

THE UNIVERSITY OF WYOMING
Laramie, Wyoming

REGULATIONS OF THE TRUSTEES OF THE UNIVERSITY OF WYOMING, Section VI, Item E

Initiating Authority: University Staff Senate

Subject: Review and Approval of Proposed Bills/Resolutions

References: (a) Regulations of the Trustees of the University of Wyoming, Section IV, Item C

(b) Staff Senate Bill 1

1 1. Purpose. To amend the Regulations of the Trustees of the
2 University of Wyoming, Section VI, Staff of the University by
3 incorporating Staff Senate Bill 1, which establishes, by the
4 addition of Item E, Review and Approval of Proposed
5 Bills/Resolutions.

6 2. Directive. Effective immediately, Regulations of the
7 Trustees of the University of Wyoming, Section VI, add Item
8 E to read:

9 Section VI. Staff of the University

10 E. All proposed bills/resolutions shall be reviewed by the
11 President of the University. Incident to such review, the
12 President shall consider the need for such
13 bills/resolutions, the duties and authority of the officer
14 or staff unit proposing the bill/resolution, possible
15 conflicts with other existing bills/resolutions, and such
16 other matters as the President may deem relevant to the best
17 interest of the University.

18 The President may cause the proposed bills/resolutions to be
19 reviewed by any affected units of the University, and any
20 officers or committees concerned with the substance of the
21 proposal in order to elicit their recommendations.

22 In his/her discretion, the President may return the proposed
23 bill/resolution for consideration of matters requested by
24 him/her. But, if in the case of a bill/resolution which has
25 been proposed by the Staff Senate, the Senate, after
26 consideration of the President's views, shall agree to
27 repass the bill/resolution by a three-fourths vote of the
28 members present and voting (there being a quorum of at least
29 two-thirds of the voting members present), the President

30 shall refer the bill/resolution to the Trustees, at their
31 next regularly scheduled meeting, for final approval,
32 disapproval or other disposition of the bill/resolution. At
33 this meeting, the President shall present his/her views on
34 the proposed bill/resolution to the Trustees and the
35 President of the Staff Senate or his/her designated
36 representative shall be invited by the Trustees to represent
37 the view of the Staff Senate on the proposed
38 bill/resolution.

39 Except as provided for in the preceding paragraph no
40 bills/resolutions authorized under this Chapter shall become
41 effective unless and until approved by the President. In
42 his/her discretion, the President may approve
43 bills/resolutions which are ministerial in nature or which
44 are in furtherance of and necessary to implementation of
45 functions and responsibilities established by Regulations of
46 the Trustees, or the President may refer them to the
47 Trustees for consideration before he/she takes action
48 thereon.

49 Proposed bills/resolutions which involve substantial changes
50 to the functions, programs and procedures of staff units or
51 the organization and operation of the offices of the
52 principal administrative officers or which involve
53 significant matters of University-wide concern and policy
54 shall be referred to the Trustees for consideration before
55 the President takes action thereon.

AUTHENTICATION: The foregoing resolution was duly adopted by the University Staff Senate on October 11, 1995 and is hereby transmitted to the President of the University for consideration in accordance with the Bylaws of the University Staff Senate.

Sandra K Gabriel

Sandy Gabriel, Secretary

STAFF SENATE DOCUMENT FLOW CHART*

Received in Staff Senate Office 10/2/95 Sent by Unireg Committee
Document description Addition of Item, E in Section VI to Regulations of the
Trustees of the University of Wyoming

Staff Senate Office action taken Sent to Exec for consideration

Referred to Staff Senate Executive Committee on 10/2/95

Returned from Same on _____

Committee recommendation: no action _____; refer to Staff Senate X;
other _____

Staff Senate ~~Resolution~~ ^{Bill} No. 1

Title REGULATIONS OF THE TRUSTEES OF THE UNIVERSITY OF WYOMING, Section VI,
Item E SUBJECT: Review and Approval of Proposed Bills/Resolutions
Introduced by Staff Senate Unireg Committee

Staff Senate action: Passed X Vote count 40 for 0 against;
Failed _____ Vote count _____ for _____ against;

Transmitted to President 10/25/95
Acknowledgement of receipt (date) _____ per _____
(*copy to Staff Senate Office)
_____ of President's Office

Referred to _____ from President's Office on _____
(*copy to Special Assistant's Office)

Comments _____
(*if no referral necessary, return original to Staff Senate Office, one copy to
Vice President for Finance and Administration's Office with comments, if any)

Referee, if UniReg changes required, forward to Special Assistant for preparation
of necessary changes.

Comments _____

Final action by Special Assistant _____
(*original to Staff Senate Office, one copy to President,
one copy to Vice President for Finance and Administration)



June

Office of the President
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November 9, 1995

TO: Dr. Terry Roark, President

FROM: Dave Baker
Special Assistant to the President

RE: Staff Senate Bill 1

This Staff Senate Bill would establish a procedure for the disposition of legislation generated out of the Staff Senate that would parallel the process for handling Faculty Senate legislature relating to University Regulations. (See Attachment 1 for Trustee Regulation IV Items B and C.)

Trustee Regulation IV sets out a role for the Faculty Senate based on a delegation of authority to the University's Faculty to adopt regulations to establish academic policy, promote the welfare of the University, regulate student life and establish faculty committees (Trustee Regulation IV B). It would appear this delegation by the Trustees was made pursuant to the authority of Wyoming Statutes. (See Attachment 2 W.S. 21-17-103.)

The Staff Senate proposal, however, fails to take into account two important factors:

- ✓ 1. There is neither Statutory nor Trustee authority for the exercise of this role by the University's nonacademic personnel nor the Staff Senate; and
2. There would be no limitation placed on the authority of the Staff Senate to legislate which would be similar to the specific areas of delegation to the Faculty noted in Trustee Regulation IV B.

The role being suggested for the Staff Senate in Staff Senate Bill 1 goes well beyond that usually assigned to nonacademic personnel in any shared governance system of which I am aware. Even institutions under collective bargaining contracts do not embrace such a powerful role for its nonacademic personnel in governance. Having said this, however, it is important to remember that each institution is unique and the University of Wyoming should address this issue in terms of how its own best interests would be served.

Dave Baker

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

§ 21-17-103. Powers and duties of the faculty.

The president and professors of the university shall be styled "the faculty", and may enforce rules and regulations adopted by the trustees for the government of students, reward and censure students as they may deserve, and generally exercise such discipline, in harmony with the regulations, as is necessary for the good order of the institution. The faculty may present to the trustees for degrees and honors such students as are entitled thereto, and in testimony thereof, when ordered by the board, suitable diplomas, certificates or other testimonials under the seal of the university, and the signatures of the faculty. When, in course of time, distinct colleges or departments of the university are duly organized and in active operation, the immediate government of such departments shall, in like manner, be entrusted to their respective faculties. (Laws 1890-91, ch. 75, § 8; R.S. 1899, § 493; C.S. 1910, § 418; C.S. 1920, § 473; R.S. 1931, § 108-509; C.S. 1945, § 70-109; W.S. 1957, § 21-338; Laws 1977, ch. 169, § 1; Rev. W.S. 1957, § 21-2-103.)

Law reviews. — For comment, "Colleges and Universities: The Demise of In Loco Parentis," see VI Land & Water L. Rev. 715 (1971).

Am. Jur. 2d, ALR and C.J.S. references.
— 15A Am. Jur. 2d Colleges and Universities §§ 26 to 31.
14A C.J.S. Colleges and Universities §§ 19 to 28.

Handwritten:
2/10/77
5/1/77