University of Missouri System
Review Commission Report

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December 31, 2016

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Authorization, Members and Meetings

The Missouri Senate and House of Representatives established the University of Missouri System Review Commission under Senate Current Resolution No. 66. (Appendix A) in May 2016. The following members were appointed: Neil Bredehoeft, Robert Duncan, Gary Forsee, Renee Hulshof, Jeanne Sinquefield, Dave Spence, Pamela Washington and Michael Williams.

Prior to the first meeting, Governor Jay Nixon withheld all funding for the Commission, citing budgetary constraints. This has affected the commission's ability to do its work and the depth of analysis done.

At the first meeting in August 2016 at the Missouri Capitol, Jeanne Sinquefield was elected Chairperson and Gary Forsee was elected Vice Chairperson. The members decided to continue the commission without funding. The Commission in its first meeting decided to have future meetings at the four campuses of the University of Missouri System in Columbia, Rolla, Kansas City and St. Louis. All agendas and approved minutes were to be made available on the commission website - umcommission.com. The final commission report will also be on the website, due December 31, 2016. Hard copies are to be provided to the Speaker of the House of the Representatives, the President Pro Tempore of the Senate, and to the President of the University of Missouri System.

Focus of the Commission

The Commission chose to focus on four areas with two members allocated to each topic. At each meeting, the members reported on their progress. Each Chancellor met with the Commission in addition to formal presentations by University of Missouri staff on Extension, Budget, and Diversity. Individual commission members also met with numerous staff, faculty, and students from all four campuses, and other Missourians across the state. The UM system and the four campuses were helpful in setting up meetings, and responding to requests for data. We also want to thank the state legislative staff for their help in announcing meetings, etc. (See https://missouri.app.box.com/v/review/commission for data provided by the UM system) The Board of Curators also sent response to our request of areas they felt were of concern. (see Appendix B). Other sources were websites for the Universities, and the Department of Higher Education, and numerous meetings and discussions with staff, faculty and others.

Our task was to handle the overwhelming data and information on the University, and deal with the difficulty of merging information from a variety of sources.

The four topics for which recommendations are being made are as follows:

- Governance, Accountability and Administrative Agility – Bredehoeft, Forsee
- Workforce Readiness, Program Analytics and Articulation - Spence, Williams

- Diversity, Title IX, Freedom of Speech and Academic Freedom - Hulshof, Washington
- Research, Extension and Distance Learning/e-learning - Duncan, Sinquefield

The Role of the University of Missouri System

With an annual budget of more than $3 billion, the University of Missouri System and its four campuses are very important to the State of Missouri. The four campuses within the system are the University of Missouri (Columbia), Missouri University of Science and Technology (Rolla), University of Missouri—St. Louis, and University of Missouri—Kansas City. The University of Missouri campus is a member of the AAU (62 members in total) which includes the top research institutions in the U.S.

In Missouri, the UM System accounts for 50% of B.A.'s, 60% of all degrees and certificates, 80% of STEM degrees and almost 100% of Ph.D's, M.D., Veterinary, Law, Pharmacy, Optometry, and Dentistry degrees of public universities and colleges. Currently, the System has more than 77,000 students, 6,000 faculty and 17,000 staff.

Besides teaching and research, the UM System is "comprised of a statewide health care system, multiple research parks and incubators, agricultural research stations, and a vast network of Small Business & Technology Development Centers, Extension Centers (in almost every county), Telehealth Network sites and MoreNet sites."

For 2016, the state of Missouri allocated $427 million of the System's $1.2 billion operating budget. Currently, net tuition revenues account for 50% of that amount, the state funds 35% and other sources contribute 15% of the operating budget. Of the total Missouri state budget for all higher education ($1.258 billion), the UM system receives $427million or 34% of the state total.

Given the flat funding from the legislature (3% increase from 2008), tuition caps (State Statue 137.1003) to CPI, while increasing the number of students, the UM System is under continuing pressure to reduce costs. The total revenue per full time student is down 17% since 2008. The System also has a number of construction projects that are awaiting matching funding. Matching funding is where a university raises half the funds for a new building and the state matches the remaining half.

Funding constraints of universities is a problem across the U.S.—not just in Missouri. This funding squeeze results in a) higher tuition for students; b) reduction in tenure-track faculty (currently 40% of UM faculty); c) increased competition for federal and state funding for research; and d) reduced construction of new facilities. Universities are adapting by a) increasing the number of distance learning classes; b) increasing class sizes; and c) limiting students in higher cost majors and degrees programs.

<u>Governance, Accountability and Administrative Agility</u>

Curator Appointments and occupational diversity

Governor-elect Eric Greitens will have up to five System Curator appointments to take before the Missouri Senate as he takes office in January. In addition to the importance of race and gender diversity of the Board of Curators, **the Commission strongly believes that OCCUPATIONAL diversity is a critical component for selection.** The University is a very large, complicated organization and touches every corner of our state, every one of the United States and is present around the world. Experience and acumen in occupations where we educate is critically important.... health care, agriculture, the sciences, journalism and business, to name a few. The wisdom of support and advice generated by a Board, diverse in its experience and occupational backgrounds is a best practice by every complex entity and should be practiced in the appointment of Curators of the University of Missouri System.

The University of Missouri System will conduct a review of its collected rules and regulations

The University System should examine best practices from other Universities around the country, with particular emphasis on the AAU and land grant institutions. The System should look for and describe best practices to serve faculty, students, and administrators in making changes. The Board of Curators should make its report back to the General Assembly of the preliminary results of its review by December 31, 2017, including a schedule for implementation of changes.

The University of Missouri System will establish a broad set of accountability measures, a scorecard

The measures should be by campus and should be across the mission of teaching, research, service, and economic development. The initial report should be available by January 15, 2018. Transparency of the results of the System is paramount in this process to prove value and track progress toward goals and benchmarks of best in class.

The System should continue to examine its progress in implementing shared services across its four campuses

The objective here is leverage and efficiency, not to undermine the unique nature of the four campuses individually. The tone for this approach has been set since the establishment of the System, has been reinforced multiple times historically...including in the Knight Report commissioned by the President of the System in 1986, and as the Shared Services initiative was put in place in the 2010 time-period with support of the AT Kearney firm. Benchmarks are clear and available across areas such as purchasing, processing, human resource process management, contract administration and management, information technology, etc. Management of data and

the associated information technology became a constant concern of the Commission impacting every topic of discussion: what data is available, where is it housed, how is it accessed and used, how is it protected, and what processes are in place to support the integrity of the data. In its review of progress toward efficient shared services across the System, this should be a key topic for inclusion by the System and its four campuses.

The Senate should undertake a review of Missouri State Statue 173.1003.1 (2007 Senate Bill 389) entitled "Change in tuition rate to be reported to board - permissible percentage change, exceptions, definition" (latest revision August 28, 2016)

The Senate Bill puts unnecessary and burdensome tuition controls in place across all of the four-year public institutions. The needs of each campus are unique and The Governing Boards should be given back this responsibility.

Workforce Readiness, Program Analytics and Articulation

Introduction

In examining Workforce Readiness, Program Analytics and Articulation, our focus in on providing relevant and rigorous education that is connected, responsive and real so that graduates are a part of the thriving Missouri economy. That goal requires examining and eliminating duplicative, unnecessary or ineffective programs and course offerings and considering reforms that build skills and knowledge for career fields where we expect to see a deficit in the coming years. Thus, the following reforms should be examined and considered:

Legislative Recommendations

As with any large business, budgeting and planning are keys to success. Moving the UM System to a two-year funding cycle from the legislature will allow more accurate forecasting, planning, and budgeting; allowing the UM System to function better and putting more focus on educating students and retaining key faculty members.

System Recommendations

Eliminate Maintenance Endowment

In all new construction projects where the Columbia campus assesses a fee, a maintenance endowment fund be established in addition to the payment of prevailing wage rates. The required maintenance endowment fee greatly inflates the cost of new construction and hinders growth. In some cases, the combination of prevailing wage and required maintenance endowment fund can inflate construction costs by up to forty percent or more compared to

competitively bid construction. The System should review and revise the current system to encourage investment in new building and make fundraising less challenging.

Comprehensive Data Regarding Institutional Performance and Progress on Access, Cost and Outcomes

There must be a renewed focus on the data and systems needed to measure institutional performance and progress on access, cost and outcomes. The current system that is being utilized seems disjointed and silo'd making it difficult to analyze and understand which programs are successful and which are failing. In order to live up to its potential and show the legislature it is being a good steward of tax dollars, the UM System has to have comprehensive and readily available data so that parents, students and the public can see that the mission of the UM System is being met.

Engage Business Partners

There must be a renewed focus by the UM System to engage business partners to understand and meet their needs with graduates from the UM System. These partnerships must include input into curriculum, hands-on experiences for students (internships, fellowships, etc.) and faculty willingness to focus on practical experiences graduates will need to be successful. This must also include investigating new programs and degrees that meet the needs of Missouri employers. One example could be creating a Packaging Engineering Degree as there are only three offered nationally (Michigan State, Clemson, and Fresno State) and it is a rapidly growing field that Missouri employers value and seek out.

Differential Tuition

The UM System must be allowed to align the costs and value of degree programs by being able to utilize differential tuition. This would allow for more faculty and staff in the programs that require more guidance and expensive laboratory equipment (engineering, accounting, etc.) which will in turn put more highly skilled graduates in the workforce.

Sharing of Programs/Classes Across Campuses

The UM System must address and utilize more sharing of programs and classes across campuses. While this may mean less independence and autonomy between campuses, it will produce more quality programs in the UM System by bringing our best and brightest faculty to our students without being limited by geography.

The UM System must foster and aid the growth of its most in demand programs. Programs such as accounting, nursing and personal financial planning are in high demand and enjoy healthy placement rates. The UM System is the primary educational arm for the State of

Missouri and must focus on providing skilled professions that meet the needs of Missouri employers.

The UM System must develop a holistic approach to addressing and fostering entrepreneurial thinking. Currently, the approach seems fractured, duplicative and not focused on what is in the best interest of the future entrepreneur. The System needs to facilitate a program across all campuses that fosters the growth of all students and matches up students from different campuses so that no great idea is left floundering. The System should also evaluate an entrepreneurial minor across all four campuses. An example of this is the Entrepreneurial studies program administered by the Trulaske Business School on the Columbia campus. Greg Biehr has developed this program over the last five years and—if combined and coordinated with initiatives at other campuses—the System could see an enormous return on its investment.

Diversity, Title IX and Freedom of Expression

Pro-active communications strategy for issues related to diversity and all student activities

This strategy and plan should be clearly tied to a System vision that puts students at the center, much in the way that UMKC does. Consider more concise ways of addressing student needs as racially sensitive incidents occur—whether they be on campus, in the same city, state or nation. Even simple reminder of resources available to students would be helpful. It is not necessary that the System or a campus take a position on an incident--merely be pro-active that students may have needs or concerns as incidents arise.

Gather and examine pertinent student diversity data

Universities are known for having mountains of data. The frustration of this committee has been that the data related to issues of diversity (applications, admissions, degrees, graduations, graduate programs) has not been accessible in one concise report, cross-tabbed and researchable.

The old proverb, "You don't know where you're going until you know where you've been," is never truer than here. How can the System possibly set goals for a diverse recruitment or graduating class if it cannot pinpoint what it has today? Does the System have a diverse graduating class across all campuses, in all varying degree programs?

This type of data should be reported to the legislature and on all campuses at every level and reviewed at regular intervals. Any goal related to improving campus or system diversity should be set against these as starting benchmarks.

Faculty and staff diversity goal

The University System does not supply a substantive breakdown of faculty and staff diversity. It should be gathered and made available to all campuses and the legislature on a

regular basis. As citizens, we should know what the diversity makeup is of each school within any of the system campuses. And we should know what the goals are what is to be done to achieve them and the cost associated with achieving them.

These goals should be both optimistic and realistic and set against national standards attainable at like campuses. Recently, the Office of Diversity set a 13.4% diverse faculty goal to be achieved in four years. When questioned as to the attainability of said goal, it was referred to as an "aspirational goal." This commission is concerned that failure to meet that goal opens the door for criticism from many quarters (media, legislators). Those desiring the achievement of that goal and more may also be potentially hyper-critical if they perceive the System to be doing too little or falling short of this goal. Aspirational versus realistic is a distinction few in the public will discern.

Required DEI Courses

The University System currently requires students to take a Diversity, Inclusion and Equity class in order to continue with coursework. While the goal of such a class is laudable, the actual long-term effectiveness of such training is unknown. We recommend that the universities fund and carry out research projects to determine the effectiveness of such training on the four campuses and report to the legislature and the media the results of said research, making adjustments to the programs as necessary.

The Diversity Audit

Recently, the System undertook a Diversity, Equity & Inclusion Audit. In it were numerous recommendations for each campus.

The audit came out at a late date, such that the committee did not have the opportunity to review it as a group, nor question the intent, meaning, attainability, cost or desirability of the numerous goals contained in the report. However, some of the broader recommendations contained in this report were issues that this the review commission touched on in conversations prior to the release of the audio and without knowledge of the contents of the audit. Specifically, the task force would like to highlight and emphasize the following from the audit as goals for the entire system:

"Develop a "grow your own" strategy that works for a research-extensive institution, i.e. increase consideration of hiring new faculty granted degrees from MU or other UM institutions."

Our group had extensive conversations surrounding this very idea as a desirable strategy to increase a diverse faculty. Academia has this belief that one must be from "somewhere else" to be an expert in a given field. This flies in the face of the excellence of our own degrees and the outstanding graduates and doctorates the UM system produces.

"Develop better mentoring programs for faculty, staff and students, both same identity and cross-race/identity pairings. Mentoring communication needs to flow both ways. With faculty mentoring, not only should mentors provide information to mentees, but that mentees provide feedback on their struggles to publish/obtain funding such that mentors can forward that information onto P&T committees and other decision-making bodies."

The review commission lamented anecdotal reports of outstanding academicians—beloved by students—who simply felt alone and abandoned without mentor support. It should be formal, encouraged and modeled from the Dean level down.

Build the K-12 pipeline ...throughout the state.

The review commission discussed AT LENGTH current recruitment problems that system has with our in-state students, much less our diverse population. There should be a specific campaign targeting the best and brightest Missouri students and more specifically, all those college eligible of a diverse and ethnic background.

Title IX:

The University of Missouri system has become a model among universities for how to handle Title IX complaints and issues. A review of the process and procedures on each system campus is recommended on a regular basis.

The System should make an annual/bi-annual report to the legislature/media on matters related to Title IX, including but not limited to the number of cases handled, outcome of cases, cases pending, how the system works, adjustments to the system, complaints, etc. Included as a subset in this should be noted how many relate to students involved in athletics, Greek life, and how many involve the abuse of alcohol or other substances.

Academic Freedom:

The System should adopt policies that more clearly articulate the [Recommended Statement: University of Missouri "Commitment to Free Expression" (see Appendix C)](#) on all campuses, making certain they are consistent. These policies should receive the same level of training as Title IX and DEI with faculty and staff. Our universities should have a reputation for being places where the discussion and debate of all ideas is welcome. Our students should be armed with knowledge to argue their own ideas and be well-versed to have conversations in various setting with various people.

Implement Student Voices in Issues of Diversity, Title IX, Freedom of Expression

The DEI Audit made note of adding a student voice to several aspects of the diversity conversation. One thing that this commission noted was the absence of the student voice along the way in several aspects of standing committees or decision making. We realize that students are not on the campuses for extended lengths of time and that the implementation of student voices has pitfalls. However, to the degree that issues directly affect the discipline or daily life of students, every effort should be made to seek the input from student representatives or include student voices in the processes.

University of Missouri System Research, Extension and Distance Learning

Research:

Research is one of the four missions of every faculty member within the UM System, on par with teaching, and more heavily emphasized than service. Research is a key factor in achieving the fourth mission area, which is economic development. Performance in these four areas is considered for tenure, promotion and annual merit-based increases of every faculty member.

Importance of Research

- Bolsters the level of professional development and advanced education of the faculty, students and staff.
- Advances the institution's reputation and national rankings.
- Advances the health, cultural, and economic infrastructure of the region.
- Translates into new businesses and intellectual property licensing opportunities.

Levels of Research Funding

- Levels of extramural research funding at institutions of higher education vary greatly across the U.S., ranging from $0 to $2 billion per year (John Hopkins).

- Federal research money that comes into Missouri is supplemental to—and largely independent of—the state's tax base. Except for a small amount of extension funding, this level of this support is not prescribed by 'block funding' to the states, and hence it is virtually unlimited and based upon the professional excellence of the faculty and the extent of prior institutional staff/facility investments.

- Federal research funding—followed by private funding—are the most significant to a university's reputation. Internal state and university investment in research contribute much less to the university's national reputation than do federal and private funding, since these sources of funding are far more competitive, and decided on the national level.

- Research contributes strongly to our state and regional economic development, and is also a critical component of the land grant mission of the University of Missouri System, as facilitated through Extension.

Strategy for Expanding Research

Insist on academic excellence.
- Hire and expand programs in departments and centers with a proven track-record for excellence in research and teaching – do not hire to compensate for demonstrated weakness.
- Measure departments using approaches like Academic Analytics, and other objective sources - Insist on such documentation to justify expanded internal investment in all university operations.

Coordinate and lead major interdisciplinary and cross-sector research efforts at a national and an international level.

Note that these proposals typically involve many disciplines and institutions, so even though they must be coordinated closely with the faculty and departmental leadership on the campuses, these proposal development teams must be coordinated by the central administration.

- Establish a major proposal development team under the Vice Chancellor for Research (VCR) on each campus and establish a coordinating office for major proposal development under the Vice President for Research and Economic Development (VPRED) at the System level.
- Respond to major (> $10M) proposal opportunities from the federal government.
- Track the major competitive wins of this investment, and use this data to objectively assess the administration's performance.
- Hold the campus provosts and chancellors, and the UM System President directly responsible for the proper support and success of these efforts that operate under their authority.

Build valuable research partnerships with industry, federal research facilities, consortia, and strategic non-profits.

- Maximize use of advisory boards, asking for their direct help in producing new partnerships that will expand private and federally funded research at each campus and throughout the System.
- Make the development of public – private partnerships that will dramatically expand research opportunities a direct responsibility of the VCRs on each campus, and the VPRED at the System. Also include the development of partnerships that will greatly expand the reputation and the reach of the University (The Tiger Institute partnership with Cerner is a good example of this sort of activity).
- Negotiate the sale of successful university fee-for-service operations to private companies where such sales provide for both an expansion of university programs and of the local economy. (The sale of RADIL to IDEXX is a good example of this sort of activity.)

Coordinate new structures and operations within the Universities and the System that make it easier and more efficient for Faculty to conduct research

- Develop new approaches for funding of core research equipment and laboratories. An example is the STARS program in Texas where state support is provided for equipment and labs, with funding for salaries etc. provided by the University.
- Establish and strengthen Core Facilities Centers (similar to those at MU) at all campuses, including technicians to expand expert access by the faculty to shared, expensive research equipment.
- Publicize the existing data base of research equipment across campuses with details on equipment, location (place, faculty, department), availability, status of equipment. Make data base available to faculty, and administrators.
- Develop a method of reallocation of surplus equipment with priority to UM System faculty, and then to other academic institutions in Missouri with strategic partnerships to the universities within the System.
- Develop new methods of purchasing of equipment and other supplies where the economy of scale demonstrates the lowest possible cost (Centralize where this is less expensive, decentralize where this is less expensive).

Each department should have a written workload plan covering teaching, research and service for the department and individual faculty that is approved by the Chair and Dean and reviewed annually by the Dean and reported to the Provost.

These plans may vary by Department and Faculty. Research (including Creative Works) teaching and service are primary obligations of tenure track and tenured faculty. Research activity and Creative Works should be objectively measured and considered in post tenure reviews, promotions and salary increases. Research activity by departments should be reviewed by chairs and deans, and critically compared to peer institutions using information like academic analytics.

Where a department or discipline is performing worse than a majority of its peer institutions, then a focused action will be developed and executed to restore the department to a competitive position. In situations where the department has attained clear excellence within their disciplines, this fact should be celebrated and included in the promotional material of the University.

University of Missouri Extension

Extension is "part of a federally mandated mission to carry the benefits of university research beyond campuses." Extension is located in all 114 Missouri counties. County, regional and state extension council members serve as the interface between MU extension and the elected representatives in local and state government. More details on this important mission can be found at extension.missouri.edu.

Conduct Needs assessments for the State of Missouri

This is a critical need for the University through MU Extension to be responsive and proactive for Missouri.

Review the Need for Stability of resources

Funding is from the state, the federal government, counties and grants. It is not related to tuition revenue, or the number of students attending the University.

Set up system-wide and campus-wide committee for Extension and engagement with Members from each campus, chaired by Vice Chancellor for Extension at MU

Purpose is to "extend and engage" the University system campuses across the state.

Dual appointment of Vice chancellor (campus) and Vice President (system) for Extension and Engagement

Purpose is to "extend and engage" the University system campuses across the state.

Communication and Broader impact

Need to create a system that ensures—as appropriate—that grants and contracts have an extension/outreach dimension in their proposals and are connected to the MU Extension Vice Chancellor's office. The goal is greater visibility of research being done and its relevance to

Missourians. A system-wide searchable data base of research publications and ongoing research projects and grants would be helpful.

Recognition of Scholarship of Engagement through the Promotion and Tenure process

The goal is a renewal of the Land Grant mission and its value, by recognizing faculty who "extend and engage" their expertise for all Missourians.

Distance Learning (e-learning)

Distance Learning classes and programs are becoming an important part of classes, degrees and certificates supported across the campuses. See below for 2015- 2016 the percentage of credit hours and degrees earned by campus from UM degree programs that have a 100% online option. (source : UM System). It doesn't include awards or certificates. The types of degrees (B.A, M.A.,M.B.A) and majors vary by campus.

	Credit hours.	Degrees
Columbia.	10.1%.	16.6%
UMKC.	12.4%	12.2%
Rolla.	6.3%.	22.9% (all M.A. Degrees)
UMSL.	13.4%.	36.0%

Establish a cross-campus committee to make recommendation for expanding distance learning, with a focus on degree and certificate based programs in addition to individual classes

Additional focus should be in courses that are prerequisites for major, and offered year around. Degrees and certificates should consider the expertise and strength of individual campuses. Advisory committees consisting of knowledgeable individuals from business, medical, etc. for specific degrees is appropriate.

Develop legal contracts between faculty and the University of Missouri System and campuses concerning use of Distance Learning/e Learning courses, degree programs, and certificates, and technology developed

Issues are ownership by faculty and need for licenses to System or campuses to utilize and/or use course materials etc. in the future. License could be a worldwide, non-exclusive and royalty free.

Publish annually data on credit hours, degrees and certificates earned by campuses

Review the change in demand for classes and degrees.

__Conclusions__

With these recommendations, it will be up to the University of Missouri System to consider these recommendations and put forward implementation plans. The report itself was tasked by the General Assembly. It would be presumptuous for this Commission—which met six times as a body, and operated without support resources—to dictate exact timing and the exact form that the System's actions should take. We use terms such as "will, should, examine" and in some cases suggest dates, and processes to be undertaken. Ultimately, the Board of Curators and the University of Missouri System will have to sort out and prioritize these recommendations, and further identify the resources that may be required to achieve them.   The General Assembly should be updated along the way and decide what—if any—oversite they want to provide on the Commission's recommendations.

This Commission has recommended to have in place a robust set of accountability measures, by early 2018, coinciding with the beginning of each General Assembly session. Perhaps a way forward would be for the System to provide an update in that report, annually, on progress against this Commission's recommendations. The System should develop a list of databases being maintained, data lists, and who will maintain them.

Further, this Commission believes that the UM System and its Board of Curators should take it upon itself to perform a regular, comprehensive review of best practices and examine and evaluate areas for improvement. This should be done outside the normal review and accreditation processes in place for higher education. It should be done with a diverse group of "lay" stakeholders—community and business leaders, alumni, parents, pre K -12 educators, foundation leaders, partners and investors.

The scope should be broad in its review of the System. However, the Board of Curators and the System should staff and fund such an effort to ensure it can be performed in a timely manner and allow for in-depth analysis. This review should be performed every five years with results made available to all stakeholders including the Governor and the General Assembly. Transparency, openness, and this demonstration of accountability would be a positive, recurring step for the Curators and the System.

Commission report respectfully submitted.
December 31, 2016

Jeanne Sinquefield Chair
Gary Forsee Vice Chair
Neal Bredehoeft
Robert Duncan
Renee Hulshof
Dave Spence
Pam Washington
Michael Williams

Appendix A. Senate Concurrent Resolution No. 66

SENATE CONCURRENT RESOLUTION NO. 66

Whereas, the University of Missouri System plays a crucial role in the culture and economy of the State of Missouri; and

Whereas, recent events on the University of Missouri-Columbia campus have shown a lack of leadership in the administration of the University of Missouri System:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "University of Missouri System Review Commission"; and

Be It Further Resolved that the mission of the commission shall be to review the University of Missouri System, including but not limited to the System's collected rules and regulations, administrative structure, campus structure, auxiliary enterprises structure, degree programs, research activities, and diversity programs; and

Be It Further Resolved that the task force shall consist of the following members:

(1) Four members to be appointed by the President Pro Tempore of the Senate; and

(2) Four members to be appointed by the Speaker of the House of Representatives; and

Be It Further Resolved that the members shall collectively possess strong experience and expertise in governance, management and finance, school leadership, instruction, and law, and shall have demonstrated understanding of and commitment to the University of Missouri System and to the important role that the University has in the past, present, and future of the State of Missouri; and

Be It Further Resolved that the commission shall elect a chairperson and vice chairperson, who shall act as chairperson in his or her absence. The commission shall meet upon a call for meeting by the chairperson. The chairperson may call meetings at such times as he or she deems advisable and shall call a meeting when requested to do so by three or more members of the commission; and

Be It Further Resolved that the commission shall conduct a thorough review of the University of Missouri System and detail any recommendations for changes to the System; and

Be It Further Resolved that the commission shall prepare a report for the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the President of the University of Missouri System detailing said recommended changes by December 31, 2016; and

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Appendix B. Request to UM President and Board of Curators

Request to the UM Board of Curators and the President of the System
The University of Missouri review Commission would like to be sure that as part of our process, we solicit input from the University. We have collectively and individually made a number of data requests and meeting requests to satisfy some of our initial period of getting up to speed and establishing some focus to our effort. However, we do think it is important to ask if there are areas that the Commission should look into or be aware of, that may beyond the normal scope of responsibility of the Curators or the University Administration to take on or solve.

We won't presume to know what those may be, but wanted to ask the question. We have our next Commission meeting on September 27 and it would be helpful to have input at that time.

Best regards and let us know if there are questions.

Jeanne Sinquefield, Chair
Gary Forsee, Vice Chair

Response to University of Missouri Review Commission Request from the President and the University of Missouri Board of Curators 9/29/2016

Governance, Administrative and Accountability Review and update the University's collected rules and regulation to reflect best practices among peer institutions.

Operational Efficiency Leverage the full potential of the UM System and each of the individual campuses to realize greater efficiencies through seamless integration of policies, systems and services to save money better serve students and achieve improved collaboration across the institution.
Degree Completion; Workforce Readiness; Economic Development; Develop a comprehensive infrastructure to match university academic programs, research and capacity infrastructure to projected state workforce and technology needs.

Diversity and Title IX: Develop a UM system wide diverse plan to enhance the representation of historically underrepresented persons for senior executive leadership positions.

The Board has reviewed the above four items which the President suggested to the Commission for its review. We are fine with all of those items and would like to suggest that the Commission review the viability and value of the provisions of Section 173.1003 (Senate Bill 389) . Thank you for seeking our input.

Pamela Q. Hendrickson
Chairman
Board of Curators
University of Missouri System

Appendix C. Commitment to Free Expression

RECOMMENDED STATEMENT:
UNIVERSITY OF MISSOURI "COMMITMENT TO FREE EXPRESSION"
Submitted by
Ad Hoc Joint Committee on Protests, Public Spaces, Free Speech, and the Press
March 18, 2016
COMMITMENT TO FREEDOM OF EXPRESSION[1]
Freedom of expression is indispensable to a university's ability to transmit knowledge and is fundamental to the ability of members of a university community to discover, explore, interpret, and question knowledge. As recognized by the Supreme Court of the United States over a half-century ago, "[t]he essentiality of freedom in the community of American universities is almost self-evident. No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. . . . Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise, our civilization will stagnate and die." Because the University of Missouri ("University") is committed to free and open inquiry in all matters, it is uncompromising in its efforts to provide all members of the University's academic enterprise the broadest possible latitude to speak, write, listen, challenge, and learn.

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[1] *References and Notes*. This statement relies heavily upon and quotes extensively from the final *Report of the Committee on Freedom of Expression* at the University of Chicago ("Chicago Statement"). As of March 2016, portions of the Chicago Statement have been adopted verbatim, or nearly so, by Purdue University and Princeton University, and substantial portions have also been adopted by the University of Wisconsin System. The quotation in the first paragraph is from the Supreme Court's opinion in *Sweezy v. New Hampshire*, 354 U.S. 234, 250 (1957). The University of Missouri's commitment to free and open inquiry has been expressed on prior occasions, as in, for example, CCR 330.030(A), Right of Free Expression, and CCR 330.020, Civic Responsibility. The quotation in the second paragraph is found in a letter written by former University of Chicago President Robert M. Hutchins, and is quoted in the Chicago Statement. The quotation from Justice Holmes appears in his dissenting opinion in *U.S. v. Schwimmer*, 279 U.S. 644, 654-55 (1929). The Supreme Court's full definition of "harassment" in the Title IX context is "harassment that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit." *Davis v. Monroe County Bd. of Educ*., 526 U.S. 629, 632 (1999). Representative Supreme Court decisions affirming the principles at the end of the fourth paragraph with regard to time, place, and manner restrictions are *Clark v. Community for Creative Non-Violence*, 468 U.S. 288, 292 (1984), *McCullen v. Coakley*, 134 S.Ct. 2518, 2529 (2014), and *Ward v. Rock Against Racism*, 491 U.S. 781, 791-92 (1989), and, with respect to the requirement of nondiscriminatory application and administration, *Brown v. Louisiana*, 383 U.S. 131, 143 (1966). This "Commitment to Freedom of Expression" incorporates the following by reference: CCR 320.010 Equal Employment/Educational Opportunity Policy; CCR 600.020 Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy.

Except insofar as limitations on that freedom are necessary to the functioning of the University, the University fully respects and supports the freedom of all members of the academy "to discuss any problem that presents itself."

Of course, the ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. The University greatly values civility, and all members of the University community share in the responsibility for maintaining a climate of mutual respect. But concerns about civility and mutual respect can never be used as a justification for closing off the discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community. As Justice Oliver Wendell Holmes wrote, "if there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought – not free thought for those who agree with us but freedom for the thought that we hate."

There are narrow exceptions to the general principle of freedom of expression. The freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, falsely defames a specific individual, constitutes a genuine threat or harassment, unjustifiably invades substantial privacy or confidentiality interests, or is otherwise directly incompatible with the functioning of the University. Nor does freedom of expression create a privilege to engage in discrimination involving unwelcome verbal, written, or physical conduct directed at a particular individual or group of individuals on the basis of actual or perceived status, or affiliation within a protected status, and so severe or pervasive that it creates an intimidating or hostile environment that interferes with an individual's employment, education, academic environment, or participation in the University's programs or activities. It is vitally important that these exceptions never be used in a manner that is inconsistent with the University's commitment to a completely free and open discussion of ideas. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not significantly disrupt the University's ordinary activities. As the Supreme Court has frequently stated, restrictions on expression are valid when they are justified without reference to the content of the regulated speech, are narrowly tailored to serve a significant governmental interest, and leave open ample alternative channels for communication of the information. They must be applied in a nondiscriminatory manner and administered with equality to all.

Thus, the University's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed. Individual members of the University community, not the University as an institution, should make their own moral judgments about the content of constitutionally protected speech, and should express these judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission.

As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility to undertake all reasonable measures not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.