

**REGULATIONS OF THE TRUSTEES OF THE
UNIVERSITY OF WYOMING
Republished Edition 1989
With Amendments through May 12, 1995**

I. OFFICERS OF THE UNIVERSITY

A. DESIGNATION

Officers of the University are: The President; Administrative Officers, to include the principal administrative officers of the University and the heads of their administrative subunits as set forth in **Chapter II**; and Academic Officers, to include Deans, Directors, Associate and Assistant Deans and Department and Division Heads, of the organized education units specified in **Chapter III**.

B. APPOINTMENT

The President of the University shall be appointed by the Trustees as provided in the Bylaws of the Trustees of the University of Wyoming. Nine affirmative votes of the Trustees shall be required for appointment.

All other officers shall be appointed by the Trustees upon the recommendation of the President following consultation with the appropriate University officers and faculty.

All appointments under this Section shall be on such terms with respect to salary, terms of employment and like matters as the Trustees may determine.

C. REMOVAL

Any person appointed to an office or position pursuant to this Chapter may be removed by the Trustees whenever in their judgment the best interests of the University will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Likewise such removal shall be without prejudice to the rights, if any, of such person as a tenured member of the faculty.

II. THE ADMINISTRATIVE ORGANIZATION OF THE UNIVERSITY

A. PRESIDENT OF THE UNIVERSITY

Subject to control of the Trustees, the President of the University is the chief executive officer of the University and is vested with powers and duties as provided by laws of this State and the Bylaws of the Trustees of the University of Wyoming. In addition to such duties, the President shall enforce these Regulations and other University regulations adopted pursuant to **Chapter IV** hereof, and the President is hereby clothed with all authority requisite to these ends. Any authority or responsibility of the President may be delegated by him/her to any other member of academic personnel (faculty or academic professional) or staff of the University, but delegation of major areas of authority or responsibility shall have the prior consent of the Trustees.

In the event of the resignation, death or incapacity of the President, the Trustees may appoint an acting president who shall perform the duties and have the powers of the President during such time as the Trustees may direct. If no acting president has been appointed by the Trustees, the duties of the President shall be performed by the Provost and Vice President for Academic and Student Affairs.

The President shall serve as the ordinary channel of communication between the Trustees and academic personnel and between the Trustees and all subordinate administrative officers and staff of the internal organization. This regulation shall not be interpreted to limit the right of communication between academic personnel or other officers of the University and the Trustees or to limit the manner in which the Trustees may gain information as to the work and operation of the University.

The President shall have as principal administrative officers a Provost and Vice President for Academic Affairs, Vice President for Administration and Finance, a Vice President for Research, a Vice President for Institutional Advancement, and a Special Assistant to the President. He also may have other assistants as are authorized from time to time.

B. PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS

The Provost and Vice President for Academic Affairs shall be responsible to the President for general administrative and coordination functions over the various instructional programs, on or off-campus, offered by the University. As the principal administrative officer for academic affairs and student services, the Provost shall maintain administrative supervision of the colleges, the University Studies Program, Graduate School, the School of Extended Studies and Public Service, the University of Wyoming/Casper College Center, the Divisions of Military Science and Aerospace Studies, University Library, Honors Program, Institutional Analysis, International Programs, Admissions, University Counseling Center, Career Planning and Placement Center, Center for Academic Advising, Office of Student Life, Housing, Registration and Records, Student Educational Opportunity, Student Financial Aids, Student Health Service, and Wyoming Union. The Directors of Housing and the Wyoming Union shall also be subject to the supervision of the Vice President for Administration and Finance with regard to business and financial affairs. (Amended, 2/16/91)

The Provost shall initiate, organize, or direct such actions as are necessary and appropriate to assure that academic program needs and standards are established and implemented by appropriate units and officers of the University. The Provost shall consult with and advise the President with respect to the recommendations of the officers of the various academic units concerning organization, development of programs, academic personnel appointments, promotions, leaves of absence, and salaries, and shall conduct such special studies relating to curriculum, instruction, academic personnel and other matters as may be determined by the President.

Additional administrative units may be assigned to the Provost by the President and the Provost may be assisted by an Associate Provost for Academic Affairs, a Vice President for Student Affairs, and by such other associates and assistants as are authorized from time to time.

C. VICE PRESIDENT FOR ADMINISTRATION AND FINANCE

The Vice President for Administration and Finance shall be responsible to the President for the administration of all the business and financial affairs and the physical plant of the University. As the principal financial officer of the University, the Vice President for Administration and Finance shall perform such duties as are required by statute or by University regulations.

The Vice President for Administration and Finance shall execute such agreements, leases, and other instruments relating to the transfer of real property, as may be appropriate to the management, control, acquisition, or disposition of property of the University of Wyoming in accordance with programs and functions of the University authorized by regulations or other directions of the Trustees.

The Vice President for Administration and Finance shall have administrative supervision over the following units: Fiscal Operations, Physical Plant, Human Resources, Facilities Planning, Campus Police, Service and Auxiliary Enterprises, University Safety Office, and such other units and personnel as may be designated by the President. The Vice President shall be assisted by a deputy who shall be empowered to act in all matters in the absence of or at his/her direction and by such assistants as are authorized from time to time.

In accordance with the Bylaws, the Vice President for Administration and Finance shall serve as the Deputy Treasurer of the Trustees of the University of Wyoming, and shall exercise all duties and responsibilities incident to this position, to include the receipt, custody and recording of all monies or funds payable to the Trustees, the Treasurer, the University, or any of its colleges, divisions, or departments; and the disbursement or investment of such funds and monies as authorized by the Trustees, such disbursements to be upon vouchers authorized and approved by the Vice President for Administration and Finance, by the deputy, or by other designee when authorized in writing by the Vice President for Administration and Finance.

D. VICE PRESIDENT FOR RESEARCH

The Vice President for Research shall be responsible to the President for the general administrative supervision and coordination of research programs conducted by units of the University, review and evaluation of proposed research projects, and continuing review of the status of existing contracts and grants to assure that they meet University objectives and comply with the terms and conditions of such contracts and grants.

The Vice President shall be responsible for maintaining an assessment of the available research capabilities of the University and shall interact with governmental agencies or other entities sponsoring or seeking research or investigatory studies.

The Vice President shall maintain general administrative supervision of Contracts and Grants, Wyoming Water Research Center, and Enhanced Oil Recovery Institute and any such other units as may be designated by the President.

E. VICE PRESIDENT FOR INSTITUTIONAL ADVANCEMENT

The Vice President for Institutional Advancement shall be responsible to the President for private fund raising and University Relations with alumni and the public at large. His/her primary function shall include seeking private financial support as a supplement to legislative and other public funds, and coordinating the University's private development and fund raising activities which involve a variety of administrative units that encompass the entire campus. The Vice President shall also be responsible for organizing alumni participation in the life of the University through clubs, reunions, special events, and a variety of activities designed to promote alumni support. He/she shall also be responsible for promoting the University and enhancing its image in a positive way to its many constituencies and the public at large. He/she shall also undertake special projects that involve a variety of University units.

The Vice President for Institutional Advancement shall maintain administrative supervision of the Office of Development, the divisions of Alumni Relations and University Relations, News Service, and Publications. The Vice President shall serve as the chief executive officer of the University of Wyoming Foundation.

The Vice President shall initiate, organize, or direct such actions as are necessary and appropriate to assure that development, alumni relations and University relations efforts are properly implemented and coordinated. He/she shall consult with and advise the President on all development, alumni relations, and University relations. (Amended, 2/16/91)

F. SPECIAL ASSISTANT TO THE PRESIDENT

The Special Assistant is responsible to the President and has general supervision of University Legal Services, the Division of Intercollegiate Athletics, the Employment Practices Office, the University Affirmative Action Program, the American Heritage Center, and the Art Museum. The Special Assistant shall also undertake special projects that involve a variety of University units at the direction of the President.

G. ASSISTANT TO THE PRESIDENT FOR GOVERNMENTAL RELATIONS

The Assistant to the President for Governmental Relations shall be responsible to the President for the University's governmental relations. The Assistant shall have administrative supervision over the Division of Communication Services. The Assistant also shall have responsibility for special projects in support of the President's office, Trustees, and the University.

H. THE AMERICAN HERITAGE CENTER

The American Heritage Center shall be headed by a Director, reporting to the Special Assistant to the President. The Center shall be composed of special programs relating to the American heritage, and shall specifically include the Western History Research Center. The objective of the Western History Research Center shall be the acquisition, organization, and management of all University archival collections relating to the history of American civilization, with particular emphasis on the American West.

I. INTERCOLLEGIATE ATHLETICS

Under the administrative supervision of the Special Assistant to the President, the Director of Intercollegiate Athletics shall be responsible to the President for the conduct of the University's intercollegiate athletic program to include the staging of all intercollegiate athletic contests and for the enforcement of all applicable rules and regulations of associations governing the conduct of intercollegiate athletics.

A University athletics planning committee shall be advisory to the President for the formulation of intercollegiate athletics planning and policy. The committee shall consist of the following members:

The faculty athletics representative to the Western Athletic Conference and National Collegiate Athletic Association, eight other faculty members from degree granting colleges, two deans, three administrators (ex officio), two staff members, two students, two Trustees, and the Director of Intercollegiate Athletics, all appointed by the President of the University.

III. THE ACADEMIC ORGANIZATION OF THE UNIVERSITY

A. ACADEMIC PERSONNEL

1. THE UNIVERSITY FACULTY

The University Faculty shall consist of all persons having the faculty rank of Professor, Associate Professor, Assistant Professor, or Instructor; and Assistant Librarian, Senior Assistant Librarian, Associate Librarian or Librarian.

All individuals holding full-time temporary, supply, or Lecturer positions become voting members of the faculty after employment for two consecutive academic years or longer.

All individuals holding part-time appointments, Faculty Emeriti, Adjunct Professors, and full-time supply, temporary or Lecturer positions of less than two consecutive academic years duration are ex officio members of the faculty without vote.

The President of the University shall be the presiding officer at meetings of the University Faculty and shall, with the advice of the faculty, appoint a faculty member annually as Secretary of the University Faculty.

The University Faculty, subject to approval by the President and the Trustees, shall formulate educational and academic policies for the University as a whole; shall promote the general welfare of the University, its students and the faculty; and shall establish bylaws for its organization pursuant to which it may adopt regulations in accordance with the authority and review procedures established in **Chapter IV**.

2. ACADEMIC PROFESSIONALS

The University may have individuals who are not faculty but are academic professionals on either extended term track or temporary appointments. Post doctoral research associates will be a unique academic professional group with their own set of policies governing terms and conditions of employment. (Amended, 2/16/91)

B. COLLEGES

The University shall have the following colleges: Agriculture, Arts and Sciences, Business, Education, Engineering, Health Sciences, and Law. (Amended 9/13/93)

Each college shall be headed by a dean who shall be responsible for all matters relating to the educational and administrative affairs of the college and who shall report to the Provost. The dean shall preside at meetings of the college faculty, recommend the college budget in consultation with the heads of subunits within the college, transmit and recommend appointments and promotions with respect to academic personnel and staff of the college and exercise general administrative supervision over the educational programs and operations of the college.

The faculty of the college shall consist of the President of the University and the Provost, ex officio without vote, the dean, and all members of the University faculty serving in the college.

The college faculty shall, subject to the authority of the President and the Trustees, have jurisdiction in all academic matters within the scope of the college, including the determination of curricula, the standards for admission to, continuation in, and graduation from the college, except as authority is otherwise limited by maintenance of general University educational policy and correct academic and administrative relations with other units of the University. Questions of autonomy and jurisdiction between a college faculty and the University faculty or between two college faculties shall be adjudicated by the President of the University, subject to appeal to the Trustees.

The college faculty, through the dean of the college, shall recommend candidates for diplomas and degrees in course to the President and the Trustees.

Subject to the approval of the Trustees, each college may be organized into schools, departments, divisions or faculties under the general directions of an academic officer.

C. THE GRADUATE SCHOOL

The Graduate School shall be headed by a Dean who shall be responsible for the recommendation of the Graduate School budget and for the administration of the programs and functions of the School. The Dean shall report to the Provost.

The Graduate Faculty shall consist of appropriately qualified and selected faculty, regardless of rank, the President, the Provost, the Vice President for Research, and the deans of the colleges and independent schools, the heads of departments, divisions and schools in which work for graduate credit is authorized, and the Directors of the University Library and the Division of Computer Services. Persons holding faculty rank who may have occasion to direct graduate research may be members of the Graduate Faculty upon the recommendation of the Graduate Dean and approval of the Graduate Faculty.

The Graduate Faculty may, at its discretion, delegate its powers to a duly constituted and representative group.

The Graduate Faculty shall review proposals for new graduate programs and make recommendations through the Dean of the Graduate School and the Provost to the President.

Candidates for advanced degrees and diplomas shall be recommended to the President and the Trustees by the Graduate Faculty through the Dean of the Graduate School.

D. THE SCHOOL OF EXTENDED STUDIES AND PUBLIC SERVICE

The School of Extended Studies and Public Service shall be headed by an Associate Provost for Academic Affairs who shall be responsible for the recommendation of the School of Extended Studies and Public Service budget and for the administration of the programs and functions of the School. The Associate Provost for Academic Affairs shall report to the Provost.

E. THE UNIVERSITY LIBRARY

The University Library shall be headed by a Director who shall be responsible for the provision of library service, and for the recommendation of the Library budget. The Director shall report to the Provost.

Librarians at the University shall be appointed by the Trustees. Recommendations for such appointment shall be initiated by the Director of Libraries, and shall be forwarded to the Provost who shall add his/her recommendations to the President of the University for recommendation to the Trustees. The designation "Librarian" shall be an academic title, signifying faculty status, and shall apply only to those qualified to provide professional library services in support of the University's instructional, research and public service functions, including the following:

1. Selection and development of library collections and other informational resources;
2. Bibliographical control of collections and their organization for use;
3. Reference, bibliographic instruction and advisory services;
4. Development and application of specialized information systems;
5. Library administration and management; and,
6. Research where necessary or desirable in relation to the foregoing.

The Librarians shall be subject to a peer review, ranking, promotion and extended term appointment system more specifically set forth in University Regulation 631, as amended. Recruiting, appointments and salaries will be administered by the Director of Libraries, through the Provost.

The principles of academic freedom as defined in these Regulations shall apply to Librarians.

F. COMPUTER SERVICES

Computer Services shall be headed by a Chief Information Officer who shall be responsible for the provision of computer services for the academic programs and administrative services of the University and for the recommendation of the Computer Services budget. The Chief Information Officer shall report to the President.

G. THE UNIVERSITY OF WYOMING/CASPER COLLEGE CENTER

The University of Wyoming/Casper College Center shall be headed by a Dean who shall be responsible for the administration of the programs and functions of the University of Wyoming/Casper College Center. The Dean shall report to the Provost.

H. DIVISION OF STUDENT AFFAIRS

The Division of Student Affairs shall provide such services and programs as students need to assist them with their educational experience and to develop as individuals. The Division shall be headed by a Vice President for Student Affairs, who shall report to the Provost. The Division of Student Affairs shall consist of the following units:

Admissions, Career Planning and Placement Center, Center for Academic Advising, Office of Housing, Office of Student Educational Opportunity, Office of Student Financial Aids, Office of Student Life, Registration and Records, University Counseling Center, and Wyoming Union. Each unit shall be headed by a director who shall be responsible for all matters relating to the administrative affairs of that unit.

I. DIVISIONS OF MILITARY SCIENCE AND AEROSPACE STUDIES

The Divisions of Military Science and Aerospace Studies shall offer such programs in the Reserve Officer Training Corps as may be authorized by the Congress of the United States and the Department of Defense through the Secretaries of the Army and Air Force, respectively, and as approved by the Trustees. The Divisions shall be headed by a Professor of Military Science and a Professor of Aerospace Studies, respectively, who shall report to the Provost. The professors shall be nominated by the appropriate Armed Forces and appointed by the Trustees upon recommendation of the President of the University.

IV. REGULATIONS OF THE PRINCIPAL ADMINISTRATIVE AND ACADEMIC UNITS OF THE UNIVERSITY

A. REGULATIONS OF ADMINISTRATIVE UNITS

The President and the principal administrative officers of the University shall establish such regulations as are necessary to discharge their responsibilities and to provide for the organization and operation of the various divisions under their supervision as defined in **Chapter II**.

B. REGULATIONS OF ACADEMIC UNITS

In accordance with its bylaws, the University Faculty may adopt regulations to establish educational and academic policies for the University as a whole; to promote the general welfare of the University, the students and academic personnel; to establish policies regarding student conduct and all phases of student life, activities and student organizations; and to establish faculty committees. (Amended 2/16/91)

The faculties of the various colleges and of the Graduate School shall propose regulations to establish the organization of their respective units, including functions, programs and procedures. Other academic units specified in **Chapter III**, after consultation with the Provost, may propose such regulations as are required for the discharge of their responsibilities.

C. REVIEW AND APPROVAL OF PROPOSED REGULATIONS

All proposed regulations shall be reviewed by the President of the University. Incident to such review, the President shall consider the need for such regulations, the duties and authority of the officer or academic unit proposing the regulation, possible conflicts with other existing regulations, and such other matters as the President may deem relevant to the best interests of the University.

The President may cause the proposed regulations to be reviewed by any affected units of the University, and any officers or committees concerned with the substance of the proposal in order to elicit their recommendations.

In his/her discretion, the President may return the proposed regulation for consideration of matters requested by him/her. But, if in the case of a regulation which has been proposed by the Faculty Senate, the Senate, after consideration of the President's views, shall agree to repass the regulation by a three-fourths vote of the members present and voting (there being a quorum of at least two-thirds of the voting members present), the President shall refer the regulation to the Trustees, at their next regularly scheduled meeting, for final approval, disapproval or other disposition of the regulation. At this meeting, the President shall present his/her views on the proposed regulation to the Trustees and the Chairperson of the Faculty Senate or his/her

designated representative shall be invited by the Trustees to represent the view of the Faculty Senate on the proposed regulation.

Except as provided for in the preceding paragraph no regulations authorized under this Chapter shall become effective unless and until approved by the President. In his/her discretion, the President may approve regulations which are ministerial in nature or which are in furtherance of and necessary to implementation of functions and responsibilities established by *Regulations of the Trustees*, or the President may refer them to the Trustees for consideration before he/she takes action thereon.

Proposed regulations which involve substantial changes to the functions, programs and procedures of academic units or the organization and operation of the offices of the principal administrative officers or which involve significant matters of University-wide concern and policy shall be referred to the Trustees for consideration before the President takes action thereon.

D. PUBLICATION AND EFFECT OF REGULATIONS

All regulations approved under this Chapter shall be identified as to their source and shall be published and distributed in such uniform manner as is directed by the President. All such regulations shall be deemed to be issued by the authority of the Trustees of the University of Wyoming. It shall be the duty of all employees to conduct themselves in accordance with the provisions thereof, as well as *Regulations of the Trustees* of the University of Wyoming, as a condition of their employment.

Students applying for admission or enrolled in the University of Wyoming shall comply with all such regulations pertaining to academic procedures and requirements, student conduct, use of facilities and such other matters specifically applicable to students, as a condition of enrollment in the University of Wyoming.

E. REPEAL OR CHANGE OF REGULATIONS

All regulations approved and published in accordance with this Chapter shall remain effective until repealed or changed in the same manner as provided for the establishment of such regulations.

Any administrative regulation or regulation of an academic unit of the University may be reviewed, modified, or annulled by the Trustees at any regular or special meeting of the Trustees. When the President has referred a regulation to the Trustees for review prior to its approval, the date of such review shall be noted in the published regulation.

V.

ACADEMIC PERSONNEL

A. ACADEMIC FREEDOM

The faculty and academic professionals are the educational body of the University and in recognition of the fact that true education may flourish only when they are both free and responsible, the Trustees subscribe to the following statement on academic freedom and their responsibilities as adopted in 1990 by the American Association of University Professors:

Academic freedom....applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the students to freedom in learning. It carries with it duties correlative with rights.

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject....

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

B. FACULTY

1. DESIGNATION

Faculty status shall be granted at the appropriate professorial rank to those individuals engaged in teaching or research in the colleges of the University and to such other groups or individuals as the Trustees may designate. The general qualifications for the various faculty ranks shall be as follows:

- a. Instructors normally shall have a master's degree and preferably at least one year of additional study or professional experience in the field in which the instructorship is granted.
- b. Assistant professors shall normally have the doctor's degree in course, and shall have demonstrated ability, through appropriate experience, to perform the functions of the position they are to hold.
- c. Associate professors shall normally have the doctor's degree in course, shall have established a reputation in scholarship, teaching, artistic creation, or other productive activity in the field in which they are to serve.
- d. Professors, in addition to having the qualifications of associate professors, shall have demonstrated superior capacity for direction of graduate work and research where appropriate, have attained wide recognition in their professional fields for scholarship or other creative work, and shall have gained recognition as teachers and as consistent contributors to the fields in which they are to render University service. It is not anticipated that each faculty member will attain the rank of full professor.
- e. Research professor shall be the title granted to persons who have demonstrated superior capacity for research contributions and are employed fully on external research funding; in addition, these individuals must hold the terminal qualification in their discipline (e.g., Ph.D., Ed.D., MFA, etc.). Such appointments shall be only at the professorial rank and for not more than one year in duration; however, one may be reappointed annually by the Trustees subject to a satisfactory annual performance evaluation and the availability of external funding from contracts and grants. Service as a research professor does not entitle one to tenure and its privileges.
- f. Clinical professor shall be the title granted to those employed to teach and/or conduct research in health care related programs offered by the University; the cognizant dean and other appropriate academic officers will determine the appropriate academic qualifications and professional experience for these faculty. Such appointments shall be only at the professorial rank and for not more than one year in duration; however, one may be reappointed annually subject to a satisfactory annual performance evaluation and available funding. Service as a clinical professor does not entitle one to tenure and its privileges.

The general qualifications for faculty designation defined above may be waived or modified at the discretion of the President and the Trustees.

C. FACULTY APPOINTMENT

1. Full-Time Faculty Appointments

Faculty members shall be appointed by the Trustees. Recommendations for such appointments shall be initiated by the head of the unit in which the appointment occurs, after full consultation with members of the unit. The recommendations shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President of the University will then forward his/her recommendation to the Trustees.

No appointment shall be binding upon the University unless accepted in writing by the faculty member within the time specified for response, following action by the Trustees. Appointments shall be for a specified period at the appropriate professorial rank as described in this Chapter to be classified as follows:

a. Tenure Track Appointments

Probationary appointments of tenure track faculty filling a budgeted vacancy normally will be for one academic year; individuals so appointed will be considered for reappointment annually for the term of the probationary period specified in **Chapter V. (B.3)**.

However, in appropriate circumstances, appointments may be for up to three years; continuation during the initial multi-year term will be contingent upon satisfactory annual performance evaluations.

If one is reappointed at the termination of the full probationary period, s/he will be granted tenure. Credit for prior experience must be specified in the letter of offer and approved by the Provost. In rare circumstances, tenure and tenure-track appointments may be less than full-time positions.

b. Temporary Appointments

Temporary appointments with faculty rank may be made to address specific instructional or research needs. Such appointments shall not be for more than one year in duration; however, temporary faculty may be reappointed annually subject to a satisfactory performance evaluation. Service as a temporary professor does not entitle one to tenure and its privileges.

c. Visiting Faculty Appointments

Visiting faculty appointments to address specific University instructional needs may be extended to faculty members from other institutions or professional persons who possess special expertise. Such appointments may be with professorial rank but shall not be for more than one year in duration; however,

a visiting faculty member may be reappointed subject to a satisfactory performance evaluation. Service as a visiting professor does not entitle one to consideration for tenure and its privileges.

2. Part-Time Faculty Appointments

The appointment of part-time faculty members during the academic year and for Summer Session will be made by the President of the University upon the recommendation of the appropriate academic officers.

3. Emeriti Faculty Appointments

Emeriti faculty status may be awarded to those tenured faculty members who retire after long and distinguished service to the University. Nominations for emeriti status shall be initiated by the department head and/or dean; the nomination shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President of the University will then forward his/her recommendation to the Trustees.

4. Adjunct Faculty Appointments

Adjunct appointments may be made when deemed appropriate to make available to the University, on a limited or part-time basis, the services of persons who have attained recognition in their professional fields of scholarship, creativity, or other distinguished accomplishments relevant to University programs. Such appointments may be with faculty rank or clinical faculty status. Adjunct faculty may include academic personnel in other University departments or colleges as well as those employed outside the institution.

Each letter of appointment shall set forth the terms and conditions under which services to the University are to be performed by the appointee. Such appointments provide no financial remuneration.

Adjunct appointments will be made by the Trustees of the University, upon the recommendation of the appropriate academic officers, for a period of not more than three years; however, an individual may be reappointed. Service as an adjunct professor does not entitle one to consideration for tenure and its privileges.

D. FACULTY REAPPOINTMENT, TENURE AND PROMOTION

To hold a position with tenure means that the faculty appointment is not subject to termination or substantial reduction in status without adequate justification as outlined in Chapter V. (E. DISMISSAL OF FACULTY) below.

Therefore, the reappointment procedures are integrally related to the tenure and promotion decisions of those faculty serving probationary appointments. Those who

successfully complete this period and are approved by the Trustees, will receive tenure. An individual who is not offered tenure at the end of his/her probationary period shall not be retained as a faculty member.

The main criteria for reappointment, tenure and promotion decisions are creative development, advancement of knowledge, and dissemination of knowledge. These criteria may be demonstrated in the University's functions of teaching, research, creative contributions, extension, service to the state of Wyoming, professional service, and other University related activities and services.

Candidates for reappointment, tenure and promotion are evaluated on the academic functions they are expected to perform and the evaluations will appropriately recognize the proportion of time allocated and expected for the particular functions by the candidates at each professorial rank. In addition, the programmatic needs and directions of the University will also be considered in reappointment and tenure cases.

Procedures concerning the review and reappointment of probationary faculty, as well as tenure and promotion of all faculty, shall be initiated as specified in University regulation 803. These decisions are to occur annually and successively, as specified by the Provost, at the department, college, and University levels; at each administrative level the cognizant University officer will make a recommendation after having been advised by an appropriate faculty committee or group.

The probationary period for tenure decisions is normally based on rank at the time of initial appointment to the University of Wyoming as set forth below:

1. For instructors, the tenure decision will be made no later than the sixth year.
2. For untenured assistant professors, the tenure decision will be made no later than the sixth year.
3. For untenured associate professors, the tenure decision will be made no later than the fourth year.
4. For untenured professors, the tenure decision will be made no later than the third year.

Tenure decisions will be considered "early" if the candidate has served fewer years than specified above.

In exceptional cases, a faculty member may request in writing that his/her probationary period for tenure be modified. This request will be forwarded to the Provost after review and recommendation by the department chair and college dean. The Provost will render a decision on the request to modify the probationary period.

The procedures and consequences of mandatory and optional reviews for probationary faculty are specified in University Regulation 803.

When an individual on probationary appointment is not recommended for reappointment, the President shall advise the faculty member in writing of this decision at least three months prior to the end of the contract year for those in their first year of service, at least six (6) months for those in their second year of service and at least twelve (12) months for those who have served more than two years at the University. Academic year contracts terminate one week following Spring commencement.

The promotion of faculty shall also be initiated in accordance with the procedures specified in University Regulation 803. Promotion decisions for assistant professors being considered for associate rank will normally occur during the sixth year of service; decisions prior to the sixth year will be considered "early." Promotion decisions for associate professors being considered for professor rank is not tied to years of service; however, decisions will be considered "early" if one has served fewer than five years in the associate rank.

A faculty member who has been offered tenure, and who has refused to accept tenure, can be reappointed annually at the discretion of the department in which this individual holds an appointment; in addition, any such person shall have all rights and responsibilities of tenured faculty members except permanent appointment.

As noted above in **Chapter V. (B. 1.)**, not all faculty members are eligible for tenure. Faculty employed as lecturers in intercollegiate athletics, research professors, clinical professors, temporary, visiting or adjunct faculty, those serving with archivist or library faculty status and officers in the Divisions of Military Science and Aerospace Studies are among those excluded.

Administrative and academic officers do not have tenure in their administrative positions and shall serve in such capacity at the pleasure of the President and/or the Trustees. If they hold concurrent faculty appointments, they may be granted tenure in the faculty position at the discretion of the Trustees. However, no one shall forfeit tenure by reason of appointment to an administrative position.

Reappointment, tenure and promotion evaluations and recommendations shall be communicated to the individual in writing by the dean, or equivalent academic officer, prior to forwarding the information to the Provost's Office.

If the faculty member desires to comment upon the recommendation or evaluation, he/she may do so by forwarding written comments to the appropriate University officers. This information will become part of the candidate's tenure and promotion packet.

E. DISMISSAL OF FACULTY

"Cause" is defined to include any conduct which seriously impairs the ability of the University of Wyoming to carry out its functions, including physical or mental incapacity, incompetency, neglect of duty, dishonesty, immorality or conviction of a felony. This provision shall not be interpreted as to constitute interference with academic freedom.

Faculty members on tenure may be dismissed only for cause or because of bona fide financial exigencies of the University. A recommendation for the dismissal for cause of a faculty member with tenure shall be made in writing by the appropriate dean or comparable administrative officer to the President of the University. If the President finds substantial basis for dismissal for cause, the President shall appoint the appropriate dean or comparable administrative officer to act as charging authority for the preparation of a statement of charges and presentation of the case to a Hearing Committee, if the faculty member desires a hearing, under procedures established by University Regulation.

During the probationary period, the President of the University may dismiss a faculty member for cause prior to the expiration of the contract period after consultation with the appropriate administrative and/or academic officers. The President, prior to acting may, if he/she determines it to be necessary or desirable, cause an investigation to be made and may order a hearing by the appropriate faculty committee.

F. ACADEMIC PROFESSIONALS

1. DESIGNATION OF ACADEMIC PROFESSIONALS

Academic professionals hold academic appointments based upon specialized qualifications and specific job descriptions which enable them to fulfill assigned academic duties within the academic community. These personnel engage in activities which extend and support the teaching, research, extension and service missions of the University.

The Trustees shall approve each category of employees (i.e., extension educators, lecturers, research scientists, etc.) who shall be classified as academic professionals. Rank, academic qualifications, and conditions of employment for these groups are outlined in University Regulation 408 and its appendices.

2. APPOINTMENT OF ACADEMIC PROFESSIONALS

Academic professionals shall be on either extended term or temporary appointments; the appointment may be full-time or part-time depending upon the academic unit's needs and resources. Appointment and reappointment of academic professionals shall be made as set forth in University Regulation 408.

a. Approval of Extended Term Appointments

All extended term appointments, whether full or part-time involving either probationary or extended term status, shall be approved by the Trustees.

Recommendations for such full-time appointments shall be initiated by the head of the unit in which the appointment is to occur, after consultation with members of the unit. Recommendations shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President will make his/her recommendation to the Trustees.

b. Approval of Temporary Appointments

All temporary appointments, whether full or part-time, shall be made by the President of the University upon the recommendation of the appropriate academic officers.

No appointment shall be binding upon the University unless accepted in writing by the academic professional appointee within the time specified for response following action by the Trustees or the President.

3. EXTENDED TERM APPOINTMENTS OF ACADEMIC PROFESSIONALS

Extended term appointments may be full-time or part-time, depending upon the needs and resources of the academic unit. An academic professional hired on an extended term track will be required to complete a probationary period before receiving an extended term appointment. The length of the probation--ranging up to six (6) years--will be based on duties and responsibilities of the position, proposed rank, prior service and accepted practices in the professional field. Credit for prior experience must be specified in the initial letter of offer and approved by the Provost.

Following a successful performance review at the end of the probationary period and Trustee approval, an academic professional will receive an extended term, six (6) year appointment. Extended term appointees shall undergo the full reappointment review procedure during the fifth (5) year of their extended term.

4. RANK AND PROMOTION OF ACADEMIC PROFESSIONALS

The academic professional rank structure, as specified for each group, provides for the appointment of individuals at levels commensurate with their education and experience upon initial appointment and subsequently provides promotion ladders which recognize and reward professional performance.

At the time of appointment, the appointing authority (Dean/Director) will recommend the appropriate rank commensurate with the duties and responsibilities of the position and the qualifications of the individual.

Upon satisfying the criteria for promotion as set forth in the appendix appropriate to this appointment, the individual candidate is responsible for initiating the promotion review process as outlined in University Regulation 408.

5. DISMISSAL OF ACADEMIC PROFESSIONALS

Academic professionals, whether on a probationary, extended term or temporary appointment can be dismissed for cause, because of program modification/reduction or for financial exigency.

"Cause" is defined as any conduct by the academic professional, including but not limited to physical or mental capacity, incompetency, neglect of duty, dishonesty, immorality or conviction of a felony, which seriously impairs the individual's ability to carry out his or her University responsibilities or the ability of the University to carry out its functions. This provision shall not be interpreted as constituting interference with academic freedom.

During the probationary period, the President of the University may dismiss an academic professional employee for cause prior to the expiration of the contract period after consultation with the appropriate administrative and/or academic officers. The President, prior to acting may, if he/she determines it to be necessary or desirable, cause an investigation to be made and may order a hearing by the appropriate faculty committee.

For educational reasons, it may be in the University's best interests to discontinue or significantly reduce an academic unit or program. This decision shall be based upon an evaluation that the long-range mission of the University--teaching, research, outreach and service--will be strengthened by the reduction. If such action is deemed necessary, the University shall give notice of termination to academic professional personnel as soon as possible and shall make reasonable effort to notify persons twelve (12) months prior to the effective date of termination.

In the event the University of Wyoming is confronted by a deficiency in financial resources which is so serious as to justify the reduction or elimination of programs or services and the discharge of University personnel including academic professionals, the University shall respond fairly and rationally, and in a manner consistent with the continued attainment of the mission of the University. The regulations specifying dismissal under such conditions are incorporated in University Regulation 41.

G. VACATION AND LEAVE FOR FACULTY, ACADEMIC PROFESSIONALS, AND UNIVERSITY OFFICERS

1. VACATION LEAVE

Full-time faculty, academic professionals (excluding post-doctoral personnel) and University officers on a fiscal year contract are entitled to twenty-two (22) working days of Vacation Leave annually accrued at the rate of 1.834 working days per month.

Part-time faculty, academic professionals and University officers on a fiscal year contract shall accrue Vacation Leave based upon a pro rata basis in accordance with the percentage of appointment up to a maximum of 100 percent. Thus, for example, one working three-fourths time earns Leave at 75 percent of the rate of full-time personnel.

Faculty, academic professionals and University officers whose working term is less than twelve (12) months, regardless of the fact that their salaries may be paid in twelve (12) monthly installments, are not entitled to Vacation Leave with pay.

Vacation Leave accrues to eligible faculty, academic professionals and University officers after they have been in the employ of the University for six (6) months. Vacation Leave credits may not accrue beyond the maximum amount which may be earned over two (2) years.

Academic personnel converting from fiscal to academic year appointments will utilize their Vacation Leave prior to assuming their academic year appointments in lieu of a lump-sum payment.

Employees terminating for all reasons other than disciplinary, may elect a lump sum payment and/or Terminal Vacation Leave; an employee released for disciplinary reasons must take the accrued Vacation Leave in a lump sum payment. No other type of Leave may be used during Terminal Vacation Leave except Holiday Leave. Dates for Vacation Leave shall be approved by the appropriate administrative supervisor.

2. LEAVES OF ABSENCE

a. Emergency or Short-term Leave With Pay.

When one finds it necessary to be absent from regular duties at the University for a period not exceeding two (2) weeks, s/he shall secure approval from the immediate supervisor for the absence. A temporary Leave for more than two (2) weeks, but not to exceed four (4) weeks, may be granted for good cause upon written recommendation of the appropriate administrative superior and with the approval of the President.

An individual making application for such Leave should submit a statement suggesting a plan for carrying on his/her work during the absence. Any Leave in excess of four (4) weeks, except for illness, shall require approval by the Trustees.

b. Leave Without Pay.

Upon recommendation of the appropriate administrative and/or academic officers and with the approval of the President of the University, Leaves of Absence Without Pay may be granted to academic personnel by the Trustees for a period normally not in excess of one (1) contract year. Arrangements for continuance of insurance coverage should be made with the Office of Human Resources.

c. Faculty Sabbatical Leave.

Sabbatical Leave may be granted to any tenured member of the University faculty for the purpose of increasing the recipient's professional competence and usefulness to the University. Sabbatical Leave time may be used for enhancement of teaching, research, writing, and/or study at a place of the recipient's choosing. University personnel holding faculty rank whose duties are primarily administrative in nature shall also be eligible for Sabbatical Leave.

A minimum of six (6) years of academic service at the University must precede each period of Sabbatical Leave although no right accrues automatically through lapse of time. The granting of such Leave is, in each case, within the discretion of the Trustees upon the recommendation of the President. Sabbatical Leaves shall ordinarily not be available for the purpose of seeking an advanced degree.

Individuals initiate their request for Sabbatical Leave during the Fall semester preceding the academic year for which the Leave is requested. The request, which shall contain a statement concerning the purpose for which the Leave is requested, shall be forwarded to the President of the University through the appropriate administrative and/or academic officers, with a recommendation from each attached.

Sabbatical Leaves will normally be granted for either a full or half contract year. Leave for a full contract year shall be compensated at a rate equal to sixty (60) per cent of the faculty member's annual salary; Leave for a half contract year shall be compensated at the annual rate for the limited period. No faculty member shall receive supplemental salary from the University during the sabbatical period.

While on a full contract year Sabbatical Leave--whether an academic or fiscal year--outside compensation in the form of grants, contracts and other forms of funding may be accepted. However, in the event that a faculty member receives more than 40 percent of his/her salary from outside sources, the University will reduce its compensation so that salary monies received from University and external sources will total no more than 100 percent of base salary during the period of Leave.

If allowances for travel and other expenses directly related to the Leave are included in the outside grant or contract, the amount of these allowances may be disregarded in computing the contribution to be made by the University.

A faculty member who fails to return to the University for at least one academic year immediately following Sabbatical Leave shall be obligated to repay the amount of compensation received from the University during the period of his/her Leave.

d. Academic Professional Development Leave.

Academic professionals on extended-term appointments who have completed a minimum of six (6) years of academic service at the University shall be eligible for Professional Development Leave. The purpose of Professional Development Leave will be to enhance performance, to conduct special studies, or in some other way to undertake planned activities related in a substantial manner to the individual's role at the University. Procedures for applying for such Leave, funding requirements and approval processes are outlined in University Regulation 408.

3. SICK LEAVE

Full-time academic personnel, appointed either on a continuing or temporary basis, are eligible to accrue Sick Leave at a rate of eight (8) hours per paid month of service. Paid Sick Leave may be used for absences from duties due to illness, injury, pregnancy and/or childbirth, death in family or medical care of family.

Part-time academic personnel appointed either to a continuing or temporary position shall accrue Sick Leave based upon a pro rata basis in accordance with the percentage of appointment up to a maximum of 100 percent. Thus, for example, one working half-time earns Leave at 50 percent of the rate of full-time employees.

An employee may also use up to six weeks of accrued or donated Sick Leave for the birth of a child and first year care of a child as well as for an adopted or state-placed foster child's care within the first year of placement.

Faculty, academic professionals or University officers are not eligible for Sick Leave until s/he has been in the employ of the University for one (1) month. Faculty, academic professionals and University officers are entitled to accrue an unlimited amount of Sick Leave.

University policy permits benefitted employees to donate Sick Leave to assist another experiencing a long-term illness. If one is in an active pay status, and has accrued a minimum of eighty (80) hours of Sick Leave, s/he may donate up to sixteen (16) hours of Sick Leave per calendar year to any benefitted University employee; the recipient must have an immediate and reasonable need for such assistance, have exhausted his/her available Sick and Vacation Leave and, finally, have a minimum of six (6) months of current continuous benefitted service to the University. The Office of Human Resources will provide information on procedures for donating Sick Leave.

4. FAMILY AND MEDICAL LEAVE

After twelve (12) months of service, benefitted employees are eligible for twelve (12) weeks of unpaid Family and Medical Leave in any twelve (12) month period of service. All other non-benefitted employees are eligible for twelve (12) weeks of unpaid Family and Medical Leave in any twelve (12) month period if the employee has worked at least a total of twelve (12) months for at least 1,250 hours during that time before the Leave request.

Family Leave may be taken because of the birth or placement of a child with the employee. Medical Leave may be taken to care for a spouse, child, or parent if they have a serious health condition or because of a serious health condition that makes the employee unable to perform his/her job functions.

Any questions concerning what is considered a serious health condition should be directed to the Office of Human Resources.

Employees accruing University Vacation and Sick Leave may elect to substitute any part of their accrued Vacation Leave for any part of their twelve (12) weeks of unpaid Family or Medical Leave. However, they will be required to use their Sick Leave, and any donated Sick Leave, when the Leave is for a serious health condition or to care for a sick family member; any remaining portion of the twelve (12) weeks taken as Leave Without Pay.

Leave Without Pay taken under unpaid Family or Medical Leave does not require an employee to utilize Vacation Leave prior to Leave Without Pay. When Family Leave is taken, employees may not substitute paid Sick Leave for unpaid Family Leave.

The right to Family Leave usually expires twelve (12) months after the birth or placement of a child with the employee. Family Leave should be taken consecutively unless other arrangements are approved by the employee's appointing authority.

The Human Resources Director, or the employee's appointing authority, shall require certification issued by a health care provider to support an employee's request for Medical Leave. Certification shall include a statement of:

- a. the date the condition began;
- b. expected date when medical treatment will begin;
- c. probable duration of the condition;
- d. appropriate medical facts;
- e. an assertion that the employee is needed to care for a sick family member for a specified time; and
- f. a schedule of the Medical Leave to be taken.

Employees are expected to give their immediate supervisor at least thirty (30) days advance notice of the intent to take Family or Medical Leave, unless such notice is not practical. Employees should try to schedule planned medical treatment so as to create a minimum disruption for their unit or department. They are also encouraged to report to their supervisor on a monthly basis their progress and intent to return to work at the end of the Leave.

Employees returning from unpaid Family and Medical Leave, in accordance with the federal act, have the right to be returned to their former job position or they may be placed in an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

State health insurance contributions will be made for all eligible employees who have elected coverage. Employees retain all accrued benefits while on Leave. Employees should direct benefit questions to the Human Resources Department.

Employees who do not return to work after their unpaid Family or Medical Leave entitlement has expired will be required to reimburse the University for any health insurance premium paid by the University during the period that the employee was on Family or Medical Leave if the failure to return to work is not due to the continuation, recurrence, or onset of a serious health condition entitling the employee to Leave or other circumstances beyond the employee's control. In the event that an employee is unable to return to work for health care reasons, s/he will provide the Human Resources Director with certification from the appropriate health care provider.

5. BEREAVEMENT LEAVE

Employees shall be granted up to three (3) days of Bereavement Leave upon the death of a family member or spouse's family member. (This includes and is limited to parent, spouse, child, sibling, grandparent, grandchild, son-in-law, daughter-in-law, or another member of your immediate household. This Leave shall be used before the use of any other Leave authorized for this purpose. Arrangement for this Leave shall be made with the employee's immediate supervisor.

VI. STAFF OF THE UNIVERSITY

A. DESIGNATION

All employees of the University other than those designated as Officers (**Chapter I**), Academic Personnel (**Chapter V**), or Student Employees (**Chapter VIII**), shall be classified as Staff. (Amended, 2/16/91)

Employees of the University appointed to staff positions are designated as professional or general staff employees. Professional staff designation requires either a job related baccalaureate degree, appropriate credential, or experience of such kind and amount as to provide a comparable background. All other staff employees are general staff.

B. APPOINTMENT

Appointments to the staff shall be made as set forth below and in University Regulation 174. Appointments shall be reviewed by the Director of Human Resources to ensure conformity with approved uniform salary and wage scales. Commencing with initial employment, all staff on a continuing or temporary basis are required to serve a probationary period of one (1) year.

The President shall designate an appointing authority or appointing authorities for each administrative unit or subunit of the University.

Each appointment to a staff position shall have a continuing, temporary or limited temporary basis.

C. DISCHARGE

Staff employees appointed under University Regulations may be discharged by the appointing authority.

All staff employees may be separated from University service for cause. Staff with limited temporary appointments may be terminated during their employment at the discretion of the appointing authority with appropriate notice. Terminations of employment of staff employees with continuing appointments may be appealed pursuant to hearing procedures established by the Trustees.

All staff employees may be separated from University service when positions are discontinued because of insufficient funding, lack of work, program changes, or mandated changes in the structure of departments, divisions, or other University administrative units. Employees being retrenched shall be given as much advanced notice as possible.

Staff employees serving initial probationary periods may be terminated when such actions are deemed to be in the best interests of the University.

D. LEAVE

Staff on a continuing or temporary status are entitled to Vacation, Sick, Family and Medical, and Bereavement Leave unless otherwise stated in their official letter of appointment. In specific instances such as jury or legal duty, work related functions and certain Military Leave and short-term emergencies these staff may be granted Leave With Pay. Leave Without Pay may also be granted to employees. All staff other than those on a limited temporary basis receive Leave for official University holidays. Details for Staff Leave are described in the Staff Handbook.

(Amended, 12/19/92 and 8/3/93)

VII. EMPLOYMENT PROVISIONS APPLICABLE TO ALL PERSONNEL

A. EQUAL EMPLOYMENT OPPORTUNITY

The University's policy is one of equal opportunity for all persons in all facets of the University's operations. Equal opportunity is offered to all officers, academic personnel and staff members, and applicants for employment on the basis of their demonstrated ability and competence and without regard to such matters as race, color, national origin, sex, religion, political belief, age, veteran status or handicap.

B. NEPOTISM

Relatives (father, husband, son, brother, grandfather, grandson, uncle, nephew, first cousin, and the corresponding feminine relationships) may not be employed in positions which place one in an immediate supervisory relationship to the other. University employees who through marriage find themselves in violation of the foregoing statement are given the remainder of the fiscal year in which the marriage occurred to comply.

No provision of this Section shall be interpreted or applied so as to prevent the award of a scholarship, fellowship, or graduate assistantship to a student who is a relative of any employee of the University or of the Trustees.

C. COMPENSATION

1. Salary Payment. The base salary for most members of the faculty, some members of academic professionals, and of the staff is for work performed and work obligations incurred during the academic year, defined as the period beginning with the first day of the Fall semester registration and ending with Spring semester commencement. The base salary for certain members of the faculty performing administrative duties and other duties beyond the usual academic assignments and for most other salaried employees is for the fiscal year.

All base salaries shall be paid in twelve (12) monthly installments except as specified in University Regulation 173. Required deductions shall be taken from salary payments for Federal withholding taxes, Social Security, retirement, and for such additional purposes as may be authorized by the individual, or as required by law.

2. Supplementary Compensation.

a. From funds disbursed through the University. Full-time employees during their regular terms of service shall not have their salaries supplemented from University grants, contracts, or other University sources except for:

(1) Employment in extension classes, noncredit programs, and similar activities scheduled through adult education programs.

(2) Occasional employment at University sponsored events such as ticket selling at athletic events, or similar duties.

(3) Overtime payments when required by the contract of the employee or by applicable State or Federal law.

(4) Employment as part-time instructor, lecturer or professional employee, where the appointing department, with the approval of the employee's cognizant vice president or administrative officer, determines that:

(a) the employment will not interfere with the performance of the employee's regularly assigned duties;

(b) the part-time duties to which the employee is assigned on a supplementary basis require instructional or professional expertise that is not available through regularly appointed academic personnel or professional employees or through part-time appointment of non-University personnel; (Amended, 2/16/91)

(c) the supplementary assignment does not ordinarily exceed the equivalent of one regularly scheduled three-hour credit course in any calendar year; and

(d) the supplementary assignment shall normally not be recurring and shall not be in addition to the maximum time allowed for consulting in Chapter VII. (C.2.(c)).

(5) Employment on grants, contracts and like University-funded activities where the work is in addition to the individual's regularly assigned duties under limited conditions and for a limited period of time. Such employment may be approved when:

(a) the essential services cannot be provided by persons employed or receiving salary support under the grant;

(b) it is not possible to relieve the employee of part of usual duties;

(c) the project is one for which another department has principal responsibility; and

(d) the overload will not exceed twenty (20) days per academic year or twenty-four (24) days per fiscal year as determined by the employee's period of appointment and shall not be in addition to the maximum time allowed for consulting in Chapter VII. (C.2.(c)).

(6) When approved by the appropriate University authorities, full-time employees on academic year appointments may earn up to one-third 1/3 of their base salary for services rendered during the period from Spring commencement to reporting date. (Amended, 7/18/92)

(7) When approved by the appropriate University authorities, employees who have been granted a sabbatical leave may receive compensation from sponsored research grants and

contracts awarded to the university, up to a maximum of 40 percent of their approved academic year salary, if funding from the grant or contract is an integral component of the sabbatical proposal. (Amended, 7/18/92)

b. From State Agency Sources. The University recognizes a particular obligation to make its resources available to the various agencies of State government; however, the costs of such services normally are not included within the University budget and must, accordingly, be covered by funds from the agencies or from other non-University sources. The performance of professional and consulting work by a University employee for any Wyoming State agency shall, in general, be covered by the regulations that cover work for other outside agencies, i.e., the employee must obtain approval of the appropriate University officers and adhere to the maximum period for which additional compensation may be accepted. When an individual's services are required for a longer period, the University will make every effort to release the individual to the State agency for the time required with appropriate salary adjustment to be made between the agency and the University.

D. CONSULTING

1. During the period of full-time University employment a member of academic personnel and University officers may, with prior approval of the president or the president's designee, perform professional and consulting work with or without compensation.
2. The commitment to professional and consulting work shall not normally exceed thirty-nine (39) calendar days per academic year for academic year employees and forty-eight (48) calendar days per fiscal year for fiscal year employees.
3. The work must not interfere with normal University duties, including those extra responsibilities expected of all such employees, and must be in addition to rather than a part of normal full-time University duties. Such work must also be related to the employee's regular campus duties and must contribute to the effectiveness of the employee's regular work.
4. When members of academic personnel or University officers perform professional and consulting work, they must furnish written statements signed by them and the clients attesting that the efforts are independent of the University employment and any affiliation thereto, that the University will be held harmless in relation to any product thereof, and that the University is not to be connected with the results and may not be involved in publicity, advertising or other activities related to the work, except for publication of scholarly works. In those instances where client confidentiality is a necessary and customary practice of the profession, the academic personnel member or University officer shall furnish assurance that such signed, written statements are maintained in the member's or officer's client file.
5. A determination that the foregoing requirements have been met shall be made by the appropriate dean, director or principal University officer. The President of the University

shall receive notification of each request prior to initiation of the professional or consulting work.

6. In engaging in outside work, University personnel shall not unreasonably compete with the private sector.

7. The facilities of the University may not be used for outside work without the recommendation of the appropriate dean or director and approval of the Vice President for Administration and Finance who shall establish the compensatory schedule for facilities used.

8. This regulation shall not apply to work

a. which does not involve use of University facilities, and

b. does not represent the University, and

c. which is performed outside an individual's overall commitment of time and effort to the University, or conducted during approved vacation or leave without pay.

Paid professional or consulting activities undertaken outside the individual's overall commitment to the University will be disclosed to the appropriate dean, director, or University President.

9. Failure to comply with this regulation shall constitute a conflict of commitment and shall be cause for disciplinary action.

E. CONFLICT OF INTEREST/CONFLICT OF COMMITMENT

A conflict of interest occurs when any member of the Trustees, Officers, Faculty, Academic Professionals or Staff of the University is in a position to affect significantly the business transactions of the University with an organization in which the employee or Trustee has an interest. University employees and Trustees have a duty to disclose any such conflict or any set of circumstances which may give the appearance of conflict of interest.

A conflict of commitment arises when professional service or research contracted outside the University, consultations or other outside activities (e.g. outside teaching or business) of an employee interferes with the paramount obligations to students, colleagues and the primary missions and policies of the University. Conflicts of commitment primarily involve questions of obligation and effort, but are often tied to financial remuneration or other inducements and, in such cases, may also constitute conflicts of interest.

Conflicts of interest and conflicts of commitment may constitute a breach of the employment contract and, if not properly disclosed and eliminated or managed in accordance with University Regulations, will result in appropriate sanctions, including the

termination of employment, if warranted.

F. MILITARY LEAVE

Regular employees are eligible for a leave of absence from the University to serve in the armed forces during a period of national or state emergency or for training.

1. Active Duty for War or National or State Emergency. Regular employees who shall have been employed for eleven months who leave the University to go on active duty with the armed forces, voluntarily or involuntarily, during a state of war or declared national or state emergency will be given a leave of absence without pay. Application for such leave must be made to the individual's immediate supervisor and transmitted through regular channels to the President for approval by the Trustees. The time spent in national or state service shall count toward University retirement.

2. Active Duty for Training. Employees eligible for vacation privileges may have an additional fifteen (15) working days leave with pay per calendar year for active duty for training in addition to any other leave or vacation with pay to which the employee is entitled.

G. RETIREMENT

Employees of the University are automatically included by state law in the Wyoming Retirement System and participation in the Federal Social Security program. The Higher Education Retirement Act of 1969 permits certain options by employees to utilize a portion of employer and employee contributions to the State Retirement System for a separate plan approved by the Trustees meeting Statutory requirements, which is available pursuant to agreement with the Teachers Insurance Annuity Association. Individual contributions, benefits, and options shall be administered in accordance therewith and any other controlling state or federal laws.

Members of the Faculty with tenure will be retired on July 1 after attaining the age of 70, or they may elect retirement options, in accordance with the terms and conditions provided by state law. At the option of the Trustees, and with the concurrence of the individual faculty member, a recommendation for an annual extension of employment beyond age 70 in a capacity mutually agreed upon by the individual and the University may be presented to the Wyoming Retirement Board, which under state law shall grant approval of the recommendation.

Each year the President of the University shall report to the Trustees the names and positions of all tenured faculty members who will have reached the age of 70 or over by July 1 of that year. This report shall carry a specific recommendation from the President concerning further appointment. Such recommendations shall be required for each successive one year appointment.

Faculty members officially retired may be recalled annually by the Trustees. Request for

recall shall be made by the appropriate University officers with the consent of the retiree. Accrued limited service rights will not be affected by recall.

Employees who have completed twenty-five (25) years of service with the University or who have attained the age of 60 with fifteen (15) years of immediately preceding University service shall at the time of retiring from University service be designated Retired with regard to staff and Emeritus with regard to faculty in recognition of such service. On completion of their appointed term(s), Trustees shall be designated Emeritus in recognition of their service. A roll of such personnel shall be maintained and such personnel shall thereafter be afforded such University privileges as have been customary and as may appear appropriate from time to time in the future. (Amended, 12/8/90)

H. POLITICAL ACTIVITIES

The political rights and privileges of all employees of the University are the same as those of any other citizen of the State. However, exercise of those rights and privileges shall not involve the use of University funds, time, services and facilities unless University authorized as part of the educational process. Any such use may be subject to disciplinary action, including discharge.

I. PATENTS AND COPYRIGHTS

The obtaining of patents or copyrights for the mutual benefit of the University and its employees and for making the results of intellectual inquiry available to society is an objective of the Trustees. To accomplish this objective and to protect the interests of the parties, whenever a patent or copyright is to be sought, as a result of research or development sponsored in whole or in part, by or through the University, such work shall be reported to a University officer designated by the President. That officer shall cause an evaluation to be made of the respective interests of the University and the employee and make written recommendations to the President. The manner in which this determination shall be made, any conditions for support of further development, resources for obtaining a patent or copyright, and division of any royalties or other income resulting from a patent or copyright shall be subject to terms set forth in University Regulations or in written agreements authorized by the Trustees.

Use of University resources to develop or market any patentable invention or copyrightable work shall minimally entitle the University to exercise a perpetual, royalty-free, nonexclusive shopright to practice in the patented invention or to use the copyrighted work.

Further interest of the University shall be limited to those cases where there has been substantial use of University resources in developing the patentable invention or the copyrightable work and shall exclude articles published in scholarly professional journals. The extent of the University's and the employee's interest shall be determined with regard for the benefit to the parties.

J. CLASSIFIED RESEARCH AND SECURITY CLEARANCE

The University of Wyoming does not prejudge the appropriateness of participating in classified research. Rather, it reserves the right to examine each proposed project in the context of scientific merit as well as contributions the research may make to the general welfare of the state, the nation and the whole of humankind. As the governing body for the University, the trustees have authority to accept or reject all research grants, contracts and gifts. In order to make special judgments about research projects, the Trustees must have access to research protocols, including classified research to be conducted at the University of Wyoming.

1. The Trustees shall be fully apprised of the character of all proposed classified research to be conducted at the University of Wyoming. The University, its academic personnel and staff, shall enter into contracts for classified research only with the express approval of the Trustees. (Amended, 2/16/91)
2. A Security Management Team (SMT) shall be designated for each classified research project to be conducted at the University of Wyoming. All members of the SMT shall be subject to security clearance investigation by the Defense Investigation Service and must be awarded clearance at the appropriate level in order to function as a member of the team.

The Security Management Team will consist of the President of the University, the Vice President for Research, the Associate Vice President for Research (as Security Officer), two representatives from membership of the Trustees, the faculty involved in the research and others as may be required by the grantor or contractor.

K. SAFETY

Every employee has a responsibility to assist the University in identifying and eliminating safety problems in the University environment. Any employee who believes there is a safety problem in his/her work environment, or elsewhere in the University is obligated to bring the problem to the attention of the Risk Management Office. The Office shall be headed by the Director, Risk Management who shall coordinate all safety activities of the University including implementation and maintenance of any workplace drug testing program required by state or federal law. All such program policies and procedures will be on file in the Risk Management office and available for inspection by University employees and the public during normal business hours. The Director, Risk Management is charged with the planning and implementation of action to meet the requirements of all other applicable state and federal legislation and all associated rules and regulations. The Director, Risk Management shall have the authority necessary to ensure the safety of the University community, including the authority to vacate and close down University facilities, projects or activities. The Director's decisions are subject only to review by the President or his/her designee. (Amended, 1/27/96)

VIII. STUDENTS

A. ADMISSIONS

Requirements for admission to the University shall be established by regulations of the University which are in accordance with governing law. No student shall be admitted to the University as a candidate for a degree unless he/she is admitted to a college concurrently. The Director of Admissions, under the supervision of the Provost, shall have administrative responsibility for the admission of students in accordance with such regulations.

Admission and programs of the University are offered to all eligible people without regard to race, color, national origin, sex, religion, political belief, age, veteran status or handicap.

B. FEES

All student fees, charges, refunds, and deposits shall be fixed by resolution of the Trustees, and shall be published in the appropriate University publications. All fees are payable in advance, unless the student has signed a deferred fee payment agreement with the University, and no student shall be admitted to classes until such fees have been paid, or a deferred fee payment agreement has been signed, except upon specific authorization of the President of the University. A student signing a deferred fee payment agreement will not be allowed to complete a current term unless payment in full has been made by the date specified in the deferred fee payment agreement, except upon specific authorization of the President of the University.

Fees, other than late registration fees and deposits, will be refunded to students who formally withdraw from the University after registration and the payment of fees, in accordance with schedules fixed by resolution of the Trustees and published in the appropriate University publications.

C. STUDENT CLASSIFICATION FOR FEE PURPOSES

The following regulations govern the classification of students at the University of Wyoming as resident or non-resident for purposes of fee assessment and shall be administered by the Director of Admissions.

1. The following students shall be classified as Wyoming residents for fee purposes:
 - a. Minors whose parent(s) are domiciled in the State of Wyoming. Domicile in Wyoming shall be deemed to exist when the parent(s) have established permanent residence in Wyoming and any former domicile is abandoned. Parents may be deemed to include a legally appointed guardian depending on the circumstances.

For purposes of these regulations, minors shall be classified as residents for fee purposes if the student's parent or guardian works and resides within the State for an anticipated period of not less than one year. Students must inform the Division of Admissions of any change in the place of residence of their parents or guardian between the time of filing the Application for Admission and registration for classes.

- b. Adults who have established a permanent domicile in Wyoming and resided in the State for one continuous year after the permanent domicile is perfected. Adult students, for purposes of this regulation, are defined as persons at least 21 years of age, or married persons under such age maintaining a household in Wyoming with their spouse. (Amended, 7/14/90)
- c. Students over 21 years old, who can document financial dependence on Wyoming resident parents or legal guardian, may qualify for in-state fee status. Acts of domicile include but are not limited to the following: (Amended, 7/14/90)

(1) Highly Persuasive Acts of Domicile

- (a) Full-time employment in Wyoming for one continuous year
- (b) Ownership of home or property in Wyoming
- (c) One year of continual presence in Wyoming without being enrolled in college for more than four hours (4) per term
- (d) Payment of substantial taxes to Wyoming

(2) Less Persuasive Acts of Domicile

- (a) Former domicile in Wyoming and maintenance of ties to Wyoming
 - (b) Reliance on Wyoming resources for full financial support
 - (c) Wyoming vehicle registration (required by state law)
 - (d) Wyoming address on most recent federal income tax
 - (e) A valid Wyoming driver's license.
 - (f) Wyoming voter registration
- d. Students temporarily absent from the State due to military service, attendance at an educational institution, or other type of documented temporary sojourn, who would have been classified as residents at the time of departure.

- e. A U.S. citizen or permanent resident who marries a person who qualifies as a Wyoming resident for University fee purposes shall be granted resident fee status at the beginning of the next University term subsequent to the marriage.
2. Students who are not U.S. citizens or U.S. permanent residents shall be shall be classified non-residents.
3. All other students shall be classified as non-residents for UW purposes. Residing in Wyoming primarily as a student does not support a claim for resident status irrespective of the length of such temporary residence.
4. Change of residence classification shall be governed by the following regulations:
 - a. Non-resident undergraduates whose original classification was based on domicile of parents may be reclassified after reaching age 21 and meeting all other domicile requirements. (Amended, 7/14/90)
 - b. Individuals may be reclassified for the following term when the facts indicate that a change in domicile has occurred since the time of original residence classification.
 - c. An initially assigned non-resident classification may be appealed to the Director of Admissions for decision provided the residency petition is submitted with adequate documentation on or before the first day of classes for the term in question. The decision on the petition for reclassification made by the Director of Admissions may be further appealed to the Residence Classification Committee provided the appeal is made within twenty (20) calendar days of the date of the Director's decision. No reclassification will be retroactive to previous terms.
 - d. The Director of Admissions shall be responsible for the administration of these regulations.
 - e. There shall be a Residence Classification Committee consisting of three members appointed by the President and the Director of Admissions who shall be an ex officio (without vote) member of the Committee and shall serve as Chairperson. The duties of this Committee shall be as follows:
 - (1) To render interpretations and rulings at the request of the Director of Admissions.
 - (2) To serve as an appeals committee for students who wish to appeal the decision of the Director of Admissions.

- (3) To consider University policies in the area of residence classification and make recommendations to the Trustees of the University of Wyoming.

D. TUITION CLASSIFICATION EXCEPTIONS

1. The following students are eligible for reduced tuition rates that are calculated at one hundred fifty percent (150%) of resident tuition rates. Appropriate documentation must be on file in the Admissions Office on or before the first day of classes for the term that the student is seeking reduced tuition rates. These rates will be effective beginning Fall Semester 1993.
 - a. Non-resident UW graduates and their spouses.
 - b. Non-resident sons, daughters and their spouses of UW graduates if the UW graduate is a life member of the UW Alumni Association.
 - c. Non-resident, active, Wyoming National Guard members and their spouses.
2. The following students are eligible for in-state tuition rates. Appropriate documentation must be in the Admissions Office on or before the first day of classes for the term that the student is seeking in-state tuition rates. These rates will be effective beginning Fall Semester 1993.
 - a. Active United States Armed Forces members stationed in Wyoming and their dependents.
 - b. Spouses of persons who have a permanent domicile in Wyoming. In-state rates will be effective with the next academic term following the marriage.
 - c. Graduates of all Wyoming high schools who attend UW within one year of high school graduation and maintain continuous UW enrollment.

E. FEE SCHOLARSHIPS

Fee scholarships, other than those supported from external sources, may be established only by the Trustees or by Statute, and a listing of such scholarships shall be published in administrative regulations.

F. DISMISSAL

Dismissal of students for academic reasons shall be governed by the regulations of the University faculty and the regulations of the various colleges and the Graduate School. Individual cases shall be determined, in accordance with the criteria established by such regulations, by the dean and faculty of the particular college or the Graduate School in the manner set forth in such regulations.

Dismissal from the University for misconduct shall be effected by order of the Provost with the prior approval of the President of the University. Before recommending the dismissal of a student for such reasons, the student shall be advised of the proposed action. If the student so requests, a hearing shall be held at which time the student shall be afforded the opportunity to hear the evidence in support of the proposed action, to cross-examine witnesses, and to present evidence in his own behalf. The student may be represented in such hearing by counsel of the student's choice. A summary of the evidence presented at such hearing shall accompany the recommendation for dismissal. The Provost shall adopt regulations further defining the causes for dismissal and specifying the procedure to be followed in the conduct of the hearings provided for herein.

G. STUDENT ORGANIZATIONS

The organization known as the Associated Students of the University of Wyoming (ASUW) is hereby recognized as a part of the University. The constitution of such body in effect on the effective date of these regulations is hereby approved and ratified. No revisions of, or amendments to, such constitution shall become effective until they have been submitted to and approved by the Trustees.

It shall be the duty of the Provost to work with the ASUW in the development of a program to promote the general welfare of all students at the University.

All other campus student organizations annually must apply for official University recognition in accordance with the policies and procedures outlined in administrative regulations.

Only recognized student organizations shall be eligible to use University facilities and services.

H. STUDENT PUBLICATIONS

Student publications may be sponsored by the Associated Students of the University of Wyoming. No other publications shall be identified as the work of or representative of University of Wyoming students unless they are sponsored by a student organization officially recognized by the Provost. All student publications supported by use of University facilities or funds shall be approved by, and subject to the direction of a Student Publications Board which shall fulfill the normal responsibilities of a publisher. The Board shall be responsible to, and established by, the President of the University.

I. THE WYOMING UNION

The general operation and utilization of the Wyoming Union shall be conducted under the immediate administrative supervision of the Director of the Wyoming Union, who shall be responsible to the President of the University through the Provost. The Director of the Wyoming Union shall also be subject to the supervision of the Vice

President for Administration and Finance with regard to the business and financial affairs of the Wyoming Union. The Director of the Wyoming Union shall be responsible for administering and planning the affairs of the Wyoming Union after consultation with the Wyoming Union Board with regard to general advisement on budgeting priorities for programs and services of the Wyoming Union as well as facility policies, scheduling of facilities and other similar matters involving the use and operation of the Union. The Wyoming Union Board shall be established by regulation issued by the President of the University, approved by the Trustees.

J. STUDENT EMPLOYMENT

Incident to the conduct of the operations and work of the University, part-time employment opportunities for students may be established and maintained within the University in accordance with such University-wide standards and procedures as may be approved by the President of the University.

Specific terms and conditions for such employment opportunities as approved by the President shall reflect a policy intended to provide work opportunities for students who desire or need to work to assist in meeting costs associated with progress toward their educational objective, as well as the recognition of educational benefits to the student incident to the performance of services for the University.

Compensation plans may be established upon the basis of hourly rates of pay or stipends for specified periods of time as may be deemed appropriate for differing types of services and educational programs.

The various provisions of **Chapters VI and VII** of these *Regulations of the Trustees* may be modified or deemed inapplicable with regard to the establishment of specific terms and conditions for students who receive any form of compensation or stipend from the University.

IX. DEGREES AND DIPLOMAS

A. DEGREES AND DIPLOMAS IN COURSE

All academic programs leading to the bachelor's, master's, or doctoral degrees, or to a professional diploma, must be authorized by the Trustees. The requirements for and designation of offered degrees shall be established by regulations, as required by **Chapter IV**. Degrees and diplomas shall be awarded by the Trustees upon recommendation of the appropriate school or college faculty, transmitted to the Trustees by the President of the University.

B. HONORARY DEGREES

Nominees for honorary degrees may be submitted by members or former members of the Trustees, members of the faculty, and alumni. All recommendations shall be submitted in writing to the President of the University by a designated date each year. The President shall refer all nominations to a joint committee consisting of not more than three members of the Trustees appointed annually by the President of the Trustees, three members of the appropriate faculty committee chosen annually by that committee, and the President of the University who shall preside as chairperson without vote.

The joint committee shall canvass fully the achievements and qualifications of persons nominated in accordance with the following criteria:

1. Notable contribution to the health, education, or general welfare of the people of the State.
2. Outstanding accomplishment on either a state or national level by alumni of the University.
3. Accomplishment so outstanding as to have won recognition on a national or international level.

All deliberations and votes of the joint committee shall be secret except for official records where required. Any candidate who receives an affirmative vote of two-thirds of the joint committee shall be recommended by the Trustees. The Trustees will award an honorary degree only upon recommendation of the joint committee, but reserves full discretion in respect to approval or disapproval of joint committee recommendations.

The only honorary degree authorized is the Doctor of Laws and it normally shall be awarded only at the time of Commencement.

X. PHYSICAL PLANT

A. BUILDINGS

The selection and employment of architects for all buildings of the University, the adoption of plans, specifications, and details for such buildings, and the receiving of bids and awarding of contracts shall be a function of the Trustees upon recommendation of the Physical Plant and Equipment Committee. Through this Committee, the Trustees shall maintain general supervision over the construction and equipping of all University buildings.

Names of buildings shall be selected by the Trustees. No building shall be named after any person actively connected with the University at the time.

B. MOTOR VEHICLES

The unauthorized use by any officer or employee of any motor vehicle belonging to the State of Wyoming or the use of any such vehicle except on official business is prohibited by state statutes. The prohibitions contained therein apply to motor vehicles owned by the University.

C. PURCHASES

Preference shall be allowed in purchase of materials, supplies, equipment and machinery provided by bona fide Wyoming residents when such materials, supplies, equipment, machinery or provisions are of quality equal to those of any other state enforcing or having a differential for "out-of-state" materials, supplies, equipment, machinery, or provisions. Such preference shall be five percent (5.0%) and shall apply to materials, supplies, equipment, machinery or provisions produced, manufactured or grown in this state, and to materials, supplies, equipment, and machinery supplied by a Wyoming resident. However, preferences shall not be given in violation of any Federal law, rule or regulation. Whenever Federal laws are applicable, Federal laws shall supersede any State laws.

For purposes of purchases described in the above paragraph a bona fide Wyoming resident shall be construed to mean a person, partnership or corporation certified as a resident by the Commissioner of Labor and Statistics prior to bidding upon the contract, subject to the following criteria:

1. Any person who has been a bona fide resident of the state for one (1) year or more immediately prior to bidding upon the contract; or
2. A partnership or association, each member of which has been a bona fide resident of the state for one (1) year or more immediately prior to bidding upon the contract; or

3. A corporation organized under the laws of the state with at least fifty percent (50%) of the issued and outstanding shares of stock in the corporation owned by persons who have been bona fide residents of the state for one (1) year or more prior to bidding upon the contract, and which maintains its principal office and place of business within the state; or
4. A corporation organized under the laws of the state which has been in existence in the state for one (1) year or more immediately prior to bidding upon the contract and maintains its principal office and place of business within the state. If at least fifty percent (50%) of the issued and outstanding shares of stock in the corporation are owned by nonresidents, shares of the corporation shall:
 - a. have been acquired by nonresidents one (1) year or more immediately prior to bidding upon the contract; or
 - b. be publicly traded and registered under Sections 13 or 15(d) of the Securities Exchange Act of 1934 for one (1) or more classes of its shares.

