

MODIFICATION TO THE MEMORANDUM OF UNDERSTANDING

June 4, 2013 Meeting

Proposed Modification to the MOU – Approval

John Gillispie explained the proposed request to modify the Memorandum of Understanding (MOU) to a calendar year officer rotation. Chair Palmer asked for a motion to approve the proposed modification to the MOU. Jacque Cowherd moved to approve the MOU modifications of changing the fiscal year rotation to a calendar year rotation starting with the nominations at the June 4, 2013 meeting. David Doennig seconded the motion and it passed unanimously.

- 2.1.5. The MOREnet Council will be chaired by a voting, seated representative elected annually, following the fiscal year calendar, by the MOREnet Council. A vice chair will be elected annually by the MOREnet Council to fulfill the duties of the chair in his or her absence. The current chair will appoint a nominating committee from which the MOREnet Council will elect both the chair and vice chair. The MOREnet Council reserves the right to propose the replacement election of any chair or vice chair that is unable or unwilling to fulfill his or her duties.

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Agreement to Amend MOREnet Council Memorandum of Understanding

The Missouri Department of Higher Education, Department of Elementary and Secondary Education, Office of the Secretary of State and The Curators of the University of Missouri have entered into a Memorandum of Understanding regarding the MOREnet Council, dated October 2003, and hereby agree to amend the Memorandum of Understanding as set forth below.

1. Statement of Purpose

1.1. MOREnet Mission and Operations

- 1.1.1. The Missouri Research and Education Network (MOREnet) is a statewide consortium developed to provide services in support of education, research, public service, government, and economic development.
- 1.1.2. MOREnet operates as a separate unit within the University of Missouri.
- 1.1.3. MOREnet provides services as per MOREnet Service Policies (www.more.net/about/servicepolicies), signed Participation Agreements and other contracts between The Curators of the University of Missouri and organizations eligible to receive MOREnet services.

1.2. Functions of the MOREnet Council

- 1.2.1. The primary function of the MOREnet Council is to collectively provide planning and guidance to ensure the MOREnet infrastructure and services align with and support the future growth and success of programs and initiatives undertaken by the entities represented by the MOREnet Council members.
- 1.2.2. The MOREnet Council will review and provide oversight regarding policy and service offerings, including endorsement of MOREnet budgets and service fees.

1.3. Signatories and Sponsoring Organizations

- 1.3.1. This amendment will be signed by representatives of the current Memorandum of Understanding signatories, including the Missouri Department of Higher Education, Department of Elementary and Secondary Education, Office of the Secretary of State and The Curators of the University of Missouri on behalf of their respective organizations.
- 1.3.2. A sponsoring body (sponsor) is defined as any organized membership group or entity that represents a group of constituents that may receive services from MOREnet, that endorses the ongoing existence of MOREnet to provide services and that may advocate for state or federal funding in support of such services.
- 1.3.3. Additional organizations such as emerging, organized membership groups or state agencies may petition the MOREnet Council for seats on the MOREnet Council. All prospective MOREnet Council members must agree to the terms and conditions of this Memorandum of Understanding. Such petitions will be approved or declined by unanimous agreement among the MOREnet Council and approved petitions will become effective immediately.

2. Governance

2.1. Composition of the MOREnet Council

- 2.1.1. The MOREnet Council will be comprised of representatives of the following; all are full voting members of the MOREnet Council:
 - 2.1.1.a. The Curators of the University of Missouri, 1 permanent seat
 - 2.1.1.b. State of Missouri Chief Information Officer, 1 permanent seat
 - 2.1.1.c. The Missouri Department of Elementary and Secondary Education, 1 permanent seat
 - 2.1.1.d. The Missouri Department of Higher Education, 1 permanent seat
 - 2.1.1.e. The Missouri Office of the Secretary of State, 1 permanent seat
 - 2.1.1.f. Representative members of higher education institutions, as elected by the higher education advisory committee, currently the Missouri Education and Research Consortium (MERC), up to 3 seats
 - 2.1.1.g. Representative members of the public library community, as elected by the public library advisory committee, currently the Missouri Public Library Directors Association, up to 3 seats
 - 2.1.1.h. Representative members of the public K-12 school district community, as elected by the K-12 advisory committee, currently organized through the Missouri Association of School Administrators (MASA), up to 3 seats
 - 2.1.1.i. The MOREnet Executive Director will serve as a non-voting, permanent member of the MOREnet Council
- 2.1.2. Each of the eight membership groups identified in 2.1.1. may name one alternate representative to serve as a proxy in the absence of a MOREnet Council member. Each group is responsible for identifying the alternate representative and providing the individual's name and contact information to the MOREnet Council.
- 2.1.3. The MOREnet Council acknowledges that the advisory committee groups from which MOREnet Council members are elected may change from time to time upon approval by the MOREnet Council. Up to three primary representatives and one alternate representative will be elected by each membership group's advisory committee. The primary representatives will have full privileges on the MOREnet Council.
- 2.1.4. Each elected membership group representative will normally serve a term of three years. During the initial year of establishing representatives, one elected representative from each membership group will serve for a period of one year, one for a period of two years and one for a period of three years in order to establish a defined rotation to promote consistency of representation. Alternate terms shall be determined by appointing membership group.
- 2.1.5. The MOREnet Council will be chaired by a voting, seated representative elected annually, following the fiscal year calendar, by the MOREnet Council. A vice chair will be elected annually by the MOREnet Council to fulfill the duties of the chair in his or her absence. The current chair will appoint a nominating committee from which the MOREnet Council will elect both the chair and vice chair. The MOREnet Council reserves the right to propose the replacement election of any chair or vice chair that is unable or unwilling to fulfill his or her duties.

2.2. Operating Procedures

- 2.2.1. The MOREnet Council will meet at least quarterly, either face-to-face or through technology-mediated means.
- 2.2.2. Representatives from other organizations may be invited to attend and be part of the agenda of MOREnet Council meetings, as appropriate.
- 2.2.3. MOREnet will, to the extent permitted by funding, implement the decisions, actions, and documents endorsed by the MOREnet Council.
- 2.2.4. The MOREnet Council will follow parliamentary procedure. A quorum shall be defined as a minimum of 50 percent of the voting MOREnet Council members.
- 2.2.5. In situations where there is not mutual agreement on proposed actions among the MOREnet Council, the issue will be referred to the MOREnet Executive Director and senior University of Missouri officials for a decision.
- 2.2.6. MOREnet Council members must attend a minimum of 50 percent of scheduled meetings as measured over a one year rolling period. If a MOREnet Council member does not achieve the 50 percent meeting minimum, the sponsoring or signatory organization will be informed of the member's absence and asked to replace the member for the remaining term of that individual, or otherwise remedy the member's absence.
- 2.2.7. MOREnet Council members are responsible for keeping their respective alternate representative informed of relevant and current issues pertaining to the MOREnet Council. Alternate representatives are encouraged to attend all MOREnet Council meetings.
- 2.2.8. The meetings of the MOREnet Council will be open to the public and all interested parties are encouraged to attend.

2.3. Contractual Arrangements

- 2.3.1. Sponsors and other organizations may establish a contractual relationship with MOREnet for the delivery of services.
- 2.3.2. The MOREnet Council may review all such contracts as part of its overall duties as described in Section 1.2.

3. Responsibilities

3.1. MOREnet Council Responsibilities

- 3.1.1. The MOREnet Council will review, suggest modifications, and endorse MOREnet's proposed annual financial plan, financial assumptions, business practices and policies.
- 3.1.2. The MOREnet Council may review and recommend any appropriation request(s) on behalf of MOREnet for submission to the appropriate governing bodies or sponsoring agencies, and subsequently the Governor, and the General Assembly.
- 3.1.3. The MOREnet Council will establish consultative groups or task forces as needed.
- 3.1.4. The MOREnet Council will become and remain informed about state information technology standards and policies that could impact or benefit portions of the MOREnet membership.
- 3.1.5. The MOREnet Council may advise the UM Vice President for Information Systems on the selection of the MOREnet Executive Director.

3.2. MOREnet Responsibilities

- 3.2.1. The MOREnet Executive Director will report to the MOREnet Council at regular meetings and provide additional reports as requested.
- 3.2.2. MOREnet will provide the MOREnet Council with current financial information according to the normal fiscal year calendar.
- 3.2.3. MOREnet will inform the MOREnet Council about the input, recommendations, or decisions of its membership group advisory committees.

4. Term, Modification and Termination

- 4.1. The term of this amended Memorandum of Understanding shall commence March 1, 2011, and will become effective on July 1, 2011, and continue indefinitely or until modified.
- 4.2. The MOREnet Council or its members may propose modifications to this Memorandum of Understanding, including termination by proposing the modifications in writing to the MOREnet Council for review, approval, and adoption by the MOREnet Council. Any such amendment, consent, or waiver shall be effective only in the specific instance and for the specific purpose given.
- 4.3. Any signatory may withdraw from this Memorandum of Understanding by providing written notice to the MOREnet Council at least six (6) months prior to the end of the current fiscal year.

APPROVALS

For the Missouri Department of Elementary and Secondary Education:

Name: Chris L. Nicastro Title: Commissioner of Education
Signature: Chris L. Nicastro Date: March 16, 2011

For the Missouri Department of Higher Education:

Name: David R. Russell Title: Commissioner of Higher Education
Signature: David R. Russell Date: March 16, 2011

For the Missouri Secretary of State:

Name: Rich Lamb Title: Exec. Deputy Sec. of State
Signature: Rich Lamb Date: March 11, 2011

For the Curators of the University of Missouri on behalf of MOREnet:

Name: GARY K. Auen Title: VP - IT
Signature: GARY K. Auen Date: 3/24/11

APPROVED
AS TO
LEGAL FORM
3/24/11 KAM