures include but are not limited to, the following: providing an escort; changing the complainant’s course schedule or room assignment in the residence halls; arranging academic accommodations; waiving the service fee for on-campus counseling and health center services; and/or implementing appropriate educational or prevention strategies to address the environment in which the offense took place. Additional interim measures can be utilized in those cases where the complainant has filed a complaint. These include, but are not limited to, the following: issuing no contact orders; limiting the respondent’s access to campus; limiting the respondent’s access to facilities and activities; and changing the respondent’s course schedule or room assignment. When appropriate, the respondent may be placed on interim suspension.

8.090.3. Initial Review. When a complaint is received by either the Office of Citizenship and Community Standards or the Human Resources Office, the Title IX Coordinator or designee will conduct an initial review to ensure a number of activities have been completed. The initial review includes the following tasks and will typically take no longer than seven days to complete:

1. Communication with the complainant to:
   a. Attend to any immediate safety and well-being issues;
   b. Notify of the right to contact law enforcement and seek medical treatment if appropriate;
   c. Notify of the importance of preservation of evidence;
   d. Offer appropriate interim measures;
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e. Offer counseling and other resources;
f. Describe the role of and offer to appoint a process advisor;
g. Discuss options for resolution;
h. Ascertain the complainant's wishes for resolution; and
i. Discuss barriers to proceeding.

2. Determine the basic facts of the situation:
   a. Evaluate individual and campus safety issues;
   b. If necessary notify the Department of Public Safety to determine if a timely warning should be issued (complainant and respondent identity is not required);
   c. If necessary, notify law enforcement regarding a criminal investigation (see 8.090.1); and,
   d. Evaluate the appropriate resolution procedure (no action, informal, formal) as described below:

   i. No Action — In situations when a complaint falls outside the University's jurisdiction, does not violate the Student Conduct Code, or is not supported by sufficient information, the result may be no action against the respondent. No action may also result if the complainant is not willing to participate in the resolution process. This course of action does not preclude other actions that may be taken under the direction of the Title IX Coordinator or designee if such action is appropriate to prevent, stop, or remedy gender-oriented misconduct.

   ii. Informal Resolution: Alternative Negotiated Agreement — In cases of minor, non-criminal violations and/or complaints that can best be resolved through negotiation, an Alternative Negotiated Agreement can be sought. The process must be agreed upon by both parties. Alternative Negotiated Agreements do not involve direct interaction between the parties unless both consent to the interaction. Alternative Negotiated Agreements will not be included in a student or student organization’s conduct record. Records, however, will be kept of the resolution and can be used in future conduct decisions, if appropriate, to establish a pattern of behavior. Informal resolutions are final and not subject to review. Interim measures may remain in place as a part of the Alternative Negotiated Agreement.

   iii. Formal Resolution: Administrative Investigation — In cases of gender-based misconduct, the Title IX Coordinator or designee may determine that a full investigation should be conducted. Administrative investigations involve an opportunity for both complainants and respondents to share testimony, evidence, and identify witnesses. The trained administrative investigator will interview witnesses and analyze evidence to determine findings and sanctions. If either party disagrees with the conclusions of the investigator, a hearing may be requested. After the hearing, either party may request a review based on established grounds.

3. If “no action” is decided, notify the complainant.

4. If an informal resolution is an option, notify the Director of the Office of Citizenship and Community Standards to implement the process.

5. If formal resolution is required:
   a. Appoint an administrative investigator;
   b. Appoint two administrative investigators to participate in the review process, if necessary;
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c. Communicate with the respondent:
   i. Explain that an investigation is occurring;
   ii. Notify of the importance of preservation of evidence;
   iii. Notify of sources of support;
   iv. Explain the process of investigation;
   v. Describe the role of and offer to appoint a process advisor.

6. Carefully document all actions taken.

8.090.4. Complaint Resolution Through an Alternative Resolution Agreement. The following describes the process and requirements of the Alternative Resolution Agreement.

   a. Mutual Consent: The conduct officer communicates with both the complainant and the respondent, explains this option for resolving the concern, and receives written permission from both parties to participate in the Alternative Resolution Agreement process.

   b. Notification: Each party is notified of the behavior of concern, time and date of meetings, rules regarding the resolution process, and consequences of violating agreements.

   c. Resolution Process: The process involves an opportunity for both parties to provide testimony, respond to concerns, present alternatives and discuss potential solutions with the conduct officer. The goal of the resolution process is a mutually acceptable agreement. One or both parties may withdraw from the process at any time before its conclusion and pursue a different course of resolution. The facilitator may also terminate the process if parties do not abide by the rules of the process or if a mutually agreeable resolution is not likely. Meetings can take place jointly if both parties agree or independently if either party objects to a joint meeting. Process advisors may attend the meetings but are not allowed to participate in the discussion or to delay the resolution due to scheduling conflicts.

   d. Notification of Outcomes: Participants will receive written confirmation of the outcomes of the negotiation and the consequences of failing to abide by the agreements.

8.090.5. Complaint Resolution Through an Administrative Investigation. When appointed, the administrative investigator will:

1. Conduct a comprehensive investigation to determine if it is more likely than not that the respondent violated the Student Conduct Code;

2. If, in the course of the investigation of gender-based misconduct, potential misconduct that is not gender-based is identified, refer the information to the Office of Citizenship and Community Standards at the conclusion of the investigation for resolution under the process described in 8.100.

3. Meet with the party filing the complaint to finalize the written complaint statement. A process advisor is allowed to attend this meeting but is not allowed to speak or delay the scheduling of meetings;

4. Commence a thorough and impartial investigation by developing a strategic investigation plan, including witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the respondent;

5. Meet with the responding party at an appropriate time during the investigation to gather evidence and identify witnesses. A process advisor may attend this meeting but is not allowed to speak or delay the scheduling of meetings;
6. Interview all relevant witnesses reviewing expectations outlined in the Student Conduct Code to cooperate with the investigative process, maintain confidentiality, and refrain from retaliation;
7. Summarize in writing the information included in the witness interviews. Each witness will review the summary and, after appropriate corrections, sign the statement;
8. Obtain all documentary evidence and information that is available;
9. Obtain all physical evidence that is available;
10. Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;
11. Prepare a charge letter identifying all alleged policy violations. The letter may be delivered prior to, during or after the responding student is interviewed, at the discretion of the investigator;
12. Discuss the preliminary results of the investigation with both the complainant and respondent separately providing them with an opportunity to provide additional information, clarify their statements, identify additional evidence, and suggest witnesses in response to the preliminary results. Process advisors may attend this meeting but are not allowed to speak or delay scheduling;
13. Make findings for each of the infractions included in the charge letter;
14. Recommend appropriate sanctions for each charge for which the respondent was found responsible (see 8.110 for sanctions and conditions that should be considered in the sanctioning process) and additional remedies that might be necessary for the complainant and/or the community;
15. Create an investigative report to be delivered to the Director of Citizenship and Community Standards and the Title IX Coordinator or designee within 40 days of their assignment as the administrative investigator.

8.090.6. Notification of Outcomes. The Title IX Coordinator or designee will present a summary of the investigative report, findings, and sanctions to the complainant and respondent. Contents of the summary will depend on the violations, the sanctions, and applicable privacy laws. Information shared will comply with the following:

- Complainants in gender-based misconduct cases have a right to be informed of the outcomes of the investigation and any subsequent appeals, in writing, without condition or limitation.
- The complainant will be informed if the investigation determined that the alleged violation occurred. Notification of individual remedies offered or provided to the complainant or any sanctions imposed on the respondent that directly relate to the complainant will also be provided. The complainant will be informed if other steps have been taken to eliminate the hostile environment if it was found to exist and/or to prevent reoccurrence.
- The respondent will not be notified of the individual remedies offered or provided to the complainant.

The Title IX Coordinator or designee will also explain that both parties may accept the findings and sanctions or request a hearing. If either party requests a hearing, they must do so within seven days of the receipt of the report summary.

8.090.7. Hearing. If a hearing is requested by either party, the conduct officer will prepare and conduct the hearing in consultation with the complainant and the respondent. The hearing will occur approximately seven days from the notification of the hearing request. Either party may request that
arrangements are made to minimize or eliminate face-to-face contact with the other party during the hearing. Parties will submit questions they want asked of the other party to the conduct officer no later than four days after the request for a hearing. A process advisor may attend the hearing but is not allowed to speak or to delay scheduling. During the hearing, the conduct officer will hear statements regarding the investigation, ask appropriate questions submitted by the opposing party, and ask any additional questions needed to render a decision. After the hearing, the conduct officer will render a decision within seven days of the hearing. The decision can be to uphold the findings and sanctions; to overturn the findings and render another finding; and/or to change the sanctions and/or remedies. The more likely than not standard will be used in finding decisions and sanctions will be determined as described in 8.110. Every effort will be made to assure fair and impartial hearings. All hearings and records will be administered in compliance with FERPA. The conduct officer will make his/her findings based on whether it is more likely than not that the alleged violation occurred. The conduct officer will prepare a written report of the decisions including the evidence that led to the conclusions. An audio recording of the hearing will also be available for use during a review process. The Title IX Coordinator or designee will be informed of the results and communicate those results to both parties in compliance with 8.090.6. The Title IX Officer or designee will also notify the parties of the option to request a review and the grounds for which a review may be requested.

8.090.8. Review. A review request must be submitted to the Title IX Coordinator or designee in writing within seven days of the receipt of results of the hearing. The review request will explain upon which of the following grounds the request for a review is based:

- A procedural or other substantive error occurred in the investigation or hearing that significantly impacted the outcome of the investigation;
- The finding is not supported by substantial evidence;
- New evidence is currently available that was not available at the time of the investigation or hearing;
- The sanctions imposed are substantially disproportionate to the severity of the violation.

If the Title IX Coordinator or designee determines that the request for review meets the grounds upon which a review may be requested, he/she will assign two trained investigators who were not involved in the original investigation to review the report findings and sanctions and the record of the hearing to make a decision regarding the review. The review will be completed within 15 days of the submission of the request. The standard for the review is the deferential standard. This decision will be final and will be communicated to the Title IX Coordinator or designee who will notify the respondent and the complainant of the results of the review. At the conclusion of the resolution process, the Title IX Coordinator will review the documentation and determine if additional institutional remedies are required and, if so, will oversee the implementation of those remedies.

8.100. Investigation and Disposition of [All Other] Offenses: It is the responsibility of the conduct officer to investigate all non-gender based complaints of the Student Conduct Code. When a complaint is received, the conduct officer will conduct an initial review which most likely will include a conference with the complainant and possibly the respondent. The initial conference will be followed by an investigation. This may mean interviewing witnesses and gathering information from other agencies (law enforcement, campus offices, etc.). This investigation is not the same as a police led investigation and standard rules of evidence used in the criminal court do not apply. After the complaint has been investigated and allegations of violation of the Student Conduct Code have been identified, the conduct
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officer will decide. Complainants and respondents will be consulted prior to the conduct officer’s decision to move forward with mediation or formal procedures. Both parties will also be consulted regarding the type of hearing will be used to resolve the complaint. The conduct officer will make the final decision regarding the resolution process based on input from the parties, the severity of the charges and potential sanctions, the complexity of the evidence, and the availability and preparation of appropriate board members.

a. No Action — Complaints that fall outside the University’s jurisdiction, do not violate the Student Conduct Code, or that are not supported by sufficient information, may result in no action being taken by the Office of Citizenship and Community Standards.

b. Informal Resolution Through Mediation. Uncontested allegations or complaints that can be resolved through negotiated procedures will result in mediation if agreed upon by both parties. Informal resolution will not be included in a student or student organizations conduct record. The conduct officer will work with both parties to determine a mutually acceptable solution. In these cases documentation of the incident and its resolution will be kept in university records, but will not be part of a student’s conduct record unless future violations take place. Records, however, will be kept of the resolution and can be used in future conduct proceedings if appropriate to establish a pattern of behavior. Mediation agreements are final and not subject to review.

c. Deferred Resolution: When the conduct in question is determined by the conduct officer to be a minor violation and the Respondent has no prior conduct history with the University, the conduct in question may be resolved through the Deferred Resolution process. If the Respondent takes responsibility for the conduct in question, completes an educational sanction, and is not responsible for any violation of the Student Conduct Code for the remainder of the current semester, the resolution will not be included in a student’s conduct record. If the Respondent fails to complete the educational sanction or is found responsible for a violation of the Student Conduct Code in the same semester that a resolution is reached, the violation will become part of the students’s conduct record and appropriate sanctions will be imposed. Records, however, will be kept of the resolution and can be used in future conduct proceedings if appropriate to establish a pattern of behavior. The Deferred Resolution process is available only once for a student.

d. Formal Resolution: Formal resolution involves a resolution process that will result in a conduct record if the respondent is found responsible for violating the Student Conduct Codes. Formal resolution involves either an Administrative Hearing or a University Conduct Board Hearing.

- Administrative Hearing — Administrative hearings are the most common method of deposing of conduct complaints. This method of resolving complaints is rarely utilized when suspension, expulsion or charter revocation are likely outcomes. The focus is resolution involving educational sanctions and working with the respondent to improve behavior. Administrative hearings, however, may also be used in cases of probation violation, severe or unusual circumstances or in situations where immediate action is necessary. In cases where an administrative hearing results in suspension or expulsion for an individual or suspension/revocation of student organization, the respondent may request a review. The complainant may request a review in the case of a finding of “not responsible”.

- Conduct Hearing Board —Students or student organizations accused of a violation of the Student Conduct Code may have the complaint heard by a Conduct Hearing
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Board of his/her/its peers, under the discretion of the conduct officer. Conduct Hearing Boards are usually reserved for those situations where suspension and/or expulsion are possible outcomes for individuals or when student organizations may face suspension or revocation of recognition by the University. Conduct Hearing Boards may also be utilized when there is a need to interpret more complicated evidence or consider more complex circumstances.

8.100.1 Complaint Resolution Through Mediation. Mediation is appropriate when there is a dispute between or among students, the complainant desires that action be taken to stop an unwanted behavior that may be a violation of the Student Conduct Code, the violation is relatively minor and does not present the potential to endanger other students or disrupt the campus community and the complainant does not want the complaint to result in a conduct record for the accused. A mediation involves the following process:

a. Mutual Consent: The conduct officer communicates with both the complainant and the respondent, explains the various options for resolving the concern, and both parties agree in writing to mediation.

b. Notification: Each party is notified regarding the behavior of concern, the time and date of the mediation, rules regarding the mediation process, the binding nature of the outcomes and the consequences of violating the agreements.

c. Mediation Process: Mediation involves an opportunity for both parties to present and respond to concerns and to present and discuss potential solutions. The goal for mediation is a mutually agreed upon resolution. Agreements made during mediation are binding and final. One or both parties may withdraw from the process at any time and pursue a different course of resolution. The mediator may also terminate mediation if parties do not abide by the rules of mediation or if a mutually agreeable resolution is not possible.

e. Notification of Outcomes: Participants will receive written confirmation of the outcomes of the mediation and the consequences of failing to abide by the agreements.

8.100.2 Complaint Resolution Through Deferred Resolution. Deferred Resolution is appropriate when the conduct in question is determined by the conduct officer to be a minor violation and the Respondent has no prior conduct history with the University. There are three parts to a deferred resolution:

a. Notice of Time of Deferred Resolution Hearing. After the complaint has been investigated, allegations of violation of the Student Conduct Code have been determined and a deferred resolution has been found to be an eligible course of resolution by the conduct officer, a notice is sent to the student with information regarding the deferred resolution hearing. Notice will be in writing, and will be emailed to the student's University email address or mailed to the local or permanent address of the respondent. Once mailed, such notice will be presumptively delivered. Each letter will contain the following:

- A concise summary of the reported violation;
- All policies the respondent is reported to have violated and the possible consequences
- If the respondent is found in violation;
- Relevant procedures for resolution of the complaint; and
- The date, time, and place of the hearing or instructions for the respondent to schedule the hearing.

b. Deferred Resolution Hearing Process. Hearings to determine whether or not a student has violated the Student Conduct Code as reported, or as reasonably related to the facts as
reported, will be conducted by a conduct officer according to this Code and any other procedures as issued by the Dean of Student Affairs. Minor variations in established hearing procedures can be approved on an ad hoc basis by the Dean of Student Affairs and the Director of Citizenship and Community Standards as long as they do not materially impact the fairness of the proceedings. Every effort will be made to assure fair and impartial hearings. The hearings will be conducted in closed session, and all hearings and records will be administered in compliance with FERPA. The respondent has the right to consult a process advisor of choice before, during and after any conference, hearing or review. Typically, the deferred responsibility hearing process is facilitated through one meeting with the respondent which includes an opportunity to discuss the respondents' rights within the process and to hear information regarding the facts of the case from the respondent. If the respondent takes responsibility for their actions, the proceeding will remain in the deferred resolution process, unless the respondent requests resolution through an administrative hearing or a conduct board. If the respondent does not take responsibility for their actions, the process will move to the respondent's choice of an administrative hearing or a conduct board.

c. Notification of Outcome. If a respondent takes responsibility for the conduct violation in question, the conduct officer will determine an appropriate educational sanction based on considerations listed in section 8.110 and will document the sanctions and information for their completion in a decision letter that will be emailed to the student's University email address or mailed to the local or permanent address of the the respondent. Once mailed, such notice will be presumed to be delivered. Decisions of a deferred responsibility are final.

8.100.3. Complaint Resolution Through an Administrative Hearing. The administrative hearing process is the most commonly used method for resolution of student complaints. Administrative hearings are rarely utilized when the complaint involves complex and controversial testimony or documentation and/or when the sanctions of suspension or expulsion for individuals or suspension or revocation of charter as a recognized student organization are possible. Findings of administrative hearings, however, may result in these more severe sanctions in cases where a student or student organization has violated probation, there are severe or unusual circumstances where a Conduct Hearing Board resolution is not appropriate or when immediate action is necessary. There are three parts to an administrative hearing:

a. Notice and Time of Hearing. After the complaint has been investigated, allegations of violation of the Student Conduct Code have been determined and an administrative hearing has been found to be the appropriate course of resolution by the conduct officer, a notice is sent to the student or student organization with information regarding the administrative hearing. Notice will be in writing, and will be emailed to the student's University e-mail address or mailed to the local or permanent address of the respondent. Once mailed, such notice will be presumptively delivered. Each letter will include the following:

- A concise summary of the alleged violation;
- All policies the respondent is alleged to have violated and the possible consequences if the respondent is found in violation;
- Relevant procedures for resolution of the complaint; and,
- The date, time, and place of the hearing or instructions for the accused to schedule the hearing.

b. Administrative Hearing Process. Hearings to determine whether or not a student or student organization has violated the Student Conduct Code as alleged, or as reasonably related to the facts as alleged, will be conducted by a conduct officer according to this Code and any other procedures as issued by the Dean of Student Affairs. Minor variations in established hearing
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procedures can be approved on an ad hoc basis by the Dean of Student Affairs and the Director of Citizenship and Community Standards as long as they do not materially impact the fairness of the proceedings. Every effort will be made to assure fair and impartial hearings. The hearings will be conducted in closed session, and all hearings and records will be administered in compliance with FERPA. The respondent has the right to consult a process advisor of his/her/its choice before, during, and after any conference, hearing, or review. Typically the administrative hearing process is facilitated through one meeting with the respondent which includes an opportunity to discuss the respondent’s rights within the process and to hear information regarding the facts of the case from the respondent. During this conversation the respondent will state their belief of whether or not they are responsible for the allegations listed and the conduct officer will make his/her finding based on if it is more likely than not that the violation occurred.

c. Notification of Outcomes: Once a finding is determined, if the finding is that of a policy violation, the conduct officer will determine an appropriate sanction or sanctions based on considerations listed in section 8.110 and will document the sanctions and information for their completion in a decision letter that will be emailed to the student’s University e-mail address or mailed to the local or permanent address of the respondent. Pertinent information regarding the outcome will also be shared with the complainant when appropriate. Once mailed, such notice will be presumed to be delivered. Decisions of an administrative hearing are final except in cases where the sanctions involve suspension or expulsion from the University or residence halls for a student and suspension or revocation of University recognition for a student organization. In these circumstances the respondent can request a review. The complainant may request a review when the finding is “not responsible.”

8.100.4. Complaint Resolution Through a Conduct Hearing Board (CHB). Conduct Hearing Boards are used to resolve a minority of complaints. CHBs are most often used in the resolution of more serious violations of the Code or in situations where students face potential suspension or expulsion from the University or student organizations face potential suspension or revocation of their charter/university recognition. CHBs may also be used in situations where a fair and equitable process would be better achieved through the hearing of the case by multiple decision makers due to the complexity of evidence or circumstances surrounding the case.

8.100.5. Composition of the CHB. The Conduct Hearing Board (CHB) is comprised of students, faculty and/or staff. The CHB is chosen from a pool of eligible candidates. For each complaint, a new CHB will be chosen at random under the supervision of the conduct officer. Any members of the pool who have a conflict due to any prejudicial factors (anything that would prevent an impartial and objective determination) should remove themselves from consideration. One member of each CHB chosen will be designated by the conduct officer to serve as Chairperson, who will conduct the hearing and serve as the official representative of the Board. The Chairperson has final say on all questions of admissibility of information, appropriateness of questions, and on any procedural decisions. The CHB will render decisions on all requests prior to and during the hearing, and will be allowed to directly question all involved parties [respondent(s), complainant(s), and witnesses] during the hearing. The Chairperson may also permit parties to directly or indirectly question each other and witnesses if that can be done with maturity and civility. All decisions regarding findings and sanctions will be made by a majority vote. No student will be found in violation unless information proves that a violation of the Student Conduct Code is more likely than not to have occurred. Abstention in voting is not permitted. Every voting member will either vote to support a motion or will vote not to support a motion.
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The term for individuals chosen to be in the pool is two calendar years (January 1st year one through December 31st year two), and a member may serve more than one consecutive term at the discretion of the Dean of Student Affairs. Three (3) members are necessary to hear a complaint. The Director of Citizenship and Community Standards is responsible for coordinating training sessions, hearings, and assigning complaints. The Dean of Student Affairs or Director of Citizenship and Community Standards has authority to make interim appointments to fill any open slot from the three categories below. Additionally, the Dean of Student Affairs or the Director of Citizenship and Community Standards may implement alternate procedures for any conduct complaints when the usual pool of CHB members is not available. The composition of the eligible pool will be as follows:

a. Six (6) full-time students — who are appointed by the Dean of Student Affairs after consultation with Student Government. The Office of Citizenship and Community Standards will be responsible for recruiting and recommending student Conduct Hearing Board nominees to be appointed by the Dean of Student Affairs.

b. Three (3) Faculty — who are appointed by the Dean of Student Affairs and recommended by the Executive Vice President for Academic Affairs and Provost after consultation with the Faculty Senate.

c. Three (3) professional administrative staff — who are appointed by the Dean of Student Affairs and recommended by the Chair of the Staff Council with the advice and consent of the Staff Council.

8.100.6. Conduct Hearing Board Process: Several steps, explained below, are involved in the process of preparing for and conducting a hearing utilizing the CHB.

a. Notice and Time for Hearings. Notice will be in writing, and may be delivered in person during a meeting with the conduct officer. Notice will also be e-mailed to the student’s University e-mail address or mailed to the local or permanent address of the respondent. Once mailed, such notice will be presumptively delivered.
   - The letter of notice will include a concise summary of the alleged violation;
   - The letter will state all policies the respondent is alleged to have violated and the possible consequences if the respondent is found in violation;
   - The letter will include the relevant procedures for resolution of the complaint;
   - The date, time, and place of the hearing;
   - A list of the University’s witnesses (to be supplemented later if necessary); and
   - A deadline for meeting with the conduct officer.
   - The letter of notice may also direct the respondent to contact the conduct officer within two business days of receipt with a written response to the complaint.

Once the respondent responds, written notice of the time, date and location of the hearing will be sent to all parties to the complaint, who may additionally be notified in person, by telephone, or by e-mail. Such means may also be used when the respondent fails to respond to the mailed notice letter. If a respondent fails to respond to notice, the conduct officer will initiate a complaint against the student for failure to comply with the directives of a University official, and give notice of this offense. Unless the student responds to this notice within two business days by answering the initial notice, the student will be automatically suspended until such time as s/he responds to the initial complaint. In complaints where the Director of Citizenship and Community Standards serves as the complainant, another conduct officer may carry out his/her pre-hearing duties.

b. Pre-hearing Process. Multiple individuals are involved in preparations for a CHB hearing as outlined below:
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Respondent. Once a student denies a violation they will be given a minimum of seven (7) days to prepare for a hearing. At least forty-eight (48) hours before any scheduled hearing, the respondent will deliver to the conduct officer a written response to the complaint, a written list of all witnesses the respondent wants the University to call on his/her behalf with full contact information for such witnesses, a list of all physical items the respondent intends to use or needs to have present at the hearing, and who has possession or custody of such information if known, and the name of any process advisor who may be accompanying them to the hearing.

Complainant. At least forty-eight (48) hours before the scheduled hearing, the complainant will deliver to the conduct officer a list of all witnesses the complainant wants the University to call on his/her behalf at the hearing with full contact information, a list of all physical items the complainant will use or needs to have present at the hearing and who has possession or custody of such information if known, and the name of any process advisor who may be accompanying them to the hearing.

Conduct Officer. The conduct officer will ensure that the above information and all other available written documentation will be shared between the complainant and the respondent at least twenty-four (24) hours before the scheduled hearing. Each party will also be given a list of the names of the hearing board members for the case. Should either party object to any members of the board, they must raise all objections in writing to the conduct officer immediately. Hearing officers will only be unseated if the conduct officer concludes that their bias precludes an impartial hearing of the complaint. The conduct officer will, prior to the hearing, attempt to obtain signed FERPA consents when appropriate from all parties and witnesses who will participate in the hearing.

Witnesses. In most cases, witnesses are to be identified in advance. The identity of a witness may be kept confidential for safety reasons at the discretion of the conduct officer if knowing the identity of a witness is not essential to the defense of the respondent. While witnesses are subject to questioning at the hearing, unavailable witnesses may submit their testimony by telephone or written statement.

c. Conduct of Hearings. Hearings to determine whether or not a respondent has violated the Student Conduct Code as alleged, or as reasonably related to the facts as alleged, will be conducted by a conduct hearing body according to this Code and any other procedures as issued by the Dean of Student Affairs and the Director of Citizenship and Community Standards. Minor variations in established hearing procedures can be approved on an ad hoc basis by the Dean of Student Affairs and the Director of Citizenship and Community Standards as long as they do not materially impact on the fairness of the proceedings. Every effort will be made to assure fair and impartial hearings. The hearings will be conducted in closed session, and all hearings and records will be administered in compliance with FERPA. The respondent has the right to consult a process advisor before, during, and after any conference, hearing, or review. If there is an alleged victim of the conduct in question, the alleged victim may serve as the complainant, or may elect to have the administration serve as complainant. Where there is no victim, the administration will serve as complainant. A student serving as complainant has the same rights to a process advisor as the respondent. Parents or other support persons may also attend but like process advisors are not permitted to speak, (i.e., make opening or closing remarks, examine or cross examine, ask questions, to submit and object to information, to address the hearing board) or delay scheduling any hearing, conference, or review. While previous conduct violations by the respondent are not generally admissible as information about the present alleged violation, the conduct officer may supply
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previous complaint information to the CHB, or may consider it her/himself in hearing the
complaint, if any of the following applies:
  • The respondent was previously found to be responsible;
  • The previous incident was substantially similar to the present allegation;
  • An informal resolution process resulted in an agreement previously based on a
    similar allegation; or
  • Information indicates a pattern of behavior and substantial conformity with that
    pattern by the accused student.

d. Hearing Deliberations. Deliberations will take place in a private setting with only members of
the Board in attendance. Once a finding is determined, if the finding is that of a policy
violation, the Conduct Hearing Board (CHB) will determine appropriate sanctions. The Chair
of the Board will contact the conduct officer by telephone to learn if there is a previous
history that should be considered in the sanctioning process. Sanctions and factors that
should be considered in sanctioning decisions appear in section 8.110. The report should be
expressed in a finding supported by the recitation of the evidence considered as the basis of
the finding with citations to the rules implicated by the facts and charges. This report should
conclude with recommended sanctions and a rationale for how the sanctions related to the
findings. This report should typically not exceed two pages in length, and must be submitted
to the Conduct Officer within 48 hours after the end of deliberations. The conduct officer will
inform the parties of the results within seven (7) days after the hearing.

e. Record of Hearings. There will be a single verbatim record, such as a tape recording, of all
hearings before a Conduct Hearing Board. The record will be the property of the University.
In the event a student or student organization petitions for a review of a decision or a
sanction and wishes to review a verbatim record, he/she/it may make a request in writing to
do so to the Dean of Student Affairs. A student petitioning for a review or student
organization may request a typed summation of the hearing. The transcription should
normally be provided subject to payment of costs for the production of the transcript.
Personally identifiable information will be deleted, unless FERPA consents have been sought
and obtained from those students mentioned in the record.

f. Notification of Outcomes. The outcome of a campus hearing is part of the educational
record of the respondent, and is protected from release under a federal law, FERPA. Truman
State University may release publicly the name, nature of the violation and the sanction for
any student who is found in violation of a Truman State University policy that is a non-
forcible sex offense or a “crime of violence,” including: arson, burglary, robbery, criminal
homicide, sex offenses, assault, destruction/damage/vandalism of property and
kidnapping/abduction. Truman State University may release this information to the
complainant in any of these offenses regardless of the outcome, but complainants are
cautioned that FERPA does not permit them to re-release this information to others.
Additionally, student organizations are not protected under FERPA and information from
their hearings may be released to the public upon request based upon the judgment of the
conduct officer. Information regarding conduct actions involving local chapters may be
shared with national offices.

8.110. Sanctions and Remedies. In each complaint in which a conduct hearing determines that a student
or student organization has violated the Student Conduct Code, the sanction or sanctions will be
determined in accordance with the rules of this Code. Following any conduct hearing, the decision will
be sent via e-mail to the student’s University e-mail address or the United States Postal Service mail or
hand delivered to the respondent and complainant, if applicable, to the last known address and will
include a concise summary on the decision and recommendation of sanction(s), and information on the review process. Once mailed, such notice will be presumed to be delivered.

8.110.1. Listing of Sanctions. The following sanctions may be imposed upon any student or student organization found to have violated the Student Conduct Code.

1. Warning. A notice in writing to the student or student organization that the student or student organization is violating or has violated one or more provisions of the Student Conduct Code.

2. Probation. A written reprimand for one or more violations of the Student Conduct Code and, when appropriate, conditions for continued enrollment or continued recognition. Probation is for a designated period of time, and it includes the probability of more severe conduct sanctions if the student or student organization fails to fulfill the conditions for continued enrollment or continued recognition or is found to be violating or to have violated any provisions of the Student Conduct Code during the probationary period.


4. Restitution. Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

5. Discretionary Sanctions. Work assignments, service to the University, or other related discretionary assignments. Such assignments are to be supervised by, and must have the prior approval of, a conduct officer.

6. Educational Sanctions. Projects or assignments designed to educate a student or student organization(s) in connection with the effect of their behavior on the community.

7. Residence Hall Probation. A written reprimand for one or more violations of the Residence Life Handbook and/or Student Conduct Code and, when appropriate, conditions for continued residence on campus. Probation is for a designated period of time, and it includes the probability for more severe conduct sanctions if the student fails to fulfill the conditions for continued residence or is found to be violating or to have violated any provisions of the Residence Life Handbook or the Student Conduct Code during the probationary period.

8. Residence Hall Suspension. Separation of a student or student organization from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

9. Residence Hall Expulsion. Permanent separation of a student or student organization from the residence halls.

10. Interim Suspension. Temporary separation of a student or student organization(s) from the University pending completion of conduct procedures, as referenced in Section 8.070.

11. Limited Access. A student or student organization may be denied access to any or all of University premises, or any activities or events arranged or sponsored by the University or student organization, as the Dean of Student Affairs or the Conduct Officer may determine to be appropriate.

12. Interim Suspension of Participation. Separation of a student or student organization from participation in a University recognized activity or organization for a definite period of time, after which the student or student organization is eligible to return. Conditions for readmission may be specified. While on interim suspension of participation, the student or student organization is denied access to University premises, and all University or student organization sponsored activity. In the case where a student is a member of a student organization, the student is prohibited from attending the student organization’s activities on or off-campus, pending completion of the misconduct procedures.
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13. Recommendation for Charter Revocation. An official request to the national office that the local charter be revoked.
14. Revocation or Denial of University Registration/Recognition. Permanent severance of the organization’s relationship with the University.
15. Denial of Privilege to Re-enroll. This permits the student to complete the current semester barring further violations, but prohibits the individual from enrolling for a definite period of time, after which the student is permitted to return. Conditions for readmission may be specified. Records are encumbered.
16. University Suspension. Separation of the student or student organization from the University for a definite period of time, after which the student or student organization is eligible to return. Conditions for readmission may be specified. Records will note a sanction of suspension due to conduct proceedings. While on university suspension, the student or student organization is denied access to University premises, and all University or student organization sponsored activity. In the case where a student is a member of a student organization, the student is prohibited from attending the student organization’s activities on or off-campus.
17. University Expulsion. Permanent separation of the student from the University. Records will note a sanction of expulsion due to conduct proceedings. Upon expulsion, the student is denied access to University premises, and all University or student organization sponsored activity. In the case where a student is a member of a student organization, the student is prohibited from attending the student organization’s activities on or off-campus.
18. [Remedies. In gender-based misconduct, individual students may be sanctioned in a variety of ways including some of the above to stop, prevent the reoccurrence and to remedy those who were adversely affected by a hostile environment. Institutional remedies may also be imposed in those cases where a more comprehensive intervention is needed. The administrative investigator and the conduct officer in formal gender-based resolutions processes may recommend individual and institutional remedies. These remedies are implemented under the direction of the Title IX Coordinator or designee. Institutional remedies will not be included in the student conduct records of respondents.]

8.110.2. Parental Notification. Truman State University reserves the right to notify parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. Truman State University may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is not-dependent, Truman State University may contact parents/guardians to inform them of situations in which there is a health and/or safety risk. Truman State University also reserves the right to determine which Truman State University officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act.

8.110.3. Multiple Sanctions. More than one of the sanctions listed above may be imposed for any single violation.

8.110.4. Conditions Leading to More Severe Sanctions. If any of the following conditions exist in a violation of the Student Conduct Code, more severe or multiple sanctions may be given to the respondent:
   a. Information that the complainant was intentionally selected because of the complainant’s actual or perceived race, religion, national origin, gender, ethnicity, sexual orientation, or disability;
   b. The use or possession of a firearm(s) or other weapon(s);
The possession of a controlled substance, or information that the respondent(s) was under the influence of a controlled substance;

The existence of a prior record of violation(s) in this chapter by the respondent(s);

Any additional factors which contribute to the severity of the offense.

Other mitigating factors can serve as a cause to impose more severe sanctions such as failure to express regret, failure to recognize errors in judgment and/or unwillingness to address factors leading to the behavior.

8.110.5. Responsible Action Policy. The welfare of our students is of the highest importance to Truman State University. There will be times when individual students, both on and off campus, may have knowledge of a situation that may present a significant threat to the health and welfare of themselves or others. Truman wants to eliminate any hesitation that students or student organizations might have in obtaining help due to concern that their own behavior might be a violation of University policy. The University will take into consideration the positive impact of reporting an incident on the welfare of students when determining the appropriate response for policy violations by the reporter of the incident. Any possible negative consequence for the reporter of the problem will be evaluated against the positive consequences of the intervention for the student in need. Responsible citizens recognize and accept the duty to make ethical and moral decisions about the health and safety of themselves or others even when to do so might result in personal inconvenience. At a minimum, Truman hopes that a student or student organization would make an anonymous report that would put the student in need in touch with professional helpers. If charged and found responsible for a violation of the Code, sanctions imposed, if any, will be less severe when students or student organizations appropriately report dangerous circumstances than if students or student organizations fail to report.

The University provides amnesty to students who have experienced [gender-based misconduct or] violent crimes and who may be hesitant to file a complaint because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options may be explored, but no conduct proceedings against the complainant or conduct record will result.

8.110.6. Additional Conditions Leading to Less Severe Sanctions.
Mitigating factors can serve as a cause to moderate a sanction. If any of the following conditions exist in a violation of the Student Conduct Code, less severe or fewer sanctions may be given to the respondent including but not limited to: payment of restitution, sincere regret, acceptance of responsibility for the misconduct, taking steps to ensure the misconduct does not occur again, etc.

8.110.7. Additional Actions. The foregoing sanctions are in addition to any actions that any other office(s) is authorized to take for conduct violations or any actions authorized to be taken by faculty members or academic deans for acts of academic misconduct.

8.110.8. Student and Student Organization Records, Record Retention, and Record Consideration in Organization Sanctions. Conduct sanctions become part of the student’s conduct record. Conduct records of students will be kept for a period of no more than seven (7) years after the academic year when final disposition of the violation occurred, except in complaints of suspension and expulsion, where the record will be kept permanently. Student conduct records may be kept longer due to special circumstances, as deemed necessary by the Dean of Student Affairs. Conduct records of student organizations will be kept permanently for historical and archival purposes. Generally, a five-year time frame will be utilized when considering sanctions for a student organization. However, a longer time
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frame may be considered when evaluating sanctions for serious violations of the Code (e.g., patterns of organizational behavior that include alcohol and drug related misconduct, abusive affiliation, life safety issues, etc.).

8.120. Requesting a Review by the President or his/her Designee after Administrative and Conduct Board Hearings. When a case is eligible for a review, a student or student organization may request a review. Any request must be submitted in writing, addressed to and delivered to the Dean of Student Affairs, and include all supporting facts and arguments, no later than seven days after the notification of decision has been delivered to the respondent, unless an extension has been granted by the conduct officer for the case. Complainants who wish to have the findings or sanctions of a Conduct Hearing Board reviewed must also submit their requests to the Dean of Student Affairs no later than seven days after the notification of a decision has been delivered to them. The petition for a review must include the grounds for the review as well as supporting facts and arguments. Failure to meet either or both of these conditions will be sufficient cause to deny a review. The Dean of Student Affairs will make the determination as to whether both conditions have been met. Normally, sanctions are in place from the time of imposition, but the Dean of Student Affairs has discretion to suspend sanctions during the period in which the complaint is being reviewed.

The following are grounds for a review:

a. New information, unavailable at the time of the board hearing, is now available and could materially affect the decision that was rendered.

b. “The hearing deprived a party of a right the party had according to the rules and regulations governing the University Conduct System; and this deprivation materially affected the decision.” In other words, a review can be filed on the grounds that the process was not conducted according to the procedures described in the Student Conduct Code and the process failure influenced the decision that was rendered.

c. “The finding of is not supported by substantial evidence.” In other words, a review can argue that the evidence was not supportive of the finding.

d. “The sanction(s) imposed is not proportionate to the severity of the violation(s).” In other words, the review can argue that the sanctions were inappropriate when the circumstances of the act and prior record of the respondent or the impact on the complainant are considered.

8.120.1. Review Process. The President or his/her designee has fourteen (14) calendar days after the date the review is delivered to the Dean of Student Affairs to respond to a petition for review, unless there are extenuating circumstances that require additional time for the review to be considered. The President or his/her designee may grant the review, and if so, decide whether to return the complaint to the hearing board or conduct officer for reconsideration, or to conduct the reconsideration herself/himself. Generally, reviews will involve a review of the hearing record, but the President or his/her designee may conduct a new hearing, interview witnesses or otherwise direct further investigation at her/his discretion. The standard for review is a deferential standard.

The President or his/her designee’s decision will be sent via e-mail to the student’s University e-mail address or United States Postal Service mail or hand delivered to the respondent and complainant, if applicable, to the last known address and will include a concise summary on why the decision was upheld or amended as well as information on the review process. Once mailed, such notice will be presumed to be delivered. Any decision rendered by the President or his/her designee will be final.
8.130. Interpretation, Review, and Revision. Questions of interpretation and periodic reviews of this policy will be administered in the following manner:

8.130.1. Interpretation. Any questions of interpretation regarding the Student Conduct Code will be referred to the Dean of Student Affairs or his/her designee for determination.

8.130.2. Code Revision. The Code will be reviewed once every five years under the direction of the Dean of Student Affairs. Review of this document should be done in conjunction with the University General Counsel, the Executive Vice President for Academic Affairs and Provost, and the Student Government. Changes to the Code can be made as necessary at the request of the Dean of Student Affairs, President, or Board of Governors, with the approval from the Board of Governors. Grammatical, editing, formatting and other non-substantive changes can be made at the discretion of the Dean of Student Affairs or designee as needed without approval of the Board.
ITEM 1.2
Resolution amending Chapter 10 of the Code of Policies of the Board of Governors titled Fiscal and Business Affairs—Personnel

DESCRIPTION AND BACKGROUND

Staff has completed its review of Chapter 10 of the Code of Policies. This chapter includes a variety of provisions relating to personnel. Changes are recommended for a variety of reasons. In some cases, we are recommending the repeal of obsolete provisions, and other changes are recommended to clarify and improve current practices.

When we first began the process of revising this chapter we anticipated that we would be adding provisions to make various benefits available to domestic partners in keeping with the Board’s Non-Discrimination Policy. The recent Supreme Court opinion on same sex marriage has made those changes unnecessary. Our current policies cover “spouses” and now that same sex marriage is legalized, that term will cover benefits for all.

The numbering system for this chapter is somewhat confusing and one of the revisions we propose is that staff be allowed to reformat and renumber sections for improved readability. In an effort to clarify the proposed amendments, we have divided them into two groups for analysis. The first group of amendments described below are relatively few in number and more substantive in nature. The second group of amendments are more numerous, contain a variety of changes for general improvement or clarification of the policies and can fairly be described as changes of a routine nature.

Changes of a more substantive nature are the items in the list below numbered 5, 6 and 15.

**Item 5** is a repeal of Extended Medical Leave. This provision provides for additional medical leave for employees who have exhausted all their accrued leave and have also exhausted Family Medical Leave under federal law. This leave is rarely used but can be a complicating factor when employees are out on sick leave for an extended time. The policy as written provides no criteria for the grant or denial of extended medical leave but leaves it to the discretion of the President. The effect of extended medical leave on the employee’s job status is not clear. This is an unusually generous benefit which seems to unnecessarily complicate allocation of benefits. The repeal of this benefit is prospective, only. The Resolution states that this repeal “shall not affect any such leave currently approved or pending approval.”

**Item 6** is a repeal of a medical leave benefit that applies only to faculty. This section provides for 60 days of unearned medical leave for faculty. This leave is available immediately when faculty begin employment with the University. It has not been widely used but we have had several instances over the years when new faculty requested this leave for pregnancy or serious illness immediately upon assuming their duties and before actually beginning their first semester. This, also, is an unusually generous benefit which does occasionally cause considerable disruption for academic deans and department chairs. The repeal of this benefit is prospective and will not affect any faculty currently employed at the University.

**Item 15** is the repeal of the “Medical Leave Bank Program.” Under this provision, employees may donate some of their accrued leave into a “bank” for the use of other employees who have exhausted all their leave and where they or a family member are suffering from a catastrophic illness and they
otherwise qualify for the benefit under the program. This benefit is rarely used. Administration sees value in a program of this type but we would like to alter the program to make it more useful and palatable for those in need. This may require some experimentation with various changes to the program. If this benefit is taken out of Board policy, then the Administration could issue its own policy and be free to amend it without the necessity of amending Board policy each time. We have left a portion of the policy in place which authorizes the President to establish a new policy and places some parameters around the administrative policy.

The recommended changes for Items 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18 and 19 are not very substantive and can fairly be described as routine matters. Many of the recommended changes are to make policies conform to federal law or to clear up relatively minor problems within the current policies. The detailed notes in the list below identify these changes.

The list of “Items” below on this page details all of the sections to be amended, in numerical order, with a citation to each section number and a comment on each as to the reason for the change. For Items 5, 6 and 15, please see the comments above.

PLEASE NOTE FOR YOUR CONVENIENCE: As you can see, there are numerous changes throughout this chapter. To aid in locating the changes referenced in the list below, we have placed corresponding Item numbers in the left margin throughout the document next to the change referenced in the list. These Item numbers will link you to the location within the text so that you can locate them quickly and read the amendments in context. For example, Items 1, 2, 3, 4 and 5 appear on page 3 of this document. The other Item number links appear in chronological order, always in the left margin as you proceed through the document.

Item 1 10.060.1-Definitions, subsection 2. “Compensation.” This amendment is offered in order to clarify the definition of this term.

Item 2 10.060.1-Definitions, subsection 4. “Primary Caregiver.” This term is being deleted to bring our policy into conformity with FMLA regulations. References to “Primary Caregiver” are deleted throughout.

Item 3 10.060.1.6-Definitions, Family and Medical Leave Eligibility. This section has been added to bring our policy into conformity with FMLA regulations.

Item 4 10.060.1-Definitions, subsection 5. “Funeral Leave.” We have clarified that “compensatory time” can be used for funeral leave. We have also amended this section to make it consistent with the Union Agreement.

Item 5 10.060.1.-Extended Medical Leave. Please see comment above.

Item 6 10.060.2.1-Full Time Employees with Faculty Rank, Medical Leave Accumulation. Please see comment above.

Item 7 10.060.2.2.a-Full Time Employees with Faculty Rank. Changes here are recommended to clarify the role of Human Resources. Similar changes occur throughout.

Item 8 10.060.2.2.c-Full Time Employees with Faculty Rank-Pregnancy Leave. This section is obsolete and we recommend its repeal.

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Item 9 10.060.2.3.b-Family Leave. We would repeal this section to eliminate conflict with other provisions of this chapter and FMLA requirements.

Item 10 10.060.2.3.e-Family Leave. Change the word “may” to “will” to make this provision more imperative. This same change was made to section 10.060.3.3.e.

Item 11 10.060.2.3.f- Family Leave, Faculty. This amendment removes some confusing language from this provision.

Item 12 10.060.3.1-Medical Leave Accumulation. Clarifies accrual of medical leave.

Item 13 10.060.3.2.a.-Employees Without Faculty Rank. Changes are proposed here to clarify the role of Human Resources. Similar changes occur throughout.

Item 14 10.060.3.2. c-Employees Without Faculty Rank-Pregnancy Leave. This section is also obsolete and can be repealed.

Item 15 10.060.3.4-Medical Leave Bank Program. Please see comment above.

Item 16 10.060.4-Implementation and Management.
   Section 1. Changes here are recommended to clarify the role of Human Resources.
   Section 2-Discipline/Enforcement. This section is obsolete and can be repealed.

Item 17 10.070-Vacation Leave. This change simply restates the formula for the calculation of vacation leave.

Item 18 10.070.3-Other Employees. This change clarifies the standard for benefit proration for part-time employees.

Item 19 10.140-Workers’ Compensation for Officers. This section is obsolete can be repealed.

RECOMMENDED ACTION

BE IT RESOLVED, that Chapter 10 of the Code of Policies of the Board of Governors, titled Fiscal and Business Affairs-Personnel, (marked as Attachment 2 and incorporated herein by reference) be amended in the manner shown below:

Any verbiage that would be deleted by this Resolution is shown in [brackets and in bold type]. Any verbiage that would be added to this chapter is shown in bold italics and underlined.

BE IT FURTHER RESOLVED, that the repeal of section 10.060.1 pertaining to “Extended Medical Leave” shall not affect any such leave currently approved or pending approval; and

BE IT FURTHER RESOLVED that University staff is authorized to reorganize the numbering system and format of this chapter for improved readability but is

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not authorized to make any substantive changes to the content not approved in this resolution.

Moved by ____________________________
Seconded by __________________________
Vote:
Aye ____________________________
Nay ____________________________

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CHAPTER 10

FISCAL AND BUSINESS AFFAIRS - PERSONNEL

Sections:

10.010. Employment and Supervision of Faculty and Staff
10.020. Equal Employment Opportunity/Affirmative Action
10.030. Nepotism Prohibited
10.040. Professional Leave for Staff
10.050. Stipends for Graduate Study
10.060. Medical, Family and Funeral Leave
10.070. Vacation Leave
10.080. Annual Holidays
10.090. Copyrights
10.100. Inventions and Patents
10.130 Voluntary Tax Sheltered Plans

[10.140. Workers' Compensation for Officers]
10.150. Employees Represented by Union
10.160. Salary Policies
10.170. Political Activities
10.180. Financial Exigency-Retrenchment

10.010. Employment and Supervision of Faculty and Staff: The President of the University is charged with the responsibility for employment of a competent and effective faculty and staff within the annual budgets approved by the Board of Governors and for the supervision of such faculty and staff. It is the duty of the President of the University to develop and implement appropriate policies and procedures for hiring, training, supporting, and evaluating faculty and staff members and, when necessary, for the disciplining and/or discharging of faculty and staff members. The President of the University may delegate to other administrators as much authority for employment decisions as he or she deems proper and advisable for effective and efficient administration. The President reports to the Board in a timely manner all of his or her actions to hire, promote, suspend, or discharge employees, except those in regard to part-time student workers.

10.010.1. Authority of President. The President of the University has the authority to appoint, reappoint, promote, reassign, discipline, suspend, and discharge employees. He or she also may accept resignations, grant leaves of absence without pay, and take other appropriate personnel actions in regard to faculty and staff. Provided, however, that the President may not 1) take such actions in violation of the Bylaws or other policies of the Board or 2) approve expenditures in excess of the total amount budgeted for expenditures in the applicable budget.

10.010.2. Reservation of Authority by Board. The following personnel matters are specifically reserved for action by the Board of Governors:

1. Appointment and removal of officers named in the Bylaws.
2. Reappointment of faculty members in regular positions when such reappointment is tantamount to the granting of tenure.
3. Promotion in academic rank of faculty members in regular positions.
4. Grant of paid sabbatical or professional leaves of absence.
5. Discharge of tenured faculty members.
6. Award of early retirement benefits.

10.020. **Equal Employment Opportunity/Affirmative Action Program.** The Board of Governors reaffirms and states the policy of equal employment opportunity.

10.020.1. **Policy Statement.** The University will provide equal employment opportunity on the basis of merit and without discrimination on the basis of sex, disability, age, race, color, national origin, religion, sexual orientation or veteran status pursuant to the University’s Notice of Non-Discrimination, applicable Missouri statutes and Federal Executive Orders 11246 and 11375 and Chapter 60 of Title 41 of the Code of Federal Regulations as amended by Part 60-2 and Revised Order No. 4. The University will extend equal opportunity for employment in both faculty and staff positions to all qualified persons, and will promote equal opportunity through a positive and continuing affirmative action program. The obligation to establish affirmative action procedures to implement this policy shall rest with the President of the University.

10.020.2. **Purpose.** The purpose of the affirmative action program is twofold: 1) to further implement the University's policy on equal employment opportunity throughout all departments, facilities, offices, and units of the University and 2) to insure that University policy is widely understood by all personnel and the public in general.

10.020.3. **Administration of the Program.** The responsibility of coordinating and monitoring the affirmative action program may be delegated by the President of the University to an Affirmative Action Officer.

10.030. **Nepotism Prohibited.** Pursuant to the Missouri Constitution, no officer or employee shall participate, either directly or indirectly, in a decision to appoint or hire an employee of the University, either part-time or full-time, who is related to such officer or employee within the fourth degree of consanguinity (blood) or affinity (marriage). It also shall be a violation of this policy for, an employee to supervise, either directly or indirectly, the work of another employee who is related within such fourth degree, unless the supervisory role is specifically approved by the President of the University.

10.040. **Professional Leave for Staff.** The professional leave policy is designed primarily for the improvement of instruction. However, the Board will consider applications for paid leaves of absence by administrative and professional staff members when such leaves will provide adequate benefits to the University. In such cases, the rules and requirements for professional leaves of faculty members will apply to the professional leaves for staff members.

10.050. **Stipends for Graduate Study.** Stipends are authorized for graduate study by honor graduates and current faculty members of this University and prospective faculty members as selected by the President of the University. The President of the University is authorized to determine the amount of such stipends.

10.060. **Medical, Family and Funeral Leave – Rationale and Purpose.**

This policy is intended to coordinate with the existing Federal Legislation entitled the Family and Medical Leave Act (FMLA); to provide Truman State University employees with needed benefits concerning the work-family environment; and to provide contingencies for employees so that they can attend to family emergencies and family events. Any leave granted pursuant to these
policies shall run concurrently with any leave available under FMLA. These policies do not extend or enlarge the University’s obligations under FMLA. Medical, family and funeral leaves are administered in the following manner:

10.060.1 General - All Employees

Definitions:

1. **Child** – biological child of the employee or whom the employee adopts or for whom the employee is financially responsible, and whom the employee supervises on a day-to-day basis.

2. **Compensation** – something given or received as *payment or its [an] equivalent [or as reparation] for a service. [such as a reduced teaching load or for an overload.]*

3. **Parent** – employee’s biological parents or other individual who assumed day-to-day care and financial responsibility for the employee when the employee was a child.

4. **[Primary Caregiver** – person who provides 50% or more of the care.]

5. **Serious Health Condition** – a health condition which qualifies an employee for benefits under the FMLA.

6. **Family and Medical Leave Eligibility** – an eligible employee is one who has worked for the University for at least 12 months and has at least 1,250 hours of service for the University during the last 12 month period immediately preceding the leave.

**Medical Leave and Family Leave.** Medical leave and family leave are provided with the realization that an employee or an employee’s spouse, child or parent may become ill or injured and the employee may need time off to recover or to care for the employee’s spouse, child or parent. Also, an employee may need time off to care for employee’s newborn child or to provide care for a child placed with employee for adoption. Medical and family leave are provided to employees with and without faculty rank, in accordance with the provisions of the Code of Policies as set out below.

**Funeral Leave.** Funeral leave for all employees shall be granted for up to three (3) days, with pay, for the funeral of the employee’s spouse, mother, **mother-in-law**, child, brother, sister, grandchild, step-parent or step-child. Funeral leave shall be granted for up to one (1) day, with pay, for the employee for the funeral of the employee’s [mother-in-law, father-in-law], sister-in-law, brother-in-law, aunt, uncle, grandparent or the grandparent of the employee’s spouse, great-grandparent or great-grandchild. The employee may, with their supervisor’s permission, use compensatory time, accrued vacation or accrued medical leave to take additional days associated with funeral leave.

**[Extended Medical Leave** – In cases of extended illness or illnesses of the employee or employee’s immediate family member:

a. The President is authorized, at his or her discretion, to grant extended medical leave, with pay and benefits, for up to 60 days for employees
with five or more years of continuous, full-time service who have
exhausted all other available leave, including FMLA leave.

b. For employees who have exhausted their extended medical leave granted
under subsection a., above, the President is further authorized, at his or
her discretion, to grant additional extended medical leave for up to 120
days, without pay, for employees with five or more years of continuous,
full-time service. In this instance, such employees may have continued
benefits to the extent that such benefits are available to them from the
University’s benefits providers at no additional cost to the University, or
to the extent that such benefits are available pursuant to the
Consolidated Omnibus Budget Reconciliation Act (COBRA).

c. For employees who lack five years of continuous, full-time service and
are, therefore, ineligible for extended medical leave under subsections a.
and b., above, the President is authorized, at his or her discretion, to
grant extended medical leave for up to 180 days, without pay, if such
employee has exhausted all other available leave, including FMLA leave.
In this instance, such employees may have continued benefits to the
extent that such benefits are available to them from the University’s
benefits providers at no additional cost to the University, or to the extent
that such benefits are available pursuant to COBRA.

d. These provisions for extended medical leave do not extend or enlarge the
University’s obligations with respect to continuation of health plan
coverage under COBRA.]

10.060.2 Full-time Employees with Faculty Rank

ITEM 6

Medical Leave Accumulation

Full-time employees with faculty rank who began their employment with the
University prior to December 1, 2015, begin employment at the University with
sixty (60) days of Medical leave, which is granted by the Board of Governors and
is unearned. In addition, nine (9) Medical days per academic year are earned.
Unearned and earned Medical Leave taken together shall be considered
“accumulated leave” for purposes of the Code sections relating to faculty, and
may be used for Medical Leave or Family Leave as defined in Board of
Governor’s policy.

ITEM 7

Employee Medical Leave

a. Full-time employees with faculty rank may request Medical Leave for
medical reasons, including pregnancy, for the period of time that the
employee is unable to work as determined by his or her healthcare provider.
The employee should request such leave through the Academic Dean, with
appropriate paperwork submitted to the [Business Office]-Human Resources
Office. The University may request appropriate documentation, including a
physician’s statement. The University reserves the right to a second opinion
at its cost.
b. Medical Leave will be on full pay to the extent of accumulated leave. FMLA leave and leave without pay may be applicable.

c. [Medical Leave related to pregnancy is limited to six weeks’ duration unless a physician documents a medical need for additional leave. If a portion of the six-week period takes place between semesters, then only the time taken during the academic contract will be used to reduce accumulated leave balance, however the days between semesters count toward the six week maximum.]

3. Family Leave

a. Family Leave for employees with faculty rank may be granted, with pay, to the extent of accumulated leave for a period not to exceed one semester during any 12-month period of employment under the following circumstances:

i. Care for qualifying employee’s newborn or placement of a child (age 5 years or less unless the child is disabled or there are extraordinary circumstances) with the employee for adoption. Family leave taken in conjunction with the birth or adoption of a child must be taken within one year of such birth or adoption.

ii. Care of the employee’s spouse, child, or parent with a serious health condition.

b. Family Leave may be taken as paid leave only if the employee meets the following criteria:

i. Tenured or tenure eligible and has completed at least one year of service;

or

ii. Temporary employees who have completed at least three years of full-time service.]

c. FMLA leave and leave without pay may be applicable.

d. [An employee requesting paid Family Leave must certify that he or she is a primary caregiver.] In the case of Family Leave related to childcare, if the University employs both parents, then the combined leave of both parents will not exceed 16 weeks, using accumulated leave and leave without pay if applicable.

e. An employee requesting paid Family Leave for the care of a spouse, child or parent due to a serious health condition [may] will be asked to provide a physician’s documentation of the medical condition. [and the employee will need to certify that he or she is a primary caregiver.]

f. Employees requesting paid Family Leave should work with their Academic Dean at the earliest opportunity to develop plans that may consist of alternate
work schedules, substitution of duties, project-specific work and/or transportable work and if applicable, time without pay. The goal would be to find a plan that is acceptable for all parties involved. The University will make reasonable efforts to accommodate the needs of employees to the greatest possible extent and in a manner consistent with the effective and efficient operation of the University. [When faculty members assist in accommodation of a colleague’s leave plan, every effort will be made to recognize and compensate those people for extra services provided.] The Academic Dean should forward the proposed plan to the Executive Vice President for Academic Affairs and Provost for approval. [Then to the Business Office-Human Resources, to be processed pursuant to Section 10.060.4 of this Code.]

10.060.3 Employees without Faculty Rank

ITEM 12

1. Medical Leave Accumulation
   Full-time employees without faculty rank earn one day of leave for each month of service. Employees who [are] work at least half-time receive prorated leave accumulation.

2. Medical Leave
   a. Employees may request Medical Leave for medical reasons, including pregnancy, for the period of time that the employee is unable to work as determined by his or her healthcare provider. The employee should request such leave through his or her Supervisor, with appropriate paperwork approved by the appropriate member of the President’s Staff and submitted to the [Business Office-] Human Resources Office. The University may request appropriate documentation, including a physician’s statement. The University reserves the right to a second opinion at its cost.
   b. Medical Leave will be on full pay to the extent of the accumulated leave. FMLA leave and leave without pay may be applicable.
   c. [Medical Leave related to pregnancy is limited to six weeks’ duration unless a physician documents a medical need for additional leave.]

ITEM 13

ITEM 14

3. Family Leave
   a. Family Leave may be granted for a period of up to 16 weeks during any 12-month period of employment under the following circumstances:
      i. Care for qualifying employee’s newborn or placement of a child (age 5 years or less unless the child is disabled or there are extraordinary circumstances) with the employee for adoption. Family leave taken in conjunction with the birth or adoption of a child must be taken within one year of such birth or adoption.
      ii. Care of the employee’s spouse, child, or parent with a serious health condition.
   b. Family Leave may be taken as paid leave to the extent the employee has leave accumulated to cover the 16-week period.
   c. FMLA leave and leave without pay may also be applicable.
Attachment 2

d. [An employee requesting paid Family Leave must certify that he or she is a primary caregiver.] In the case of Family Leave related to childcare, if the University employs both parents, then the combined leave of both parents will not exceed 16 weeks, using accumulated leave and leave without pay if applicable.

e. An employee requesting paid Family Leave for the care of a spouse, child, or parent due to a serious health condition [may] will be asked to provide a physician’s documentation of the serious health condition. [and the employee will need to certify that he or she is a primary caregiver.]

f. Employees requesting paid Family Leave should work with their Supervisors at the earliest opportunity to discuss alternate work schedules, reduced duties, project-specific work and/or transportable work. The goal would be to find an arrangement that is acceptable for all parties involved. The University will make reasonable efforts to accommodate the needs of employees to the greatest possible extent and in a manner consistent with the effective and efficient operation of the University. The Supervisor should forward the proposed plan to the appropriate President’s Staff for approval, then to the [Business Office-] Human Resources Office to be processed pursuant to Section 10.060.4 of the Code.

4. Medical Leave Bank Program

a. [There is hereby created a Medical Leave Bank Program to assist employees who face their own catastrophic illness or need to care for a spouse, child or parent when such spouse, child or parent is suffering from a catastrophic illness and the employee is faced with the exhaustion of paid leave benefits during recovery from such illness.]

b. Catastrophic illness is defined as a serious health condition of an employee or employee’s spouse, child or parent which requires the employee’s absence from duty for a prolonged period of time leading to the exhaustion of all the employee’s earned medical leave, annual vacation leave, and compensatory leave time. Such serious health condition must be seriously incapacitating, of extended duration, and be certified by a physician.

c. Under the Medical Leave Bank Program, employees may contribute a portion of their own unused medical or vacation leave to a community medical leave bank for the use of employees who have exhausted their own medical, vacation and compensatory leave on account of a catastrophic illness as defined above. The purpose of this program is to allow employees to share their medical and vacation leave with fellow employees who are in need.]

d. The President of the University is authorized and directed to establish written policies and guidelines for the implementation and administration of the Medical Leave Bank Program. These policies and guidelines will establish University practices relating to program startup, enrollment in the program, eligibility for benefits under the program, donation of medical and vacation leave time to the program, procedures for considering requests for leave [establishment of an administrative committee to consider applications for benefits], establishment of an appeals process, and such other policies and guidelines as the President deems necessary for the operation of the program consistent with existing Board Policies.
Attachment 2

e. [Employees must exhaust their remedies under this Medical Leave Bank program before they can be considered for Extended Medical Leave under Section 10.060.1 of the Board of Governors Code of Policies.]

10.060.4 Implementation and Management

1. Personnel Responsible/Administration

   a. Employees: Responsible on an ongoing basis for submitting timely reports of Medical Leave taken to their Supervisor or Academic Dean. Communicate with Academic Dean at earliest opportunity when leave is anticipated.

   b. Academic Deans: Faculty should speak with their Academic Dean first about seeking Medical and Family Leaves and should be referred to the Human Resources Office to complete the process.

   c. Supervisor: Employees with non-faculty status should speak to their immediate Supervisor first about seeking Medical and Family Leaves and should be referred to the Human Resources Office to complete the process.

   d. Executive Vice President for Academic Affairs and Provost: The Executive Vice President for Academic Affairs and Provost is consulted by the Academic Dean and approves or does not approve the recommended leave for academic employees after consultation with the Human Resources Office to document and approve the need for leave.

   e. Appropriate President’s Staff: The Supervisor of non-academic employees consults with the appropriate President’s Staff member who approves or does not approve the recommended leave after consultation with the Human Resources Office to document and approve the need for leave.

   e. Members of the [Business] Human Resources Office, benefits coordinator and comptroller: [Business] Human Resources Office personnel verify leave approvals for compliance with the policy, verify calculation of paid leave available and keep records of leaves. The Executive Vice President for Academic Affairs and Provost and appropriate President’s Staff member will consult with Human Resources prior to approving leave.

2. [Discipline/Enforcement]

   a. If an employee believes his or her Supervisor or Academic Dean or appropriate President’s Staff member is not correctly applying this policy, a written appeal may be submitted to the Human Resources Office by non-faculty status employees or to the Executive Vice President for Academic Affairs and Provost by faculty employees.

   b. If it is determined that an employee has violated the terms and/or criteria of Medical Leave and/or Family Leave, then consequences will be enforced from among the following, but not limited to:
1. Employee may be required to reimburse the University for any paid leave which was granted improperly due to any misconduct or misrepresentation on the part of the employee.

2. Termination of employment, if circumstances warrant.]

10.060. Medical Leave Covered by Workers’ Compensation.

Medical leave shall be granted to persons who are covered by Workers’ Compensation or other forms of insurance to which the University contributes, only to the extent to which these medical leave provisions exceed income from Workers’ Compensation or insurance to which the University contributes or provides matching funds.

10.070. Vacation Leave. Vacation leave is administered in the following manner.

10.070.1. Full-Time Contract Employees. Vacation leave for full-time employees serving on 12-month contracts accrues at the rate of 1.25 days per month (15 working days per year). At the beginning of the 15th year of continuous employment, vacation leave accrues at the rate of 1.67 days per month, which totals 20 days per year.

10.070.2. Full-Time Non-Contract Employees. Vacation leave for full-time employees not serving on contracts for definite periods accrues at the rate of \( \frac{5}{6} \) \( \frac{0.83}{1.25} \) days per month, which totals 10 working days per year, during the first five years of continuous employment. From the beginning of the sixth year of continuous employment to the beginning of the 15th year, vacation leave accrues at the rate of \( \frac{1}{4} \) \( \frac{1.25}{1.67} \) days per month, which totals 15 working days per year. At the beginning of the 15th year of continuous employment, vacation leave accrues at the rate of \( \frac{1}{2} \) \( \frac{2}{3} \) \( \frac{1.67}{20} \) days per month, which totals 20 working days per year.

10.070.3. Other Employees. Vacation leave for part-time employees who work at least 20 hours per week or for full-time employees employed less than 12 months per year accrues at a rate proportionate to that of full-time [contract] similarly classified contract or non-contract employees who work 40 hours per week on twelve month contracts unless other provision for vacation leave is included in the individual employee contract.

10.080. Annual Holidays. The President of the University is authorized to establish staff holidays for each year with the proviso that such holidays are not to exceed thirteen days in a fiscal year.

10.090. Copyrights. Royalties or profits from materials developed by employees utilizing University time, supplies or equipment are to be divided on an equitable basis between the employees and the University based on the value of the respective contributions. The President of the University is authorized to promulgate and implement policies for the development, use and commercial or other exploitation of such materials.

10.100. Inventions and Patents. Royalties or profits from inventions developed by employees utilizing University time, supplies or equipment are to be divided on an equitable basis between the employees and the University based on the value of the respective contributions. The President of the University is authorized to promulgate and implement policies for the development, use and commercial or other exploitation of such inventions.

10.130. Voluntary Tax Sheltered Plans. Properly licensed companies are authorized to sell voluntary personal investment and savings plans to University employees upon providing reasonable assurances to the University that the deductions from employees’ salaries will meet the
requirements for "tax sheltered" plans. The President of the University is authorized to develop and implement policies and procedures for employees to purchase such plans through the University, including a provision for a minimum level of sales to University employees by each company.

**ITEM 19. [Workers' Compensation for Officers. Section 287.090(4) of the statutes provides that salaried officers of a corporation, organized pursuant to the laws of this state, are not automatically included in coverage under the Workers' Compensation Law unless specifically approved by the board of directors of the corporation. The Board of Governors approves the awarding of such workers' compensation coverage for officers of the University as permitted by Chapter 287 of the statutes.]**

**ITEM 19.** Employees Represented by Union. Certain employees of the Physical Plant Department are represented by a labor organization as provided in Section 105.530 through Section 105.600 of the statutes. The organization selected by the employees is the Laborers Local 773 of the Laborers International Union of North America, AFL-CIO. Representatives of the Union meet with representatives of the University to confer and discuss proposals relative to salaries and other conditions of employment for the employees represented by the labor organization. The results of such discussions are presented to the Board of Governors and the matters agreed upon by the Board and the Union are contained in memorandums of agreement for agreed periods, normally two years each.

**ITEM 19.** Salary Policies. The Board of Governors approves salary policies on an annual basis, normally at its regular meeting in the month of June. Salary policies are effective for the period stated in the policies, normally one fiscal year, or until replacement salary policies are approved by the Board. Copies of the latest salary policies approved by the Board are available for review at the President's Office. The President of the University determines the compensation for any employees not covered by the salary policies, and the amounts of such compensation are reported to the Board as individuals are employed. Employees may not "pyramid" salaries by undertaking extra assignments for additional pay during periods of full-time University employment, unless such assignments are specifically recognized as overloads and approved by the President of the University on a case-by-case basis.

**ITEM 19.** Political Activities. The following are the regulations concerning political activity and holding of public office by members of the University staff and faculty:

1. Activity in Political Party Organizations:

   a. Members of the staff and faculty may engage in lawful political activities:

      (1) of organizations or political parties qualified to place candidates on the ballot in accordance with Missouri statutes or of political parties seeking such qualification,

      (2) of non-partisan or bipartisan groups seeking the election of candidates to public office or the approval or disapproval of issues which are or may be submitted to the voters for approval, or

      (3) on behalf of individual candidates for public office, including candidates for membership of any political committee established by Chapter 120, RSMo.
b. Such activity, like any other personal, non-official undertaking, must be done on the individual's own time and should not interfere with University duties.

c. Members of the staff and faculty may contribute funds to any of the above parties, groups or candidates, or expend funds on behalf of the above parties, groups, candidates or issues, subject only to State and Federal laws, which regulate political contributions.

2. Election to or Holding Public Office:

Any staff or faculty member, before he or she announces officially as a candidate for, or accepts any elected office, must inform his or her supervisor of such intention, and such supervisor must make the fact known to the President of the University through appropriate channels. If the regulations permit, the President will offer no objection to the candidacy, provided it does not require time or attention that should be given to University duties.

a. Subject to the requirements of notice to the President, a staff or faculty member may, without permission of the President, become a candidate for and hold a part-time position as member of a school board, member of a city council, member of a county legislative body or other local school or municipal office which is part-time. In case of doubt, the President shall decide if the candidacy is permissible under these regulations. Such activity must be conducted on the individual's own time and shall not interfere with University duties.

b. The holding of any elective full-time office in local, county, State or Federal government is forbidden while the person is serving on the University staff or faculty. Before accepting such an office, a person is required to resign his or her University post. A person seeking election to such an office must resign or request an unpaid leave of absence as of the date of filing in the primary election. The President of the University is authorized and directed to establish policies and procedures for the grant of such unpaid leave of absence pursuant to these provisions relating to political activities.

3. This policy is subject to any applicable provision of law, or determination of the Missouri Ethics Commission.


A"financial exigency" is defined as a budgetary or financial emergency of such severity that it cannot be reasonably managed except by a retrenchment. The financial emergency contemplated by this policy, by its nature, requires fundamental, long term changes in the University’s business operation.

"Retrenchment" is defined as a reduction, discontinuance or merger of programs or services which results in termination of tenured faculty or in the termination of term appointments during their term.

1. Declaration of Financial Exigency. Should a budgetary or financial emergency arise which, in the judgment of the President of the University requires retrenchment, the President will present the facts and circumstances to the Faculty Senate as soon as possible. The President will then meet with the Faculty Senate one week following that presentation for suggestions
and comments. If, at that point, the President thinks that a financial exigency should be declared, the President will present the facts and circumstances to the Board of Governors. If the Faculty Senate does not agree that financial exigency should be declared, they will present their case to the Board of Governors in writing at the same time. The Board of Governors will determine whether a financial exigency exists. In considering the President’s request for the declaration of financial exigency, the Board will take into account the nature and circumstances of the financial emergency, the severity of the emergency, the expected duration of the emergency, the President’s analysis of the situation and the totality of the circumstances surrounding the matter.

2. **Comment Period.** If the Board of Governors determines that a financial exigency exists, the President shall establish a Financial Exigency Committee. The membership of the Financial Exigency Committee will be as follows: the President of the University [chair], the President of the Faculty Senate, a representative of the faculty chosen by the Faculty Senate, the chief financial officer of the University, and the Executive Vice President for Academic Affairs and Provost. The Financial Exigency Committee (hereinafter referred to as the “Committee”) shall prepare a detailed financial analysis of the situation and communicate this analysis to the Faculty Senate, to the President’s Administrative Council, to the Staff Council and to the Student Government, inviting timely comment and suggestions from all of these constituencies. The Committee shall also seek advice and recommendations from Academic Deans, Department Chairs, and other administrative supervisors. All constituents consulted by the Committee are encouraged to make written recommendations for the Committee’s consideration.

3. **Committee’s Recommendation.** After communicating with faculty, staff and students, the Committee shall include a summary of their comments and suggestions as part of the Committee’s recommendation to the Board of Governors. The Committee’s recommendation to the Board will include the Committee’s plan for addressing the financial exigency including a detailed plan for retrenchment in employment. This plan shall include an evaluation of tenured faculty staffing needs based on functional necessity while considering seniority and tenure status.

   If the Committee’s recommendation includes a plan for termination of term appointments during their term, such recommendation will also include an evaluation of the appointments proposed for termination based on functional necessity while considering seniority. The plan will include a timetable for implementation of the plan, should such plan be approved by the Board. The timetable shall include provision for as much notice as is reasonably practicable under the circumstances to the faculty whose employment will be terminated if the plan is approved and implemented.

4. **Retrenchment Criteria.** In preparing a recommendation for the Board, the Committee will first seek to protect the core functions of the University, as defined in the University’s Mission Statement. These core functions include classroom instruction, the library and non-academic services essential to fulfilling the University’s mission. The Committee will give due consideration to comments and advice from Faculty Senate, the Academic Deans, Department Chairs and other administrative staff, the staff council and the Student Government.

   The Committee’s plan for termination of tenured faculty positions or for termination of term appointments during their term, shall give due consideration to seniority in terms of rank and length of service. The final selection will be made on the basis of best overall qualifications.
in light of the needs of the University as determined by the Committee. In such cases where all other considerations are equal, seniority will be the determining factor. Termination of tenured faculty appointments or termination of faculty term appointments during their term, shall be subject to approval of the Board of Governors. If, within two years after eliminating a tenured faculty position pursuant to this policy, the University determines to reinstate such position, the tenured faculty member who formerly held such position shall be notified of such action, if possible, and shall be rehired in their former position if they so desire. The University will make a good faith effort to locate and notify the former faculty member so affected. The conditions of such reemployment will be determined at that time.

5. Final Board Determination. While the Board of Governors may make its final decision while in closed session, the Board will first conduct a public hearing to accept comment and suggestion regarding the Committee’s recommendation. Such public hearing shall be publicized at least 2 days in advance. In considering the Committee’s recommendation for responding to the state of financial exigency, the Board will take into account the nature and circumstances of the financial exigency and its severity; the expected duration of the emergency; the Committee’s analysis; comments and advice from Faculty Senate, the Academic Deans, Department Chairs and other administrative staff; the staff council; the Student Government; the Committee’s recommendation for a retrenchment plan; and the totality of the circumstances surrounding the matter. The Board may approve the Committee’s plan as presented or amend it as the Board determines. Upon a declaration of financial exigency by the Board and the approval of a plan of retrenchment, the President will proceed to carry out the plan in accordance with the timetable set out in the approved plan. Any declaration of financial exigency shall be for a finite and defined period of time, will be reviewed annually by the Board of Governors and will be subject to extension if the Board determines it necessary to do so following such annual review.
ITEM J
Agenda Items for Future Meetings

DESCRIPTION AND BACKGROUND

A list of projected agenda items for the regular meetings during the next year follows this page.

RECOMMENDED ACTION

This is a discussion item only.

ATTACHMENT

List of Projected Agenda Items
LIST OF PROJECTED AGENDA ITEMS
Regular Meetings of Board of Governors
Year Following the October 2015 Meeting

October 2015 Meeting
Participation in campus events
Minutes for open session of last meeting
President’s report
Legislative consultant report
Advancement and/or foundation report
Academic affairs report
Student affairs report
Annual enrollment management report
Financial report
Audit report
Construction projects report
Dates and agenda items for future meetings
Minutes for closed session of last meeting
Personnel actions report

December 2015 Meeting
Participation in campus events
Minutes for open session of last meeting
President’s report
Advancement and/or foundation report
Academic affairs report
Student affairs report
Financial report
Construction projects report
Housing charges for next fiscal year
Selection of officers for 2016 calendar year
Annual board committee appointments
Annual foundation board appointments
Dates and agenda items for future meetings
Minutes for closed session of last meeting
Personnel actions report
Paid leaves of absence for next fiscal year
Tenure review for faculty members completing their review period at end of fall semester

February 2016 Meeting
Participation in campus events
Annual photograph of board and president
Recognition of 2015 board chair
Minutes for open session of last meeting
President’s report
Advancement and/or foundation report
Academic affairs report

(Note: Agenda items noted in red are discretionary reports and subject to change.)

Board of Governors – August 1, 2015
Student affairs report
Annual student government report
Financial report
Construction projects report
External audit firm (as contract expires)
Academic calendar (as needed)
Board of governors conflict of interest policy review
Dates and agenda items for future meetings
Minutes for closed session of last meeting
Personnel actions report
Annual general counsel evaluation committee appointments

April 2016 Meeting
Participation in campus events
Minutes for open session of last meeting
President’s report
Advancement and/or foundation report
Academic affairs report
Student affairs report
Annual faculty senate report
Financial report
Construction projects report
Depositary bank for next two fiscal years (as contracts expire)
Food service contractor (as contracts expire)
Bookstore contractor (as contracts expire)
Enrollment fees for next fiscal year
Dates and agenda items for future meetings
Minutes for closed session of last meeting
Personnel actions report
Treasurers for next fiscal year
Annual general counsel evaluation and appointment for next fiscal year
Board begins annual presidential review process as outlined in presidential review timeline

June 2016 Meeting/Retreat
Participation in campus events
Minutes for open session of last meeting
President’s report
Advancement and/or foundation report
Academic affairs/assessment report
Student affairs report
Financial report
Construction projects report
State capital funds request for next legislative session
Operating budgets for next fiscal year
Salary policies for next fiscal year
Union agreement renewal (in even numbered years)
Dates and agenda items for future meetings

(Note: Agenda items noted in red are discretionary reports and subject to change.)

Board of Governors – August 1, 2015
Minutes for closed session of last meeting
Personnel actions report
Tenure review
Faculty promotions
Annual presidential review and salary consideration
Annual general counsel salary consideration

August 2016 Meeting
Participation in campus events
Minutes for open session of last meeting
President’s report
Advancement and/or foundation report
Academic affairs report
Student affairs report
Annual athletics report
Financial report
Construction projects report
Local capital budgets for FY2017
State appropriation request for FY2018
Honorary degree consideration
Dates and agenda items for future meetings
Minutes for closed session of last meeting
Personnel actions report
Board concludes annual presidential review process as outlined in presidential review timeline

The following items will be added to the agendas as needed:

University strategic plan reports
Campus master plan reports
Reports from administrative areas
Approval of new or revised policies
Approval of architects and/or engineers for construction projects
Approval of new construction projects over $100,000
Approval of equipment purchases and leases over $100,000
Approval of consulting services over $10,000
Approval of change orders for major changes in construction projects
Approval of real estate acquisitions
Litigation and legal action reports

(Note: Agenda items noted in red are discretionary reports and subject to change.)

Board of Governors – August 1, 2015
ITEM K
Dates for Future Meetings

DESCRIPTION AND BACKGROUND

It is helpful to schedule, at least tentatively, the dates for board meetings during the next year. The tentatively scheduled dates are subject to change by the Board, but the preliminary action permits both Board members and staff members to avoid the scheduling of other activities on the targeted dates for board meetings. In addition to the regularly scheduled meetings, special meetings can be called by the President of the Board or by three members of the Board. A schedule of calendar events for the next year follows this page.

RECOMMENDED ACTION

BE IT RESOLVED that the next regular meeting of the Board of Governors be scheduled for Friday, October 9, 2015, on the University campus in Kirksville, Missouri, beginning at 1:00 p.m., with the understanding that the Chair may alter the starting time and/or place for the meeting by giving due notice of such change; and

BE IT FURTHER RESOLVED that other regular meetings of the Board during the next year be tentatively scheduled for the following dates:

   Saturday, December 5, 2015;
   Saturday, February 6, 2016;
   Saturday, April 9, 2016;
   Saturday, June 11, 2016;
   Saturday, August 6, 2016.

Moved by
Seconded by
Vote:  Aye
      Nay

ATTACHMENT

Calendar of Events August 2015 – August 2016
<table>
<thead>
<tr>
<th>Year</th>
<th>Month</th>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>August</td>
<td>1</td>
<td><strong>BOARD OF GOVERNORS MEETING</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>12</td>
<td>Fall Opening Assembly, 9:00 a.m.</td>
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<td></td>
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<td>13</td>
<td>&quot;Ready or Not&quot; Faculty/Staff Luncheon</td>
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<td></td>
<td>15</td>
<td>Fall Semester Begins with Truman Week</td>
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<tr>
<td></td>
<td>September</td>
<td>7</td>
<td>Labor Day</td>
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<td></td>
<td></td>
<td>19</td>
<td>Family Day</td>
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<tr>
<td></td>
<td></td>
<td>19</td>
<td>Home Football - Missouri S &amp; T</td>
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<tr>
<td></td>
<td></td>
<td>26</td>
<td>September Showcase</td>
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<tr>
<td></td>
<td>October</td>
<td>5-10</td>
<td>Homecoming Week</td>
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<td>9</td>
<td><strong>BOARD OF GOVERNORS MEETING (TENTATIVE DATE)</strong></td>
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<tr>
<td></td>
<td></td>
<td>10</td>
<td>Home Football - Southwest Baptist</td>
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<td>15-16</td>
<td>Mid-Term Break</td>
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<tr>
<td></td>
<td>November</td>
<td>7</td>
<td>Home Football - St. Joseph's College</td>
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<td></td>
<td></td>
<td>7</td>
<td>November Showcase</td>
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<tr>
<td></td>
<td></td>
<td>14</td>
<td>Home Football - McKendree University</td>
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<tr>
<td></td>
<td></td>
<td>26</td>
<td>Thanksgiving</td>
</tr>
<tr>
<td></td>
<td>December</td>
<td>5</td>
<td><strong>BOARD OF GOVERNORS MEETING (TENTATIVE DATE)</strong></td>
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<tr>
<td></td>
<td></td>
<td>12</td>
<td>Winter Commencement, 11:00 a.m.</td>
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<td></td>
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<td>25</td>
<td>Christmas Day</td>
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<tr>
<td>2016</td>
<td>January</td>
<td>1</td>
<td>New Year's Day</td>
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<tr>
<td></td>
<td></td>
<td>11</td>
<td>Spring Classes Begin</td>
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<td>18</td>
<td>Martin Luther King Day</td>
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<td></td>
<td></td>
<td>23</td>
<td>January Showcase</td>
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<tr>
<td></td>
<td>February</td>
<td>6</td>
<td><strong>BOARD OF GOVERNORS MEETING (TENTATIVE DATE)</strong></td>
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<td></td>
<td>March</td>
<td>7-11</td>
<td>Mid-Term Break</td>
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<td>19</td>
<td>Senior Showcase</td>
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<td></td>
<td></td>
<td>28</td>
<td>Spring Break</td>
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<td></td>
<td>April</td>
<td>9</td>
<td><strong>BOARD OF GOVERNORS MEETING (TENTATIVE DATE)</strong></td>
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<td>9</td>
<td>Foundation Board Meeting and Banquet (Tentative)</td>
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<td>19</td>
<td>Student Research Conference</td>
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<td></td>
<td>17-19</td>
<td>Association of Governing Boards National Conference on Trusteeship (Washington, D.C.)</td>
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<td></td>
<td></td>
<td>23</td>
<td>Junior Showcase</td>
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<tr>
<td>Month</td>
<td>Date</td>
<td>Event</td>
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<tr>
<td>May</td>
<td>7</td>
<td>Spring Commencement, 2:00 p.m.</td>
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<td>30</td>
<td>Memorial Day</td>
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<td></td>
<td>31</td>
<td>Summer School Begins</td>
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<tr>
<td>June</td>
<td>11</td>
<td>BOARD OF GOVERNORS MEETING/RETREAT (TENTATIVE DATE)</td>
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</tr>
<tr>
<td>July</td>
<td>4</td>
<td>Independence Day</td>
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<tr>
<td>August</td>
<td>6</td>
<td>BOARD OF GOVERNORS MEETING (TENTATIVE DATE)</td>
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<tr>
<td></td>
<td>17</td>
<td>Fall Semester Begins with Truman Week</td>
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ITEM L
Agenda Items for Closed Session

RECOMMENDED ACTION

BE IT RESOLVED that this meeting be continued in closed session, with closed records and closed votes as permitted by law, for consideration of the following items as authorized by Section 610.021, Revised Statutes of Missouri:

1. Approval of minutes for the closed session of the last meeting under Subsection 14 of the statute for “Records which are protected from disclosure by law”;
2. Individual personnel actions under Subsection 3 of the statute for “Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded”;
3. Confidential communications with the General Counsel; and

BE IT FURTHER RESOLVED that if any business not covered by the stated reasons for the closed session is raised during the closed session, then this meeting shall be reopened to the public and an announcement about a resumption of the open session shall be made in the hallway outside of the meeting room.

Moved by __________________________
Seconded by _________________________
Vote:
Aye ______________________________
Nay ______________________________