

THE UNIVERSITY OF WYOMING
BOARD OF TRUSTEES' REPORT
March 22-24, 2012

**The Final Report can be found on the University of Wyoming Board of Trustees website at
<http://uwadmweb.uwyo.edu/trustees>**

University of Wyoming Mission Statement (March 2009)

The University of Wyoming aspires to be one of the nation's finest public land-grant research universities. We serve as a statewide resource for accessible and affordable higher education of the highest quality; rigorous scholarship; technology transfer; economic and community development; and responsible stewardship of our cultural, historical, and natural resources.

In the exercise of our primary mission to promote learning, we seek to provide academic and co-curricular opportunities that will:

- Expose students to the frontiers of scholarship and creative activity and the complexities of an interdependent world;
- Ensure individual interactions among students, faculty, and staff;
- Nurture an environment that values and manifests diversity, free expression, academic freedom, personal integrity, and mutual respect; and
- Promote opportunities for personal growth, physical health, athletic competition, and leadership development for all members of the University community.

As Wyoming's only university, we are committed to outreach and service that extend our human talent and technological capacity to serve the people in our communities, our state, the nation, and the world.

The primary vehicles for identifying the specific actions and resource allocations needed to accomplish this complex mission are the University's strategic plans, revised periodically.

TRUSTEES OF THE UNIVERSITY OF WYOMING AGENDA
March 22-24, 2012

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 - D. Alumni Board – Trustee Lauer, Board Liaison
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- F. Ruckelshaus Institute of Environment and Natural Resources (RIENR) Board
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AGENDA ITEM TITLE: Construction Contracts, Vinzant

- a. Approval of Architect/Engineer Services for Literacy Research Center and Clinic (LRCC)
- b. Approval of Finance Agreement for UW's ESCo Project

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify:

a. Approval of Architect/Engineer Services for Literacy Research Center and Clinic (LRCC)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The mission of the University of Wyoming Literacy Research Center and Clinic (LRCC) is to serve as the epicenter of literacy expertise in the state. The primary goals of the LRCC will be to improve the quality of literacy learning, literacy instruction, and literacy leadership in the state. Through the formation of partnerships with public schools, private schools, and community-based organizations for children and families, center personnel will engage in clinical and professional development activities both on the UW campus and across the state using state-of-the-art distance technologies. Research projects will be developed in relation to all clinical and professional development activities. At present, we have planned outreach and research efforts that focus on the following key areas: (a) basic literacy processes (e.g., emergent literacy, vocabulary, comprehension); (b) struggling readers and writers; (c) genre-based, discipline-based literacy processes across the K-12 spectrum; (d) family literacy (particularly with poor, rural families and families who include English learners); and (e) the transition to post-secondary life.

The UW College of Education has become a focal point of scholarship and expertise in literacy, an area in which we are poised for national prominence. Literacy is the undeniable cornerstone for success in schools and for future contributions to our national and state economy and these issues are the bases for the contemporary public and political outcry to reform schools. School reform cannot occur without reaching out to the teachers and other school personnel to support them in improved instructional practice. It is through the continued research around literacy education that we identify new instructional strategies and best practices to share with pre-service and in-service teachers. The Literacy Research Center and Clinic is focused on the needs of learners of all ages (birth through high school) and the improvement of the instructional capacity of classroom teachers to meet these needs on a daily basis through a three-pronged approach that includes pre K-12 education, pre-service teacher education, and graduate education/research.

The location of choice for the LRCC is within the Education Annex Building to collocate the education and literacy functions of the college. The facility is located on Lewis Street and 13th

Street. The existing 9,000 gross square feet of lower level space will be reconfigured for the LRCC containing 5,780 net square feet. The estimated costs of \$3.85 million will be funded with private donations and matched by state appropriations. The project schedule would have design completed by August 2012 and construction completed by May 2013.

The professional architect/engineering services were publicly advertised with qualification responses received on March 2, 2012 with six Wyoming firms responding. Interviews are scheduled to occur on March 20, 2012.

The recommended architect/engineering team will be presented at the March meeting of the Board of Trustees.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

None

WHY THIS ITEM IS BEFORE THE BOARD:

Authorization is required from the Board of Trustees to contract for the architect/engineering services for the LRCC.

ARGUMENTS IN SUPPORT:

The funding is available through private donations matched with an appropriation for the purposes of completing the design and construction of the Literacy Research Center and Clinic.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

Authorization to contract with the recommended architect/engineer for LRCC.

PRESIDENT'S RECOMMENDATION:

It is recommended that the Board of Trustees of the University of Wyoming authorize contracting with the recommended architect/engineer for the Literacy Research Center and Clinic.

b. Approval of Finance Agreement for UW's ESCo Project

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The form of financing most commonly utilized for an energy performance project is a tax exempt lease purchase agreement (TELP/Lease). The TELP is a widely accepted form of financing and is used extensively by state and local governments throughout the U.S. The flexibility offered by the TELP coupled with the cost effectiveness and timeliness in which it can be completed makes it well suited for energy performance, or Energy Service Contracts (ESCo).

The lease purchase agreement provides for scheduled principal and interest payments to be made over a specified period of time vs. upfront capital costs or capital appropriations. The lease payments are subject to the annual appropriation of funds and do not create indebtedness beyond the current fiscal year of the lease.

Under Wyoming Energy Performance Contracting Statutes 9-12-1201 and 9-12-1203, separate financing by a third party is allowed and the tax-exempt lease agreement is distinct and separate from the energy performance contract. Wyoming statutes require that the term of the energy performance contract and the financing shall not exceed 20 years from the time of completion of the project. The proposed lease term for UW's energy performance project is 15 years.

UW solicited finance proposals from third party financing companies that had proven expertise in tax exempt lease purchase agreements and energy performance contracts. The Request for Proposals for Energy Performance Contract Financial Services, developed using the original Wyoming Energy Conservation Improvement Program (WYECIP) format as a template with specific additions specific to the UW project, was utilized for soliciting finance agreement proposals. Following the procurement process outlined above, the University identified Kaiser and Company of Cheyenne, WY as the most qualified firm to provide a tax exempt lease purchase agreement for UW's energy performance project. Kaiser and Company provided a final interest rate of 2.830% for the proposed project.

Project Scope and Design

1. The University's proposed energy performance contract with Long Energy Solutions identifies a total project cost of \$5,354,315 to implement Energy Conservation Measures (ECM's) in ten University buildings.
2. An estimated \$222,141 is expected in utility incentives (rebates) to the University which can be applied to the project cost.
3. Project construction will commence in May 2012 and is anticipated to be complete by August 31, 2013.
4. The proposed term for the lease purchase agreement is 15 years at an interest rate of 2.830%.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- September 2010 – ESCo contract information item presented to Board of Trustees
- January 2011 – Board of Trustees authorized the Vice President for Administration to execute an agreement with Long Energy Solutions for an Industrial Grade Audit on the 10 buildings in UW's ESCo pilot project and to develop an energy performance contract proposal
- January 2012 – Board of Trustees authorized the Vice President of Administration to contract with Long Energy Solutions to implement Energy Conservation Measures in ten designated buildings on the University campus as identified in UW's ESCo pilot project

WHY THIS ITEM IS BEFORE THE BOARD:

Board of Trustees authorization for negotiating and entering into lease purchase agreement is necessary to enable the University to implement its energy performance project with Long Energy Solutions.

ARGUMENTS IN SUPPORT:

The University has conducted extensive research on energy performance projects and is confident that the proposed lease purchase agreement is the preferred financing mechanism for its ESCo project. All funding for the building improvements to be completed by this pilot project will be from the utility savings identified and guaranteed by Long Energy Solutions.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

Authorize the Vice President for Administration to enter into a lease purchase financing agreement with Kaiser and Company for UW's energy performance project with Long Energy Solutions.

PRESIDENT'S RECOMMENDATION:

The President recommends that the Board of Trustees of the University of Wyoming authorize the Vice President for Administration to enter into a lease purchase financing agreement with Kaiser and Company for UW's energy performance project with Long Energy Solutions.

AGENDA ITEM TITLE: Legislative Update, Richards

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

Don Richards, Director of Governmental and Community Relations, will provide an update to the Board of Trustees. Materials will be distributed at the meeting. The 2012 Budget Session commenced Monday, February 13, 2012, and concluded on Thursday, March 8, 2012.

In sum, the Legislature built upon both the Governor's recommended budget and the budget recommended by the Joint Appropriations Committee in two bills – the 2013-14 biennial budget bill and a separate piece of legislation appropriating abandoned mine land (AML) funds for federal fiscal year 2012 and prior federal fiscal years. In addition, UW government affairs staff monitored and/or testified on approximately two dozen pieces of non-budget legislation with substantial direct or indirect impact on UW's operations.

AGENDA ITEM TITLE: July Bond Package, Vinzant/Richards

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

Vice President for Administration Douglas Vinzant and Director of Governmental and Community Affairs Don Richards will lead a discussion regarding bond approval for Half Acre Gym and the Performing Arts Building.

AGENDA ITEM TITLE: Tuition and Fees, Vinzant

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

Tuition

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The Trustees of the University of Wyoming, a constitutional body, are responsible for the “management of the university” (Wyoming Constitution, Article 7, 17). UW Regulation 8-1 stipulates that “all student fees, charges, refunds and deposits shall be fixed by resolution of the Trustees and shall be published in the appropriate university publications.”

A tuition increase of 2 percent annually for FY 2013 and an additional 2 percent annually for FY 2014 is recommended for all *resident* undergraduate and graduate students; it is also recommended that the tuition for *non-resident* undergraduate students and graduate students be increased by 4 percent in FY 2013 and an additional 2 percent in FY 2014. The tuition costs per credit hour that result from these recommended increases are:

	\$ per credit hour		
	<u>FY 2012</u>	<u>FY 2013</u>	<u>FY 2014</u>
<u>General Tuition Program</u>			
Undergraduate			
Resident	\$104	\$106	\$108
Non-resident	\$395	\$411	\$419
Graduate			
Resident	\$202	\$206	\$210
Non-resident	\$576	\$599	\$611
<u>Outreach Non-resident Transition Plan</u>			
Undergraduate	\$104	\$108	\$148
Graduate	\$202	\$210	\$288
<u>Tuition Rates for Programs with Differential Rates</u>			
Law			
Resident	\$403	\$411	\$419
Non-resident	\$814	\$847	\$864
Pharmacy			
Resident	\$372	\$379	\$387
Non-resident	\$747	\$777	\$793

MBA				
	Resident	\$519	\$529	\$540
	Non-resident	\$753	\$783	\$799
DNP				
	Resident	\$ --	\$298	\$304
	Non-resident	\$ --	\$615	\$627

Proceeds from the general tuition increase will be used to support UW's top non-salary academic program priorities, including university libraries, classroom technology, and instructional excellence. These investments will directly enhance the quality of the educational experience for UW students.

The tuition proposal will generate new revenue of \$1.6M/year in FY 2013 and an additional \$1.0M/year in FY 2014 (a total of \$2.6M/year in recurring annual revenue by FY 2014). The new revenue will be allocated as follows:

	<u>FY 2013</u>	<u>FY 2014</u>
Libraries	\$0.9M/year	\$0.9M/year
Classroom Technology	\$0.7M/year	\$1.3M/year
<u>Instructional Excellence</u>	\$ --	\$0.4M/year
Total New Revenue	\$1.6M/year	\$2.6M/year

(Dollar amounts in the table above represent cumulative additions to these budgets from new tuition revenues during the biennium. For example, the total increase to the libraries from new tuition revenues during the biennium will be \$0.9M/year, to fully fund UW's goal to obtain library resources sufficient to secure Greater Western Library Association (GWLA) membership.)

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- January 2012 - The Board discussed tuition policy.
- Committee Meetings - Data and analyses have also been provided to the Board at their March 13-14, 2012 committee meetings.

WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees approves the tuition rates for the University of Wyoming.

ARGUMENTS IN SUPPORT:

- The proposed investment of tuition dollars in libraries, classroom technology, and instructional excellence will enhance the quality of the education UW students receive.
- Generous support from general fund appropriations provided by taxpayers of the State of Wyoming substantially underwrites the cost of education for Wyoming resident students.

- Tuition and mandatory fees for resident undergraduates at the UW are the lowest in the country among all public doctoral universities. If the proposed tuition increase is adopted, UW will continue to have the lowest tuition and mandatory fee rates for resident undergraduates nationwide among public doctoral universities.
- The Outreach School's four-year transition plan will bring non-resident tuition rates in line with UW on-campus non-resident rates by FY 2017.
- Tuition differentials for the professional programs leading to the J.D., M.B.A., and Pharm.D. degrees will increase by the same rates as the general undergraduate and graduate rates. The D.N.P. degree program is new in FY 2013, and this tuition proposal simply establishes a new tuition differential rate.
- The differential rate adjustments will provide additional resources directly to the four professional degree programs, enhancing the quality of those programs for the students who pay the tuition differentials.

ACTION REQUIRED AT THIS BOARD MEETING:

It is recommended that the Board of Trustees of the University of Wyoming approve the tuition rates for resident and non-resident students (including the non-resident tuition rate transition plan for the Outreach School) and the differential tuition rates for professional programs as presented in this item for Fiscal Year 2013 and Fiscal Year 2014.

PRESIDENT'S RECOMMENDATION:

The President recommends approval of the tuition program as presented in this item.

Fees

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The Trustees of the University of Wyoming, a constitutional body, are responsible for the "management of the university" (Wyoming Constitution, Article 7, 17). UW Regulation 8-1 stipulates that "all student fees, charges, refunds and deposits shall be fixed by resolution of the Trustees and shall be published in the appropriate university publications."

The Board adopted a two-year program of tuition increases at the November 2009 Board of Trustees meeting and a two year program of fees at the January 2010 meeting.

This item (together with the associated University of Wyoming Fee Book publication) presents recommended increases for all Mandatory and Non-Mandatory Fees for the University of Wyoming.

Mandatory Fees

The mandatory fees assessed on all students on the Laramie campus support a variety of self-sustaining programs. The proposed increases for FY 2013 and FY 2014 will be used to fund operating cost increases (e.g., employer contribution for health insurance premiums, utility cost increases, etc.) and a limited number of program enhancements.

- The fee request from the Wyoming Union will cover anticipated increases in health insurance. The Union Board and the Student Fee Committee have recommended approval of this request.
- The mandatory Student Services Fee supports a number of programs and operations, including ASUW, Student Media, Recycling, Wellness, AWARE, SLCE (Service, Leadership and Community Engagement), and music/theatre programs. Base increases in the Student Services Fee will be used to fund health insurance increases, maintenance and repair expenses, and supplies. Additional funding has been requested by Alcohol Wellness Alternatives, Research & Education (AWARE) to cover the Alcohol EDU program for freshmen, since the current grant supporting it is ending. The University Counseling Center is requesting additional funding to support programming for a centralized wellness program. Student Media is requesting an increase to cover anticipated health insurance cost increases. The fee for ASUW is being reduced by the amount of the funding of SafeRide which is being transferred to Transit and Parking Services. They are also requesting a small increase in their fee to cover anticipated health insurance costs. The Recycling program, Music/Theatre, and SLCE did not request an increase in FY 2013 or FY 2014.
- The increased fee for Student Health Service will cover the increase in health insurance premiums as well as small programmatic enhancements for University Disability Support Services.
- The increase of \$25 per year for Intercollegiate Athletics will provide additional support for a broad array of athletics needs. UW student fees supporting Intercollegiate Athletics are among the lowest in the conference and the western region of the United States at universities with Division I athletics programs.
- The majority of the increase in the Campus Recreation Programs fee is to support the Half-Acre Gym renovation and expansion. The total budget for the Half-Acre project is \$27 million, \$12 million of which is to come from student fees. During the budget adoption process, the amount provided from the General Fund was increased from \$12 million to \$15 million, resulting in a \$3 million reduction in the amount that student fees would need to support. To cover the debt service associated with a bond issue of \$12 million, an increase of \$84 per student per year is required; the increase will be accomplished in two steps--\$50 in FY 2013 and \$34 in FY 2014. ASUW passed a resolution in 2010 supporting a \$120 per student per year fee for the project and is pleased that the current financing will only require the \$84 annual increase. This fee request will also cover anticipated health insurance increases.
- The increase in the Transit Fee reflects the transfer of SafeRide from ASUW to Transit and Parking Services, a funding match from UW for the Albany County Transportation Authority, the health insurance cost increase, and a small set aside for replacement of buses.

The following table summarizes the proposed changes in mandatory fees for FY 2013 and FY 2014 along with those assessed in the current year (FY 2012).

**Proposed Mandatory Fees
 FY 2013 and FY 2014**

<u>Mandatory Student Fees</u>¹	FY 2012	FY 2013	FY 2014
Wyoming Union	\$ 274.24	\$ 275.74	\$ 276.74
Student Services	\$ 165.96	\$ 169.58	\$ 170.90
Student Health Service	\$ 207.44	\$ 209.18	\$ 210.46
Intercollegiate Athletics	\$ 155.00	\$ 180.00	\$ 205.00
Campus Recreation Programs	\$ 134.66	\$ 185.48	\$ 220.00
Transit Fee	\$ 67.92	\$ 77.90	\$ 81.28
Total Mandatory Student Fees	\$1,005.22	\$1,097.88	\$1,164.38
Total Annual \$ Increase		\$ 92.66	\$ 66.50

¹Fees are shown on an annual basis

All mandatory fee requests were reviewed by the ASUW Student Fee Committee and submitted to ASUW for ratification. ASUW passed a first reading of Senate Resolution #2351 (see below) on March 6, 2012, supporting the proposed fee increases. Final approval is scheduled to occur on March 20, 2012.

SENATE RESOLUTION #2351

TITLE: Proposed Mandatory Student Fee Increases for FY13 and FY14

DATE: February 17, 2012

AUTHORS: Vice President McNamee and Executive Dugas

SPONSORS: Executive McKay, Senators Abernathy, Kaul, O'Lexey, and Mistica and SAL Andersen

1. WHEREAS, the Associated Students of the University of Wyoming (ASUW) Mandatory
2. Student Fee Committee recognizes the responsibility to recommend mandatory student fees
3. that benefit a large population of students, as well as provide funds to fee units that have no
4. other means to financially sustain their demonstrated services to students; and,
5. WHEREAS, the maintenance or increase of current mandatory student fees promotes
6. continued operation and expansion of the requesting fee units; and,
7. WHEREAS, entities holding mandatory student fees are required to submit fee proposals
8. forecasting two fiscal years in order to keep in line with the University of Wyoming's (UW)
9. current fee process.
10. THEREFORE, be it resolved by the Student Senate of the Associated Students of the
11. University of Wyoming (ASUW) that the ASUW recommend and support the Fiscal Year
12. (FY) 13 and FY14 mandatory student fees as outlined in Addendum A; and,
13. THEREFORE, be it further resolved that the ASUW provide recommendations to individual
14. fee units, concerning their programming and fee allocation, as outlined in Addendum B.

Referred to: Student Outreach and Policy

Date of Passage: _____ **Signed:** _____

(ASUW Chairperson)

"Being enacted on _____, I do hereby sign my name hereto and

approve this Senate action." _____

ASUW President

Addendum A

Summary of Mandatory Student Fee Proposals									
FY 2013 and 2014 - Semester Basis									
	FY 12 Approved Fee	\$ Increase	Percent Increase	FY 13 Proposed Fee	\$ Increase	Percent Increase	FY 14 Proposed Fee	Two-Year \$ Increase	Two-Year Percent Increase
ASUW ^{1*}	\$ 42.04	\$ 0.17	0.40%	\$ 35.03	\$ 0.16	0.46%	\$ 35.19	\$ 0.33	0.78%
AWARE ^{1**}	\$ 4.12	\$ 0.98	23.79%	\$ 5.10	\$ -	- %	\$ 5.10	\$ 0.98	23.79%
Music/Theater ¹	\$ 6.05	\$ -	- %	\$ 6.05	\$ -	- %	\$ 6.05	\$ -	- %
Recycle ¹	\$ 9.11	\$ -	- %	\$ 9.11	\$ -	- %	\$ 9.11	\$ -	- %
SLCE ¹	\$ 3.00	\$ -	- %	\$ 3.00	\$ -	- %	\$ 3.00	\$ -	- %
Student Media ¹	\$ 19.25	\$ 0.26	1.35%	\$ 19.51	\$ 0.46	2.36%	\$ 19.97	\$ 0.72	3.74%
Wellness ¹	\$ 6.59	\$ 0.40	6.07%	\$ 6.99	\$ 0.04	0.57%	\$ 7.03	\$ 0.44	6.68%
Student Services	\$ 90.16	\$ 1.81	2.01%	\$ 84.79	\$ 0.66	0.78%	\$ 85.45	\$ 2.47	2.74%
Athletics	\$ 77.50	\$ 12.50	16.13%	\$ 90.00	\$ 12.50	13.89%	\$ 102.50	\$ 25.00	32.26%
Recreation ***	\$ 67.33	\$ 25.41	37.74%	\$ 92.74	\$ 17.26	18.61%	\$ 110.00	\$ 42.67	63.37%
Stu.Health	\$ 103.72	\$ 0.87	0.84%	\$ 104.59	\$ 0.64	0.61%	\$ 105.23	\$ 1.51	1.46%
Transit* ~	\$ 26.78	\$ 4.99	18.63%	\$ 38.95	\$ 1.69	4.34%	\$ 40.64	\$ 6.68	24.94%
Union	\$ 137.12	\$ 0.75	0.55%	\$ 137.87	\$ 0.50	0.36%	\$ 138.37	\$ 1.25	0.91%
TOTAL	\$ 502.61	\$ 46.33	9.22%	\$ 548.94	\$ 33.25	6.06%	\$ 582.19	\$ 79.58	15.83%
¹ Constitute the 'Student Services' Fee									
* ASUW Fee for FY 12 is \$42.04; with transfer of SafeRide, it decreases by \$7.18 to \$34.86.									
Transit and Parking Services Fee for FY 12 is \$26.78; with transfer of SafeRide, it increases by \$7.18 to \$33.96									
** AWARE Fee increase for FY 13 covers cost of AlcoholEDU program									
*** Recreation Fee increase for FY 13 includes \$25.00 for Renovation, \$0.41 for Health Insurance.									
Recreation Fee increase for FY 14 includes \$17.00 for Renovation, \$0.26 for Health Insurance.									
~ Transit Fee increase for FY 13 includes \$3.79 for Gem City Grand, \$1.09 for new buses, and \$0.11 for health insurance.									

Addendum B

Athletics

The ASUW requests: No portion of the mandatory student fee be allocated towards payroll, recruiting, and/or Wildcatter Suite expenses.

Transit and Parking Services

The ASUW requests: Student fee monies be allocated towards greater advertising of routes/services to the University of Wyoming (UW) student body.

An increase in the transparency, through increased advertising, education, and signage, among the different provided routes.

Student Media

The ASUW requests: Circulation audits be completed during the fall, spring, and summer semesters (beginning in Spring 2012) to gather data relative to publication distribution and readership. Said audits should be carried out in a manner aimed at eliminating “monthly” biases.

Continued consideration/implementation of the practicality of more sustainable publication and operation practices including, but not limited to, increased utilization of web-based publications and advertisements.

Increased promotion of the *Branding Iron*, *Frontiers* magazine, and the Owen Wister Review to the UW student body.

Non-Mandatory Fees

Non-Mandatory Fees are charged to cover the cost of providing services to individuals who choose (but are **not** required) to purchase these services from the University.

Residence Life & Dining Services Rates

As an auxiliary department, Residence Life & Dining Services (RLDS) is financially self-supporting—the department must generate revenues to support all expenses. The three major revenue components of the RLDS budget are room, board, and rent. To cover projected expenses in FY 2013, room and board fees in the residence halls are proposed to increase by 3.61% and 3.78% respectively, and apartment rent by 4.02%. For FY 2014, the proposed increases for room and board fees are 3.23% and 3.55% respectively, and apartment rent by 1.34%.

The major cost drivers within the RLDS budget are increases in health insurance costs, utilities, and food costs. In FY 2013, in order to fund the increase in health insurance premiums, anticipated utility rate increases of 9.1%, and food cost increases of 4.5%, it is necessary to increase room rates by 3.61% and board rates by approximately 3.78%. For FY 2014, RLDS anticipates a 3.23% increase in room rates and a 3.55% increase in board rates.

Rental rates for the student apartments must also support the projected costs for health insurance and utility increases. The workforce assigned to the apartments is much smaller in comparison to the residence hall complex, and as a result, the rental rates do not need to increase as much as the residence halls. The proposed rate increases for University apartments reflects an overall increase of 4.02% for FY 2013 and 1.34% for FY 2014.

The proposed increase would establish the following residence hall room rates for FY 2013 and FY 2014:

Residence Hall Room Charges Academic Year, excludes semester break	FY 2012	FY 2013	FY 2014
Room occupancy Double, B	\$3,765	\$3,901	\$4,027
Room occupancy Single, A	\$5,330	\$5,522	\$5,701
Single, B	\$5,575	\$5,776	\$5,963

The proposed increases would establish the following residence hall board rates for FY 2013 and FY 2014:

Board Charges, Academic Year Fall and spring semesters, excluding Thanksgiving, Christmas, spring and Easter breaks	FY 2012	FY 2013	FY 2014
Unlimited access plan	\$4,994	\$5,183	\$5,367
Any 15 access plan	\$4,280	\$4,442	\$4,599
Any 12 access plan	\$3,908	\$4,056	\$4,200
Any 9 access plan	\$3,027	\$3,141	\$3,253
Any 7 access plan	\$2,391	\$2,481	\$2,569
Dining Dollars (per semester)			
Added Dining Dollars	\$100	\$100	\$100
Best Dining Dollars	\$200	\$200	\$200
BLOCK PLANS (Per Unit)			
25 Lunches	\$254.50	\$256.94	\$266.06
60 Lunches	\$592.60	\$598.53	\$619.77
25 Any Meal	\$270.80	\$273.51	\$283.22
60 Any Meal	\$640.00	\$646.50	\$669.34

Apartment rental rates for FY 2013 and FY 2014 are proposed as follows:

Apartment Rental Rates, Student, per month	FY 2012	FY 2013	FY 2014
Landmark Village	\$725	\$754	\$764
River Village			
Two bedroom	\$865	\$900	\$912
Three bedroom	\$974	\$1,013	\$1,027
Spanish Walk, one bedroom	\$649	\$675	\$684

For the new Bison Run Village apartments, the FY 2013 rates will be:

Bison Run Village, per month	FY 2013	FY 2014
Four bedroom/two bathroom – ADA one level	399	NA *
Four bedroom/two and half bathroom	420	NA *
Four Bedroom/three bathroom (shared bathroom)	399	NA *
Four Bedroom/three bathroom (private bathroom)	430	NA *
Three Bedroom/three bathroom	435	NA *

*The Collegiate Housing Foundation has not formally adopted the lease rates for FY 2014, so they are not yet available.

Other Non-Mandatory Fees

All other non-mandatory fee changes are outlined in the Fee Book publication.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- January 2012 - The Board was briefed on fee changes
- Committee meetings for the March 2012 Board of Trustees Meeting

WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees authorizes all University fees and charges.

ARGUMENTS IN SUPPORT:

The proposed increases support necessary cost increases (e.g., utility increases and health insurance cost increases that are consistent with those of employees funded through the Section I Budget) and program and capital improvements outlined earlier. ASUW has supported the proposed increases.

ACTION REQUIRED AT THIS BOARD MEETING:

Approval of the Mandatory and Non-Mandatory Fees for Fiscal Year 2013 and Fiscal Year 2014 as presented in this item and the Fee Book.

PRESIDENT'S RECOMMENDATION:

The President recommends that the Trustees of the University of Wyoming approve the Mandatory and Non-Mandatory Fees for Fiscal Year 2013 and Fiscal Year 2014 as presented in this item and the Fee Book.

AGENDA ITEM TITLE: Tenure and Promotion Checkup, Ballenger

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify:

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Associate Provost Ballenger will present the results of a recent statistical analysis of faculty retention and tenure outcomes for the tenure-track faculty hired from 2000 through 2005. This is the group that has completed the tenure review process such that each person has either earned tenure or resigned from UW. The presentation is relevant because the Board of Trustees approves all UW academic personnel appointments and therefore has an interest in knowing the university's reappointment, tenure, and promotion review process is equitable and effective.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- The Provost typically briefs the Board on the reappointment, tenure, and promotion review process at the annual March meetings.
- Reappointments of first-year academic personnel, including faculty and academic professionals (APs), are reviewed and approved by the Board at the March meetings.
- All other reappointment recommendations, all tenure and extended term recommendations, and all promotion recommendations are reviewed and approved by the Board at the May meetings.

WHY THIS ITEM IS BEFORE THE BOARD:

Faculty and AP reappointment, tenure, and promotion recommendations are reviewed by the Board at the March and May meetings.

AGENDA ITEM TITLE: Plus/Minus Grading, Neiman (Faculty Senate & ASUW)

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

This is a follow-up session on the topic after the item was tabled during the September 2011 Board meeting. Faculty Senate and ASUW have prepared a report for the Board to take under consideration.

AGENDA ITEM TITLE: MWC Update, Buchanan

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

President Buchanan will provide an update regarding current activities with the Mountain West Conference.

AGENDA ITEM TITLE: UW Economic Development and Company Creation, Gern

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

Intellectual Property Protection, Licensing and Company Creation
Based on University of Wyoming Research

With the passage of the Bayh-Dole act by Congress in 1980, it became clear the universities (along with non-profit research entities) could take ownership of intellectual property developed using federal funds. 35 U.S.C. 200 codified the act and in so doing required that intellectual property stemming from federally funded research claimed by universities be placed into the public domain through patenting or copyrighting. In University Regulation 641, the University of Wyoming has placed 35 U.S.C. 200 into context and in so doing has developed numerous patents and copyrighted works which have been licensed, or are available for licensing by the private sector.

To incentivize faculty participation in patenting and licensing, University Regulation 641 authorizes that 60% of the University's net revenues from licenses of Intellectual Property (IP) be distributed to the faculty inventors. This is one of the highest, if not the highest inventors' share found in a U.S. university. The policy consideration behind this share was to promote to the greatest extent possible development of a technology sector in Wyoming's economy. The remaining 40% is split between the inventor's college(s) and department(s) and the Research Products Center (the Research Products Center budget sits entirely in Section II). The goal of the presentation is to examine the three-pronged activities, established in 1994-95, to set the University of Wyoming into the State's economic development picture. The three major elements were to (a) develop a broad-reaching economic development support program statewide, (b) to increase to the greatest extent possible the amount of research being accomplished on the campus and (c) to establish a coherent system to harvest technology stemming from campus-based research, protect the intellectual property and then license this IP and thereby build a technology sector in Wyoming.

The presentation will include a history of economic development activities developed by the Office of Research and Economic Development collectively known as the Business Resource Network and will show the annual and cumulative results for each of the participating entities. Also, how the University - through the Office of Research and Economic Development, the Research Products Center and the Office of General Counsel - identifies, patents and then licenses campus-based intellectual property will be discussed. This discussion will include national statistics developed by the Association of University Technology Managers to benchmark UW's activities. Finally there will be an update regarding the Wyoming Technology Business Center, the companies currently under incubation both in the center and throughout Wyoming, and the success of companies which have graduated from the WTBC.

1. Committee of the Whole: REGULAR BUSINESS
Board of Trustees Committee Reports

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: Committee of the Whole (Regular Business)

A. Academics and Research Committee (Allen)

Trustee Palmerlee, Committee Chair

B. Fiscal and Legal Affairs Committee (Vinzant)

Trustee Davis, Committee Chair

C. Student Affairs/Athletics/Administration/Information Technology Committee (Axelson)

Trustee Mead, Committee Chair

D. Alumni Board

Trustee Lauer, Board Liaison

E. Foundation Board

Trustees Davis and Bostrom, Board Liaisons

F. Ruckelshaus Institute of Environment and Natural Resources (RIENR) Board

Trustee Davis, Board Liaison

G. Energy Resource Council (ERC)

Trustee Palmerlee, Board Liaison

1. Committee of the Whole- CONSENT AGENDA
Approval of Contracts and Grants, Gern

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify: Committee of the Whole (Consent Agenda)

Sponsored Programs

The following sponsored programs are accepted subject to compliance with the University's policies on classified information and protection of human subjects. This report covers the period December 2011 through January 2012.

December 2011

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Amer Performance Technology	\$5,400	Walrath, David		Mechanical Engineering	Engine dynamometer testing
Battelle	\$35,000	Deng, Min		Atmospheric Science	Radar Research in Support of AIME
British Petroleum Research	\$50,000	Morrow, Norman R.		Chemical Engineering	Low Salinity Project
CA Davis, University of	\$20,000	Norton, Jay		Renewable Resources	Norman E. Borlaug International Science and Technology Fellows: The Borlaug Leadership Enhancement in Agriculture Program (LEAP)
CO State University	\$167,988	Polyakov, Peter		Mathematics	Multiscale Modeling and Uncertainty Quantification for Nuclear Fuel Performance
CO State University	\$109,170	Mayes, Robert		Sci & Math Teaching Center	Targeted Partnership: Culturally Relevant Ecology, Learning Progressions and Environmental Literacy
CO, University of	\$46,056	Gray, Stephen		Civil Engineering	The Green River Headwaters Network: Building partnerships, infrastructure and knowledge for sustainable resource management
Colorado School of Mines	\$66,950	Kaszuba, John		Geology	Impacts/Geologic CO2 Sequestra
FMC Corporation	\$15,000	Kniss, Andrew		Plant Sciences	Weed Control in Agronomic Crops
FMC Corporation	\$100,000	Fan, Maohong		Chemical Engineering	Coal gasification
Forage Genetics International	\$4,200	Islam, Md		Plant Sciences	Alfalfa Forage Variety Yield Trials
General Electric	\$60,000	Ackerman, John F		Chemical Engineering	MHD of engine afterburners
Krell Institutes	\$2,000	Mavriplis, Dimitri J		Mechanical Engineering	Graduate Fellowship
MD, University of	\$38,199	Mavriplis, Dimitri J		Mechanical Engineering	Vertical Lift Research Center of Excellence
MI Tech University	\$247,965	Holles, Joseph		Chemical Engineering	Bimetallic Overlay Catalysts for Sustainable Fuel Production from Lactose
National Endowment for the Humanities	\$6,000	Crawford, Nicole Marie		Art Museum	Conservation Assessment to Preserve a Collection of Works on Paper of the University of Wyoming Art Museum

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
National Institute of Neurology	\$273,291	Woodbury, Charles		Zoology	Nociceptor Maturation and Response to Peripheral Injury
NatureServe	\$4,837	Redder, Alan		WY Natural Diversity Database	NatureServe CBC Data Access
Smithsonian Astrophysical Observatory	\$20,764	Myers, Adam D		Physics	Galaxy Environments vs X-ray Activity in the ChaMP/SDSS (Chandra transfer)
TRC Environmental Corporation	\$3,000	Stahl, Peter D.		Renewable Resources	Seed Germination and Plant Growth in Phosphate Minesoil
US Dept Defense DLA	\$19,169	Kline, Jill		Small Business Development Center	Wyoming Procurement Technical Assistance Center Government Contracting Assistance
US Dept Ed	\$32,632	Aagard, Tammy		Student Financial Aid	Pell Grant 11-12
US Dept Ed	\$46,852	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	Wyoming State Plan for Assistive Technology, FY2012
US Dept Ed	\$1,989	Garrison, Jean		Internat'l Studies	Advancing International Studies at Wyoming Community Colleges
US Nat'l Science Foundation	\$24,800	Brant, Jonathan		Civil Engineering	Graduate Research Fellowship Program: Emily Huth
US Nat'l Science Foundation	\$30,500	Carling, Matthew		Zoology	Testing the Relationship between mate choice and hybridization in speciation (GRFP: Shawn Billerman)
Various Sponsors	\$13,306	Stewart, Larry Ray		Manufacturing Works	Program Income for 1001178 NIST FY12 Business Services
Various Sponsors	\$931	Kline, Jill		Small Business Development Center	Program Income and Match for SBDC
Various Sponsors	\$99	Johnson, Paul E.		Physics	Program Income for Space Grant Consortium
Various Sponsors	\$1,920	Williams, Karen		Family/Consumer Sci	FCS support
Various Sponsors	\$451	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	Fee Book Income
Various Sponsors	\$6,733	Ford, Stephen		Animal Science	Fetal Programming

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Various Sponsors	\$1,100	Westlake, Laura Lea		Wyoming Institute for Disabilities	Early Childhood Vision Screening
Various Sponsors	\$10,000	MacLean, William		Wyoming Institute for Disabilities	UAP Technical Assistance
Various Sponsors	\$200	Clarke, Pamela		Nursing	Various Nursing Schools Program Development
Various Sponsors	\$450	Redder, Alan		WY Natural Diversity Database	Database Management
Various Sponsors	\$2,126	Hamerlinck, Jeffrey		WY Geographic Info Sci Ctr	Spatial Data and Visualization Center
Various Sponsors	\$1,530	Krall, James		Plant Sciences	Sustainable Crop Research
Various Sponsors	\$4,000	Williams, Stephen E.		Graduate School	Bighorn Sheep Survival
Virginia Polytech Inst	\$407,519	Norton, Jay	Arnould, Eric J. & Norton, Urszula & Peck, Dannele Elaine & Press, Melea D.	Renewable Resources	Conservation agriculture production systems in eastern Uganda and western Kenya
WY Arts Council	\$35,000	Sandeen, Eric J.		American Studies	Folk Arts: American Studies salary support FY12, & Non-Federal Portion
WY Arts Council	\$1,500	Isaak, Kristy		ASUW	Diwali Night 2011
WY Arts Council	\$1,500	Isaak, Kristy		ASUW	Arts Access: Rohina Malik: "Unveiled " One-woman Show Performing Artist for International Education Week
WY Community Foundation	\$53,000	Feldman, Laura		WY Survey & Analysis Center	Evaluation of the WYCF's Partners Investing in Nursing's Future (PIN6) Grant
WY Dept Agriculture	\$17,448	Geiger, Milton E		Cooperative Extension Service	Incorporating Enhanced Solar Energy Collection and Storage in Hoop House Design and Production
WY Dept Agriculture	\$15,396	Miller, Steven		Botany	Specialty Crop Grant: Wyoming Apple Project
WY Dept Transportation	\$34,246	Ksaibati, Khaled		Civil Engineering	Assessing the Impacts of Oil and Gas Drilling Operations on Local Infrastructure: Phase II (Laramie, Platte, Goshen Counties)
WY Humanities Council	\$2,000	Garrison, Jean		Internat'l Studies	General Support for speaker series and graduate assistant

Sponsored Programs

TOTAL 12/2011 \$2,042,215

Total From 7/2011 \$8,298,017

Total From 8/2011 \$9,114,800

Total From 9/2011 \$11,788,604

Total From 10/2011 \$20,596,061

Total From 11/2011 \$8,019,688

Total Year to Date 7/2011-12/2011 \$59,859,384

INSTITUTIONAL AWARDS FISCAL YEAR 2012

Northam, Mark A.	School of Energy Resources	Advancement of Energy Resources	WY Dept Environmental Quality (#WYDEQ40464)	\$51,000
Aagard, Tammy L.	Student Financial Aid	Direct Student Loan 10-11	US Dept Ed (D-ED40310)	\$204,630
Aagard, Tammy L.	Student Financial Aid	Direct Student Loan 11-12	US Dept Ed (1001158)	\$43,612,600
Ballard, Robert E	School Energy Resource	Advanced Tech Ctr Operations & Maintenance	WY Dept Environmental Quality (WYDEQ49812OM)	\$1,050,000

GRAND TOTAL

\$104,777,614

TOTAL Inst 12/2011

\$44,918,230

January 2012

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Academia Nacional de Investigacion	\$60,000	Alvarado, Vladimir		Chemical/Petroleum Engr	Experimental Determination of Oil-Water Capillary Pressure and Relative Permeabilities at High Differential Stress
Agri-Best Feeds, Inc.	\$2,500	Meyer, Allison		Animal Science	Effects of a Novel Block Supplement on Beef Cow Performance and Hay Intake During Late Gestation
American Genetic Association	\$17,600	Murphy, Melanie		Ag Ecosystem Science & Mgmt	Distributed Graduate Course in Landscape Genetics: Interdisciplinary, International, Experiential Graduate Education
AZ State University	\$5,011	Huzurbazar, Snehalata		Statistics	A theoretical and computational framework for linking tree form and function to forest diversity and productivity
Battelle Energy Alliance	\$78,528	Ulinski, Amy		Computer Science	FY12 Interaction for Adv Visualization using Immersive Environments; Touch-Based Interaction
Booz,Allen,Hamilton	\$17,875	Taylor, David T.		Ag Economics	Economic Impact Analysis of the Resource Management Plan for the BLM Rock Springs Field Office
Chevron	\$87,000	Heller, Paul		Geology	Quantitative Stacking Patterns
Denver, University of	\$28,000	Murdock, Victoria		Social Work	Child Welfare Training: National Child Welfare Workforce Initiatives, Priority Area 2: Child Welfare Comprehensive Workforce Grants
Dupont Pharmaceuticals Company	\$14,200	Mealor, Brian		Plant Sciences	Integrated Management of Invasive Weeds in Rangelands
Exxon Mobil Education Foundation	\$80,000	Kobulnicky, Henry A.		Physics	ExxonMobil Bernard Harris Summer Science Camp 2012
FMC Corporation	\$150,000	Fan, Maohong		Chemical/Petroleum Engr	Understanding Carbonate to Bicarbonate Conversion Mechanism for Energy Consumption Reduction of Bicarbonate Decomposition or Carbon Dioxide Desorption
GA, University of	\$124,308	Jarvis, Donald		Molecular Biology	Resource for Integrated Glycotechnology

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
ID, State of	\$96,750	Anatchkova, Bistra		WY Survey & Analysis Center	Idaho Adult Tobacco Survey
Jet Propulsion Laboratory	\$37,174	Dale, Daniel A		Physics	KINGFISH: Key Insights on Nearby Galaxies: A Far-Infrared Survey with Herschel
Laramie County Conservation District	\$5,000	Peacock, Cheryl		Inst Environmental & Natural Resources	Cheatgrass and Weed Mapping-Belvior Ranch
Laramie, City of	\$17,600	Anatchkova, Bistra		WY Survey & Analysis Center	City of Laramie Citizens Survey
Library of Congress	\$17,565	Bryant, Carol		American Heritage Ctr	Primary Sources Teacher Awareness Grant
National Endowment for the Art	\$25,000	Moldenhauer, Susan		Art Museum	Support an Exhibition, Publication and Related Educational Programs Featuring the Work of American Artist Ralston Crawford
Rocky Mountain Elk Foundation	\$7,500	Kauffman, Matthew		Zoology	Influence of Climate and Predation on Rocky Mountain Elk Survival
Scientific Simulations	\$44,762	Mavriplis, Dimitri J		Mechanical Engineering	Highly-Scalable Computational-Based Engineering Algorithms for Emerging Parallel Machine Architectures
The Nature Conservancy	\$11,500	Peacock, Cheryl		Inst Environmental & Natural Resources	Riparian Restoration Project
US Dept Ag FS	\$25,000	Taylor, David T.	Foulke, Thomas K.	Ag Economics	Update of Economic Assessment for Shoshone NF
US Dept Ag FS	\$14,480	Keinath, Douglas		WY Natural Diversity Database	USFS Songbird Monitoring in Thunder Basin National Grassland and the Bighorn National Forest
US Dept Ag NIFA	\$499,991	Cammack, Kristi		Animal Science	Improving Profitability and Sustainability of Sheep Production Through Genetic Selection
US Dept Defense DLA	\$632	Kline, Jill		Small Business Development Center	Program income for PTAC 11-12
US Dept Ed	\$10,000	Aagard, Tammy		Student Financial Aid	Teacher Educ Assistance for College & Higher Ed (TEACH) 11-12
US Dept Ed	\$306,594	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	Wyoming State Plan for Assistive Technology, FY2012
US Dept Ed	\$4,646,705	Aagard, Tammy		Student Financial Aid	Pell Grant 11-12

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
US Dept Health & Human Services NIH	\$62,008	Stewart, Larry Ray		Manufacturing Works	Services to Manufacturers and Technical Businesses in Wyoming
US Dept Interior BLM	\$9,424	Chalfoun, Anna Lisa	Gerow, Kenneth G.	Zoology	Temporal and spatial patterns of raptor nest occupancy in areas of CBM
US Dept Interior NPS	\$25,000	Kelly, Robert		Anthropology	Building Common Ground: the Bighorn Canyon NRA Tribal Field School Program
US Nat'l Aeronautics & Space Admin	\$216,051	Slater, Timothy		Secondary Education	Faculty Institutes for Earth and Space Science Education (FINESSE) and FINESSE Exempt Portion of Budget
US Nat'l Science Foundation	\$7,500	Pendall, Elise		Botany	Participant Support for 1000614
US Nat'l Science Foundation	\$182,428	Gomelsky, Mark		Molecular Biology	Cyclic dimeric GMP, a novel second messenger in bacteria: molecular mechanisms
US Nat'l Science Foundation	\$496,762	Fan, Maohong	Balaz, Milan & Wang, Wenyong & Duncan, Heather Elizabeth	Chemical/Petroleum Engr	Dissemination of Nanotechnologies
US Nat'l Science Foundation	\$7,500	Hall, Robert		Zoology	Nutrients in large rivers
US Small Business Administration	\$55,444	Haigler Cornish, Kelly		Small Business Development Center	Federal and State Technology Partnership Program 2011-12
UT State University	\$43,900	Tanaka, John	Smith, Michael A.	Ag Ecosystem Science & Mgmt	Ranch Sustainability Assessment
UT State University	\$254,766	Freeburn, James		Ag UW Extension	WSARE Professional Development Programs State Implementation Grants
UT State University	\$11,999	Freeburn, James		Ag UW Extension	SARE FRTEP Professional Development Plan
Vale Technology Development	\$25,900	Chamberlain, Kevin		Geology	VALE U-Pb Geochronology
Various Sponsors	\$27,037	Stewart, Larry Ray		Manufacturing Works	Program Income for 1001178 NIST FY12 Business Services
Various Sponsors	\$1,091	Kline, Jill		Small Business Development Center	Program Income and Match for SBDC

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Various Sponsors	\$2,000	Williams, Karen		Family/Consumer Sci	FCS support
Various Sponsors	\$425	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	Fee Book Income
Various Sponsors	\$24,000	Lake, Scott		Animal Science	Research Laboratory Expenses
Various Sponsors	\$25	MacLean, William		Wyoming Institute for Disabilities	UAP Core Projects
Various Sponsors	\$5,189	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	UAP Technical Assistance
Various Sponsors	\$90	Clarke, Pamela		Nursing	Various Nursing Schools Program Development
Various Sponsors	\$506	Redder, Alan		WY Natural Diversity Database	Database Management
Various Sponsors	\$5,314	Hamerlinck, Jeffrey		WY Geographic Info Sci Ctr	Spatial Data and Visualization Center
Various Sponsors	\$212	Jones, Justin		Zoology	Cellular Signaling COBRE Microscopy Use
WA, Seattle, University of	\$74,261	McEchron, Matthew		WWAMI	Wyoming Area Health Education Center Model States
Western Governors' Association	\$24,814	Hamerlinck, Jeffrey		WY Geographic Info Sci Ctr	Western Wildlife Crucial Habitat Assessment Tool (CHAT) Development Work Group Participation
Wilbur-Ellis Company	\$4,000	Mealor, Brian		Plant Sciences	Ecology and Management of Exotic Weeds in Wildlands
Wildlife Heritage Foundation of WY	\$13,000	Kauffman, Matthew		Zoology	Evaluating the Influence of Development on Ungulate Migrations
WY Arts Council	\$5,706	Knight, Marsha Fay		Theatre/Dance	Snowy Range Summer Dance Festival 2011
WY Dept Agriculture	\$84,500	Andrews, Gerard		Veterinary Science	Identification and Characterization of Pasteurallaceae and Mycoplasma Virulence Associated Proteins Up-regulated During Infection in Sheep Using in vivo-Induced Antigen Technology
WY Dept Agriculture	\$6,740	Panter, Karen		Plant Sciences	Specialty Crop Grant: Wyoming Brown and Gold Cut Sunflowers
WY Dept Education	\$98,900	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	State Access Point to the National Accessible Materials Accessibility Center (NIMAC)

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
WY Dept Environmental Quality	\$17,550	Smutko, Leonard		Inst Environmental & Natural Resources	Upper Green River Basin Air Quality Citizens Advisory Task Force, Sublette County
WY Dept Transportation	\$351	Ksaibati, Khaled		Civil Engineering	Assessing the Impacts of Oil and Gas Drilling Operations on Local Infrastructure: Phase II (Laramie, Platte, Goshen Counties)
WY Dept Transportation	\$218,750	Ksaibati, Khaled		Civil Engineering	Wyoming Technology Transfer Center 2012 and Nonfed Portion of WY Tech Transfer Center 2012
WY Dept Transportation	\$22,500	Ksaibati, Khaled		Civil Engineering	Wyoming LTAP Center 2012 and Non-Federal Portion of WY LTAP Center 2012
WY Game & Fish Dept	\$106,000	Hamerlinck, Jeffrey		WY Geographic Info Sci Ctr	Density and Disturbance Calculation Tool (DDCT)--Software Application Development and Support and Nonfed Portion of DDCT Software Application Development
WY Game & Fish Dept	\$55,000	Kauffman, Matthew		Zoology	Assessing Moose Response to Energy Development in the Hoback Basin: Sublette Moose Herd Population Study
WY Game & Fish Dept	\$151,800	Beck, Jeffrey L		Ag Ecosystem Science & Mgmt	Response of Greater Sage-grouse to Treatments in Wyoming Big Sagebrush
WY Livestock Board	\$25,000	Schumaker, Brant		Veterinary Science	Efficacy of RB51 Vaccination in Cattle
WY State Parks & Historic Sites	\$168,000	Taylor, David T.		Ag Economics	An Inventory and Economic Assessment of Non-motorized Trails in Wyoming
Zoological Society of London	\$15,000	Goheen, Jacob		Zoology	Causes and Consequences of Landscape Change for Hirola Population in Ijara, Kenya (EDGE fellowship: Abdullahi Hussein Ali)

Sponsored Programs

TOTAL 1/2012 \$8,987,718

Total From 7/2011 \$8,298,017

Total From 8/2011 \$9,114,800

Total From 9/2011 \$11,788,604

Total From 10/2011 \$20,596,061

Total From 11/2011 \$8,019,688

Total From 12/2011 \$2,042,215

Total Year to Date 7/2011-1/2012 **\$68,847,102**

INSTITUTIONAL AWARDS FISCAL YEAR 2012

Northam, Mark A.	School of Energy Resources	Advancement of Energy Resources	WY Dept Environmental Quality (#WYDEQ40464)	\$51,000
Aagard, Tammy L.	Student Financial Aid	Direct Student Loan 10-11	US Dept Ed (D-ED40310)	\$204,630
Aagard, Tammy L.	Student Financial Aid	Direct Student Loan 11-12	US Dept Ed (1001158)	\$43,612,600
Ballard, Robert E	School Energy Resource	Advanced Tech Ctr Operations & Maintenance	WY Dept Environmental Quality (WYDEQ49812OM)	\$1,050,000

TOTAL Inst 1/2012 \$44,918,230

GRAND TOTAL **\$113,765,332**

2. Committee of the Whole- CONSENT AGENDA

Personnel, Allen

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: Committee of the Whole (Consent Agenda)

A. Items for Action Recommended by the President

APPOINTMENTS

1. Administrators

It is recommended to the Trustees of the University of Wyoming that the following administrator appointments be approved as indicated.

Student Affairs

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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University Counseling Center

Evashevski, Keith	Director	\$90,000/FY	03/01/2012 to 06/30/2012
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Keith Evashevski earned an M.A. degree in Clinical Psychology (1995) and a Psy.D. degree in Clinical Psychology (1998) from the Georgia School of Professional Psychology and a B.A. degree in Psychology (magna cum laude) from the University of Dallas. He is a licensed psychologist. He has served as Interim Director, Associate Director, Senior Psychologist, and Psychologist at UW's Counseling Center. Previously he held counseling positions at Northwest Missouri State University and Southern Illinois University.

President's Office

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Governmental and Community Affairs

Richards, Don	Vice President	\$150,000/FY	03/01/2012 to 06/30/2012
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Don Richards has served effectively as the Director of Governmental and Community Affairs since his appointment to the position January 2010. This change in title only reflects more accurately the role Mr. Richards fulfills for the University.

2. Faculty

It is recommended to the Trustees of the University of Wyoming that the following faculty appointments be approved as indicated.

Academic Affairs

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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American Heritage Center

Christopherson, Emily J	Assistant Archivist	\$41,204/FY	02/01/2012 to 06/30/2012
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Emily Christopherson received a B.S. (2005) in Education and an M.A. (2010) in Library and Information Studies

from the University of Wisconsin-Madison. She has been a non-extended term track Assistant Archivist at the American Heritage Center since 2010.

College of Agriculture and Natural Resources

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Department of Plant Sciences

Dhekney, Sadanand	Assistant Professor	\$65,004/AY	01/03/2012 to 06/30/2012
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Sadanand Dhekney received a B.S. (1997) in Agriculture from Mahatma Phule Agricultural University, an M.S. (1999) in Horticulture from Tamil Nadu Agricultural University, and a Ph.D. (2004) in Horticulture from the University of Florida. Dr. Dhekney has been a Project Manager at Fort Valley State University since 2010.

College of Arts & Sciences

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Department of Geology & Geophysics

McElroy, Brandon J.	Assistant Professor	\$65,004/AY	01/09/2012 to 06/30/2012
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Brandon McElroy received a B.S. (2000) and an M.S. (2002) from the University of Michigan, and a Ph.D. (2009) from the University of Texas. Dr. McElroy has been a Research Physical Scientist for the U.S. Geological Survey since 2009.

University Libraries

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Butler, Marcia L	Assistant Librarian	\$49,800/FY	01/30/2012 to 06/30/2012
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Marcia Butler received B.A. (1987) in Studio Art from Wells College, an M.F.A. (1993) in Painting from Savannah College of Art and Design, and an M.S. (1996) in Information Science from the University of Tennessee. Ms. Butler has been a Senior Copy Cataloger at Baker and Taylor since 2007.

3. Academic Professionals

It is recommended to the Trustees of the University of Wyoming that the following extended-term-track academic professional appointments be approved as indicated.

College of Arts & Sciences

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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American Studies Program

Graham, Andrea M	Assistant Research Scientist	\$35,004/FY	08/16/2011 to 06/30/2012
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Andrea Graham received a B.A. (1978) in Anthropology and an M.A. (1980) in Folklore and Folklife from the University of Pennsylvania. Ms. Graham has been an Independent Folklife Consultant and Researcher in Pocatello Idaho since 2000.

FIRST-YEAR TENURE-TRACK REAPPOINTMENTS

1. Faculty

It is recommended to the Trustees of the University of Wyoming that the reappointments for the following first-year tenure-track faculty be approved as indicated. Consistent with Trustees' Regulation V.D and University Regulation 803.3.e.ii, the reappointments are through the third year of employment, with the next reappointment review scheduled for Spring 2013.

College of Agriculture and Natural Resources

<u>Name</u>	<u>Rank</u>
<i>Department of Animal Science</i>	
Meyer, Allison	Assistant Professor
<i>Department of Molecular Biology</i>	
Levy, Daniel L	Assistant Professor
<i>Department of Veterinary Sciences</i>	
Adamovicz, Jeffrey J	Assistant Professor

College of Arts & Sciences

<u>Name</u>	<u>Rank</u>
<i>Department of Anthropology</i>	
Toohy, Jason Leigh	Assistant Professor
<i>Department of Art</i>	
Sailor, Rachel	Assistant Professor
<i>Department of Chemistry</i>	
Varga, Krisztina	Assistant Professor
<i>Department of English</i>	
Obert, Julia C	Assistant Professor
<i>Department of History</i>	
Ryan, Carolyne L.	Assistant Professor
<i>Department of Modern & Classical Languages</i>	
Domenech, Concepcio	Assistant Professor
<i>Department of Physics & Astronomy</i>	
Jang-Condell, Hannah	Assistant Professor
Myers, Adam D	Assistant Professor
<i>Department of Theatre & Dance</i>	
Sorensen, Shaun D.	Assistant Professor
<i>Department of Zoology & Physiology</i>	
Carling, Matthew D.	Assistant Professor
Cherrington, Brian D.	Assistant Professor
Navratil, Amy M.	Assistant Professor
Pratt, Kara G.	Assistant Professor
<i>Religious Studies Program</i>	
Raddaoui, Ali H	Associate Professor

College of Business

<u>Name</u>	<u>Rank</u>
<i>Department of Economics & Finance</i>	
Gilbert, Benjamin	Assistant Professor
Gogineni, Sridhar	Assistant Professor
<i>Department of Management & Marketing</i>	
Brewer, Barry	Assistant Professor

College of Education

<u>Name</u>	<u>Rank</u>
<i>Department of Professional Studies</i>	
Haines, Courtney A	Assistant Professor
Hvidston, David J	Assistant Professor
<i>Department of Secondary Education</i>	
Burrows, Andrea C	Assistant Professor
Haynes, James C.	Assistant Professor
<i>Dept. of Elementary & Early Childhood Education</i>	
Houseal, Anne K	Assistant Professor
Mielke, Tammy L.	Assistant Professor

College of Engineering and Applied Science

<u>Name</u>	<u>Rank</u>
<i>Department of Chemical & Petroleum Engineering</i>	
Li, Dongmei	Assistant Professor
<i>Department of Mechanical Engineering</i>	
Fertig, Ray Stuart III	Assistant Professor

College of Health Sciences

<u>Name</u>	<u>Rank</u>
<i>Division of Communication Disorders</i>	
Guiberson, Mark M.	Assistant Professor
<i>Division of Kinesiology and Health</i>	
Lux, Karen	Assistant Professor
<i>School of Nursing</i>	
Phillips, Barbara J	Assistant Professor
<i>School of Pharmacy</i>	
Thyagarajan, Baskaran	Assistant Professor

College of Law

Name

Rank

Jackson, Demetria D

Assistant Professor

FIRST-YEAR EXTENDED-TERM-TRACK REAPPOINTMENTS

1. Faculty

It is recommended to the Trustees of the University of Wyoming that the reappointments for the following first-year extended-term-track faculty be approved as indicated. The reappointments are through the third year of employment, with the next reappointment review scheduled for Spring 2013.

Academic Affairs

Name

Rank

American Heritage Center

Dreyer, Rachael A

Assistant Archivist

University Libraries

Name

Rank

Visnak, Kelly

Assistant Librarian

2. Academic Professionals

It is recommended to the Trustees of the University of Wyoming that the reappointments for the following first-year extended-term-track academic professionals be approved as indicated. The reappointments are through the third year of employment, with the next reappointment review scheduled for Spring 2013.

College of Agriculture and Natural Resources

Name

Rank

Agricultural Experiment Station

Zalesky, Douglas D

Assistant Research Scientist

Cooperative Extension Service

Russell, Justina

Assistant Extension Educator

Sebade, Brian

Assistant Extension Educator

Smith, Mae

Assistant Extension Educator

Department of Animal Science

Cordery-Cotter, Rob

Assistant Research Scientist

Department of Ecosystem Science and Management

Cook, Craig

Research Scientist

Department of Family & Consumer Sciences

Bardsley, Melissa M.

Assistant Extension Educator

College of Arts & Sciences

<u>Name</u>	<u>Rank</u>
<i>American Studies Program</i>	
Graham, Andrea M	Assistant Research Scientist
<i>Department of Art</i>	
Jones, David L	Assistant Research Scientist
<i>Department of English</i>	
Fisher, Richard	Assistant Lecturer
Kirkmeyer, Jason S.	Assistant Lecturer
<i>Department of Geology & Geophysics</i>	
Dewey, Janet C	Assistant Research Scientist
<i>Department of History</i>	
Logan, Barbara E.	Assistant Lecturer
<i>Department of Modern & Classical Languages</i>	
Lavanchy, Jennifer Diane	Assistant Lecturer
<i>Department of Psychology</i>	
Kuznetsova, Maria I	Assistant Lecturer
<i>Department of Zoology & Physiology</i>	
Flaherty, Elizabeth A.	Assistant Lecturer
Jordan, Carly N.	Assistant Lecturer

College of Education

<u>Name</u>	<u>Rank</u>
<i>Department of Educational Studies</i>	
Burant, Theresa J.	Assistant Lecturer

College of Health Sciences

<u>Name</u>	<u>Rank</u>
<i>Division of Social Work</i>	
Cutts, Bethany	Assistant Lecturer
Theobald, Joanne T.	Assistant Lecturer
<i>School of Nursing</i>	
Raska, Kimberly A	Assistant Lecturer

GLOSSARY OF PERSONNEL TERMS

Academic Professional

Person other than faculty, engaged primarily in activities that extend and support the teaching, research, extension, and service missions of the University. There are four categories of academic professional: Extension Educators, Lecturers, Research Scientists, Post-Doctoral Associates. Individuals belonging to any of the first three categories can hold extended-term-track appointments under certain conditions.

Academic-Year (AY) Appointments

Appointments in which the regular period of employment includes the fall and spring semesters (nine months) of each year, with no accrual of vacation leave. Most faculty members and academic professionals hold AY appointments. AY employees typically receive their nine-month salaries and benefits spread out over the 12 months of each calendar year.

Adjunct Faculty

An adjunct appointment is the appointment of an individual to an academic unit that recognizes special discipline-related expertise but carries no financial obligation per se. Adjunct appointments can include qualified non-academic personnel or faculty with other academic affiliations. Adjunct appointments carry no rights to remuneration, tenure, or employment-related privileges and are normally for three years, with renewal possible.

Archives Faculty

This special faculty designation is reserved for archivists of the American Heritage Center. Archivists are responsible for acquiring original resource material to support academic research and teaching, organizing the material physically and intellectually, and teaching faculty, students and others to use these materials. There are three archivist ranks: Assistant Archivist, Associate Archivist, Archivist.

Assistant Professor

Indicates tenure-track appointments of individuals who hold the terminal degree in their discipline. This is the usual entry-level faculty rank.

Associate Professor

In addition to the qualifications of an Assistant Professor, Associate Professors have established a strong reputation in scholarship and teaching. Generally, faculty hired as Assistant Professors are promoted to the rank of Associate Professor at the time tenure is granted.

Clinical Faculty

Clinical faculty appointments allow experts in health-related fields to contribute to the training of UW students in allied disciplines. Clinical appointments are for at most one year at a time and carry no rights to tenure or extended terms. Clinical faculty members may be salaried members of the UW faculty, in which case their reappointment is subject to annual performance reviews. There are also adjunct clinical faculty appointments, which typically involve health-care professionals whose normal employment is outside the university. Adjunct clinical appointments carry no financial commitment from the University.

Emeritus Faculty

Tenured faculty who retire after long and distinguished service are eligible for emeritus status upon their retirement. The designation is honorary and carries no necessary commitment of space or remunerative employment. By analogy, extended-term academic professionals may be eligible for emeritus status upon retirement. (Emeritus=masculine, emerita=feminine, emeriti=plural)

Extended-Term Appointment

Academic professionals who have successfully completed probationary terms (usually six years) may receive six-year appointments called extended-term appointments. The term also applies to certain librarians and archivists who hold faculty status. These employees are eligible for extended-term appointments after five-year probationary periods. Extended terms for these employees are five years in length. Academic professionals, librarians, and archivists who are in the probationary period are on the extended-term-track.

Extension Educator

These academic professionals provide non-credit education to off-campus clientele through UW's Cooperative Extension Service. There are three ranks of Extension Educators: Assistant Extension Educator, Associate Extension Educator, Senior Extension Educator. All Extension Educators are in the College of Agriculture.

Faculty

Members of the permanent faculty include tenured or tenure-track Assistant Professors, Associate Professors, and Professors. Also included are tenure-track individuals who hold the rank of Instructor while completing their terminal degrees. Librarians and archivists also hold faculty status. They are eligible for extended terms instead of tenure.

Fiscal-Year (FY) Appointments

Appointments in which the regular period of employment is the entire calendar year, with accrual of annual vacation leave. Faculty members who hold administrative positions with summer responsibilities often have FY appointments for the duration of their administrative terms.

Full-Time Equivalent (FTE)

A measure of the time commitment expected of an employee or a set of employees. For example, two full-time employees or four half-time employees constitute 2.0 FTE.

Instructor

Tenure-track faculty member who does not yet hold the terminal degree in the appropriate field. UW requires verification of degrees in the form of official transcripts. UW does not grant tenure to faculty members who hold Instructor status at the time of the decision.

Leave of Absence Without Pay

Academic and administrative personnel may request leaves without pay for periods normally not in excess of one year, for purposes consistent with the professional enhancement of the employee and the advancement of the University's stature.

Lecturer

A category of academic professional involved largely in classroom instruction. Lecturers may be appointed to three ranks: Assistant Lecturer, Associate Lecturer, Senior Lecturer.

Library Faculty

This faculty designation applies to employees of the University Libraries. There are three ranks of library faculty: Assistant Librarian, Associate Librarian, Librarian.

Part-Time Employee

Any employee holding less than a full-time equivalent position (FTE less than 1.0).

Post-Doctoral Associate

Post-Docs are doctorally qualified academic professionals seeking greater professional development and research investigation, before obtaining permanent employment. Post-Doctoral appointments are temporary.

Probationary Faculty

This term refers to tenure-track faculty members who are working toward tenure and to academic professionals, library faculty, and archive faculty who are working toward extended-term contracts. The probationary term for academic professionals is generally six years, with yearly reviews and re-appointments. For librarians and archivists, it is five years. Faculty members who are on tenure-track appointments typically undergo the review for tenure in the sixth year of employment.

Professional Development Leave

Extended-term academic professionals who have completed six years of service at the University are eligible for professional development leave. The purpose of development leave is to enhance performance, to conduct special studies, or in some other way to enhance an individual's ability to contribute to the University. Development leaves can be granted with or without pay, are the prerogative of the academic unit in which the academic professional is located, and are generally similar to sabbatical leaves for faculty.

Professor

In addition to the qualification of an Associate Professor, "full" Professors have attained wide recognition in their professional fields for scholarship or other creative activity and have gained recognition for superior teaching and service.

Research Professor

Person with demonstrated superior capacity for research contributions, who is employed solely on external funds, and who holds a terminal degree. These appointments are made only at the Professor level and for not more than one year at a time. They are renewable.

Research Scientist

An academic professional whose primary responsibility is to conduct research. There are three ranks for Research Scientists: Assistant Research Scientist, Associate Research Scientist, Research Scientist.

Review Year

Year in which a reappointment review occurs for probationary employees. Normally, tenure-track faculty members undergo mandatory reappointment reviews in their first, second, and fourth years, with optional reviews in the third and fifth years. A review for the tenure decision occurs no later than the sixth year. An explanatory flow chart appears at the end of this glossary. In some cases employees start with credit toward a tenure or extended-term decision, based on their previous experience. In these cases the review year is the number of years of service at UW plus the number of years of credit.

Sabbatical Leave

Sabbatical leave may be granted to any tenured member of the faculty for the purposes of increasing professional competence and usefulness to the University. A minimum of six years service at the University must precede each period of sabbatical leave, although no right accrues automatically through lapse of time. Sabbatical leaves are normally granted for either a half year (full pay) or a full year (60% of salary). A faculty member who fails to return to the University after a sabbatical leave must repay the amount of compensation received from the University during the sabbatical. Faculty members may not use sabbatical leaves to pursue degrees.

Temporary Appointment

A short-term appointment without rights to tenure or extended term. Most temporary appointments are for one semester or one academic year.

Tenure-Track Appointment

Indicates a probationary faculty appointment prior to the award of tenure. Tenure-track positions generally require six years to tenure, but fewer years may be required based upon level of previous experience and accomplishments.

Terminal Degree

Typically the highest earned degree in a field of study. Examples include the Ph.D. (a variety of fields), the M.D. (medicine), the Ed.D. (education), M.F.A. (fine arts), M.Arch. (architecture), and J.D. (law).

Visiting Appointment

Indicates a non-permanent, non-tenure-track faculty appointment. Most visiting appointments are for one year.

Endowed Chair Reviews

College of Business

The College of Business periodically reviews the performance of three tenured faculty members who hold endowed chairs in the Department of Economics and Finance. The following narratives summarize the outcomes of those reviews. The reviews require no formal action by the board.

Name

Rank

Department of Economics and Finance

Barbier, Edward B. Professor

Professor Edward B. Barbier (Economics and Finance) holds the John S. Bugas Distinguished Professor of Economics. The College of Business conducted a five-year assessment of his accomplishments in teaching, research, and service while holding this title. The review was conducted at the request of the dean of the College of Business by six senior faculty members with distinguished records of scholarship in their fields. All reviewers strongly supported Professor Barbier's continued appointment as chair-holder, citing his exceptional research productivity, the significance of his seminal work in valuing ecosystem services, and his prolific mentorship of doctoral and masters students. Professor Barbier chaired 19 Ph.D. committees and served as a member of several others since 2005.

Shaffer, Sherrill L. Professor

Professor Sherrill Shaffer (Economics and Finance) holds the John A. Guthrie Distinguished Professor of Banking and Financial Services. A five-year assessment of his accomplishments in teaching, research, and service while holding this title was conducted at the request of the dean of the College of Business. The review panel consisted of five prominent faculty members and professionals in banking and financial services. All reviewers supported Professor Shaffer's continued appointment as chair-holder, citing his dedication to his students in the classroom and in supporting their successes after graduation, as well as his remarkable level of research productivity and service to his profession and university community. As one reviewer notes, Professor Shaffer's national and international reputation in the banking and finance scholarly realm is underscored by the fact that he has served as an ad hoc reviewer for over forty different academic journals.

Shogren, Jason F. Professor

Professor Jason F. Shogren (Economics and Finance) holds the Stroock Distinguished Professor of Natural Resource Conservation and Management. A five-year assessment of his accomplishments in teaching, research, and service while holding this title was conducted at the request of the dean of the College of Business. The Stroock Professorship is awarded to a senior faculty member with an outstanding national reputation for research and teaching in the field of natural resource conservation and management and a reputation for energetic sharing of knowledge. The review was conducted by six senior faculty members with distinguished records of scholarship in their fields. All reviewers strongly supported Professor Shogren's continued appointment, noting the unquestionable impact Professor Shogren has had in creating his department's prominent global reputation in natural resource economics. Professor Shogren also serves currently as chair of the Department of Economics and Finance.

3. Committee of the Whole- CONSENT AGENDA

Approval of Revisions to UW Regulations

- a. Deletion of UW Regulation 7-501, "Career Development Guide for Extension Agents, Agricultural Extension Service", Allen**
- b. List of Proposed Changes to UW Regulations to Accommodate Name Changes in Agriculture and Natural Resources, Allen**
- c. Faculty Senate Bill 323, "A Bill to Revise UW Regulation 5-801, 'Procedures for Dismissal of Faculty Members'", Allen**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: Committee of the Whole (Consent Agenda)

- a. Deletion of UW Regulation 7-501, "Career Development Guide for Extension Agents, Agricultural Extension Service", Allen**

BACKGROUND AND POLICY CONTEXT OF ISSUE:

UW Regulation 7-501 establishes performance guidelines and expectations for agricultural extension agents, an employee category that belonged to the classified staff. In 1992, UW stopped using this employee series and began hiring new people into the ranks of extension educators, a category belonging to the academic professional series governed by UW Regulation 5-408. UW left the old regulation, 7-501, on the books, to accommodate the fact that some agricultural extension agents from the earlier era kept the contract rights associated with the older series. No such employees remain, so UW Regulation 7-501 is obsolete.

WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees must approve all changes to UW Regulations.

ARGUMENTS IN SUPPORT:

UW Regulation 7-501 is obsolete, since there are no employees in the series to which it applies, and UW no longer hires people into that series.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

The proposed elimination of this Regulation appears on the consent agenda for approval by the Board.

PRESIDENT'S RECOMMENDATION:

President Buchanan recommends immediate approval.

UW REGULATION 7-501

Career Development Guide for Extension Agents, Agricultural Extension Service

1. PURPOSE.

To promulgate the Career Development Guide for Extension Agents, as adopted by the University Extension Agents on September 21, 1984.

2. CAREER DEVELOPMENT GUIDE FOR EXTENSION AGENTS AGRICULTURAL EXTENSION SERVICE COLLEGE OF AGRICULTURE

SECTION I. INTRODUCTION

The Agricultural Extension Service is a major educational outreach program of the University of Wyoming which provides largely non-credit, off-campus educational programs in agriculture, home economics, youth and related subjects to the citizens of Wyoming. Most Agricultural Extension Service educational programs are designed by Extension Agents who are located in each of the 23 Wyoming counties.

The purpose of the University of Wyoming Agricultural Extension Service Career Development Guide is to provide Extension Agents with criteria and standards for advancement within the existing University classification system and for professional growth and career development within the University. This guide, in turn, will enhance the effectiveness of the Wyoming Agricultural Extension Service, the College of Agriculture, and the University of Wyoming.

Extension Agents are professional staff of the University and are expected to possess a high level of professional, scientific and administrative ability. In keeping with the land-grant University concept, the Extension Agent is an important link between the people of Wyoming and the resources of this University. An Agent's responsibilities include identifying the needs of people in the Agent's specifically assigned locality, developing and implementing education programs to meet those needs, and evaluating and documenting behavioral changes that occur in response to the program. Extension Agents serve as both teachers and facilitators in the delivery of these education programs. Extension Agents perform their functions in an "off-campus" setting utilizing a variety of educational methods.

SECTION II. LEVELS OF EXTENSION AGENT CLASSIFICATION

There are four levels of professional staff classification for Extension Agents. The four classification levels and corresponding pay grades are:

Assistant University Extension Agent - Grade 11
Associate University Extension Agent - Grade 12

University Extension Agent - Grade 14
Senior University Extension Agent - Grade 15

These classification and corresponding pay grades were established through the University Staff Classification and Compensation System to insure classification, pay equity, and market value consistent with other University of Wyoming employees. Extension Agent classification and pay grades will be periodically reviewed under the provisions of this System to assure that this consistency is maintained.

Promotion from one classification to another will result in a salary adjustment. Such adjustments resulting from promotion will be periodically reviewed by the Director of Extension and the Director of Personnel to insure that consistency with the University Staff Classification and Compensation System is maintained.

Pay adjustments also may be provided Agents who complete requirements for advanced degrees or who are required to assume additional responsibilities because of internal staff adjustments within the Extension Service, in accordance with established University policies.

Entry-level qualifications, basic functions, required and expected duties, and supervisory responsibilities of the four classifications are described in Appendix I (University Extension Agent Classification Criteria). Each classification level allows for a temporary assignment that can be used as a training position.

A Position Description Questionnaire (PDQ) is developed in cooperation with remaining county Extension employees, county clientele, and county commissioners each time a vacancy occurs. The PDQ is evaluated by the Director of Personnel and the appropriate classification and beginning pay scale is established in accordance with University policies. The vacancy is then advertised and filled with an individual possessing at least the minimum qualifications as described in the PDQ.

University Extension Agents employed prior to July 1, 1983 were placed in one of the above four classification levels. The education requirement is waived for all incumbents employed at the time of implementation of the University Extension Agent Career Development Guide. This waiver is in effect for as long as the incumbent is employed as a University Extension Agent.

1. ASSISTANT UNIVERSITY EXTENSION AGENT

Normal entry position for an individual with a Master's degree in Agriculture, Home Economics, or a cognate field of study clearly related to the Extension function and with less than two years of related experience. With meritorious performance and a minimum of two years of experience plus a Master's degree, an Assistant University Extension Agent can become eligible for promotion to Associate University Extension Agent. Evaluation of the individual's performance and qualifications shall be based upon annual personnel appraisals and assessment of the position description developed for the individual. This evaluation will be accomplished pursuant to the procedures outlined in Section III hereof.

A promotion decision is mandatory in the fourth year of service as an Assistant University Extension Agent. Individuals must be promoted from this rank by the end of the fourth year of service in rank, or be subject to a terminal contract for the annual period commencing April 1 of the year following the promotion decision.

2. ASSOCIATE UNIVERSITY EXTENSION AGENT

Normal entry position for individuals with a Master's degree in Agriculture, Home Economics or a cognate field of study clearly related to the Extension function and with two or more years of experience in Extension or a directly related field. Persons in this position must be familiar with Extension programs and the functions of an Extension Agent. Qualifications required of an Associate University Extension Agent include:

A. Demonstrated capabilities and performance characteristics of an Associate University Extension Agent, including participation in and familiarity with those processes and activities related to the position description. Specific examples include the ability to:

- (1) Evaluate community need;
- (2) Develop and implement education programs based upon state- of-the-art research in response to identified community needs;
- (3) Evaluate the effectiveness of education programs; (4) Train volunteers to carry out education programs;
- (5) Prepare articles, news releases, and other forms of written communication that are relevant to particular education programs or activities;
- (6) Prepare and present lectures, radio/television programs and other forms of oral communication that are relevant to particular education programs or activities; and
- (7) Plan county activities in coordination with County Advisory Committee.

B. Demonstrated expertise within at least one of the four Extension program areas.

C. Initiation of a professional improvement program to gain expertise in an additional Extension program area.

D. Demonstration potential for continued productivity in the University of Wyoming Agricultural Extension Service as evidenced by the annual personnel performance appraisal.

3. UNIVERSITY EXTENSION AGENT

The University Extension Agent must be capable of planning, developing, implementing, and evaluating county-wide Extension education programs. Qualifications required of a University Extension Agent include:

A. A Master's degree in Agriculture, Home Economics or a cognate field of study that is clearly and specifically related to the Extension function.

B. A minimum of four years of experience in Extension or a directly related field.

C. Demonstrated expertise within at least two of the four Extension program areas.

D. Demonstrated capabilities and performance characteristic of a University Extension Agent, including participation in and familiarity with those processes and activities related to the position description. Specific examples include the ability to:

- (1) Assess a broad range of clientele needs including interdisciplinary problems;
- (2) Plan, develop, implement and evaluate multi-disciplinary education programs that utilize and present results from state-of-the-art research in the subject matter areas;
- (3) Develop program budgets and assist with development of county budget;
- (4) Supervise staff personnel;
- (5) Serve as a panel member for county program reviews and similar functions;
- (6) Organize, conduct, and follow-up on training of volunteer leaders;
- (7) Provide training for other Extension Agents, particularly Assistant University Extension Agents or Extension trainees;
- (8) Provide leadership for and effect cooperation with County Advisory Committees;
- (9) Design and conduct applied research or demographic studies, analyze results, and draw conclusions therefrom;
- (10) Utilize results from local research projects in education programs; and,
- (11) Develop and prepare formal agreements with local, state, or federal governmental units.

4. SENIOR UNIVERSITY EXTENSION AGENT

The Senior University Extension Agent is the most distinguished position in the Agent system. The Senior University Extension Agent must have demonstrated superior capabilities throughout his/her career and be recognized by peers and others as an outstanding Extension Agent. qualifications required of a Senior University Extension Agent include:

- A. A Master's degree in Agriculture, Home Economics, or a cognate field of study that is clearly and specifically related to the Extension function.
- B. A minimum of six years of experience in Extension or a directly related field.
- C. Professional recognition within the profession of Extension as evidenced by regional or national awards, letters of recognition, commendation from colleagues and peers and publications in refereed or professional journals.
- D. Leadership in the resolution of community and county problems, and development of programs and projects of complex interdisciplinary nature requiring long-range educational planning.
- E. Ability to plan, conduct, and interpret cooperator-based applied research, demonstration trials, field and home demonstrations, and/or community studies; and publication and/or dissemination results or findings in an appropriate manner.
- F. Demonstrated program administrative capability.
- G. Ability to plan, conduct, and coordinate comprehensive county-wide program reviews or impact studies; and ability to summarize results and draw conclusions for use in long-range program planning.
- H. Leadership in development of formal agreements with local, state, or federal governmental units or agencies.
- I. Leadership in providing training to Extension Agents and other professional persons.
- J. Ability to secure funding as a principal investigator of grant proposals designed to meet unique community needs.

SECTION III. PROCEDURES FOR EVALUATION REVIEW

- A. The individual Extension Agent is responsible for initiating the evaluation review. This is accomplished by preparing the appropriate materials (Appendix 2) and submitting them to his or her immediate supervisor.

B. Recommendation for or against promotion will come from the appropriate County Director and/or District Director. Promotion materials must be forwarded to the Assistant Director of Extension by these individuals for consideration if an Agent so requests.

C. There shall be an Agent Promotion Committee consisting of seven Extension Agents elected at large from those employed full time within the state. Every third year three members will be elected. Two members will be elected all other years. The Assistant Director of Extension responsible for County Programs will serve as Chairman without vote of the Agent Promotion Committee. Committee members cannot serve consecutive terms. A committee member applying for promotion will not serve on the committee while his/her review is being considered and a temporary replacement will be chosen to finish the term. The duty of the Agent Promotion Committee is to review the documentation of those Extension Agents being considered for promotion. All committee members, except the chairman, will cast a written ballot containing reasons for the vote for each Extension Agent. The Committee will elect annually a representative to the Promotion Review Committee.

D. There shall be a "Promotion Review Committee" consisting of the Agent Promotion Committee representative, the three Associate Deans of the College of Agriculture, and the Assistant Director of Extension responsible for County Programs. The Associate Dean serving as Director of Extension will chair the Promotion Review Committee. This committee will review candidate documentation and recommendations of the Agent Promotion Committee.

E. The Agent Promotion Committee shall make its recommendations to the Promotion Review Committee which will, in turn, make recommendations to the Dean, College of Agriculture.

F. The Dean will inform the Agent of the recommendations of the Agent Promotion Committee and the Promotion Review Committee. The Dean will inform the Agent whether he will recommend for or against promotion. If the Dean's recommendation is for promotion, he will forward all materials to the Vice President for Academic Affairs.

G. The schedule that must be followed by those being considered for promotion and the various individuals and committees reviewing the documents is as follows:

(1) Complete documentation must be provided the Assistant Director of Extension responsible for County Programs by October 1.

(2) The Agent Promotion Committee must meet and forward the results of its deliberations to the Promotion Review Committee by November 10.

(3) The Promotion Review Committee will meet after November 10 of the calendar year in which the review is occurring. The Promotion Review Committee will forward with its recommendation all documentation and the votes and comments of the Agent Promotion Committee to the Dean by December 21.

(4) The Dean will discuss the results of the review with all candidates, and forward all candidates being recommended for promotion to the Vice President for Academic Affairs by February 1.

(5) The Vice President for Academic Affairs will issue a decision concerning promotion before March 31.

Appendix 2

CAREER DEVELOPMENT GUIDE AGRICULTURAL EXTENSION SERVICE

PACKET ONE -- Check List

I. Current and past position descriptions.

II. Current Evaluation Forms.

_____ Rating, statement for immediate supervisor (usually County Director).

_____ Rating, statement for District Director.

III. Candidate's response to current ratings and statements by immediate supervisor and District Director.

IV. Past Evaluation Forms (all years since last promotion).

_____ Ratings, statements from immediate supervisors (usually County Director).

_____ Ratings, statements from District Director.

_____ All other ratings, statements on performance prepared by Extension administration.

V. Candidates responses to past Evaluation Form ratings and statements by immediate supervisor, District Director and Extension administration.

VI. Evaluation form - Page 2 - Personnel printout on employment (furnished by the UW Finance Office).

VII. Supporting Documents (lists and brief explanation).

Resume outlining credit and non-credit education, job experience, and other personal information.

_____ Program thrusts and accomplishments (summary of plans of work and reports).

Educational methods including innovative and creative endeavors and program results.

_____ Publications including mass media and papers/programs presented.

_____ Extension assignments (include committee work, program reviews, etc.)

_____ Public service (include non-Extension) assignments and organizational work).

_____ Honors and awards (include both Extension and non-Extension).

VIII. Letters of recommendation (different from Evaluation Form comments) required from County Director, District Director, and all Extension Program leaders. Agent may also request and include letters from specialists, peers and others.

PACKET TWO

Assemble copies of all publications including articles, books, manuals, teaching materials, mass media materials, bulletins, pamphlets and circular letters. One copy of each is requested. Material should reflect programs conducted by Agent for the past four to six years, or the time from the previous promotion.

PACKET THREE

Provide any additional information that the Agent wishes to submit including such items as community service and/or professional associations, activities, letters of recognition or commendation, clientele evaluations, etc. Material should reflect educational and professional endeavors from date of employment.

Source:

University Regulation 501; adopted 7/17/08 Board of Trustees meeting

b. List of Proposed Changes to UW Regulations to Accommodate Name Changes in Agriculture and Natural Resources, Allen

BACKGROUND AND POLICY CONTEXT OF ISSUE:

In November, 2009, the Board of Trustees approved a change in the name of the then-College of Agriculture to the College of Agriculture and Natural Resources, following an action item in UW's 2009 strategic plan. In addition, in November 2011 the Trustees approved a new regulation governing the college. This regulation changed the name of the Cooperative Extension Service to University of Wyoming Extension, to reinforce the public's recognition that extension is a part of UW.

The changes proposed in this agenda item eliminate the old names of the College of Agriculture and Natural Resources and University of Wyoming Extension in favor of the new ones.

The attached sheets list the proposed changes in detail.

WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees must approve all changes to UW Regulations.

ARGUMENTS IN SUPPORT:

The change will make all UW Regulations consistent in their references to the college and to UW's extension mission.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

The proposed elimination of this Regulation appears on the consent agenda for approval by the Board.

PRESIDENT'S RECOMMENDATION:

President Buchanan recommends immediate approval.

LIST OF PROPOSED CHANGES TO UW REGULATIONS

Organized by section

1. University Governance and Structure

UW Regulation 1-1 Organization of the University

Section C. THE ACADEMIC ORGANIZATION OF THE UNIVERSITY

Sub-section 2 – COLLEGES

Paragraph 1

Current wording: The University shall have the following colleges: Agriculture, Arts and Sciences, Business, Education, Engineering and Applied Science, Health Sciences, and Law.

Proposed wording: Replace Agriculture with Agriculture and Natural Resources

UW Regulation 1-2 Establishment of University Administrative Committees

Section 3 University Administrative Committees

Subsection D - Controlled Substances Use Committee

Section iii – Composition

Current wording: The Committee shall consist of at least five faculty members including at least three biological scientists and with representation from the Colleges of Agriculture, Arts and Sciences, Health Sciences, and the Division of Medical Education and Public Health (a physician).

Proposed wording: Replace Agriculture with Agriculture and Natural Resources

PD1-2003-1 UW Organizational Chart

Under Academic Deans Organizational Chart/ College of Agriculture and Natural Resources/
Assoc. Deans

Current wording: Cooperative Extension Service

Proposed wording: Replace with University of Wyoming Extension

2. Facilities

No proposed modifications

3. Business Practices

No proposed modifications

4. General Employment

No proposed modifications

5. Academic Personnel

UW REGULATION 5-408 Guidelines for Establishing Academic Professionals Section 3. EXTENSION EDUCATORS

Subsection I. DEFINITION AND DESCRIPTION

Current wording: As members of the Cooperative Extension Service, Extension Educators are part of the University's educational outreach system.

Proposed wording: Replace the Cooperative Extension Service with University of Wyoming Extension

Subsection II. EXTENDED-TERM-TRACK APPOINTMENTS

B. Reviews During the Probationary Period

Regional Peers

Current wording: The Dean of Agriculture is responsible for defining a set of peer regions for the state.

Proposed change: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Supervisor

Current wording: In the case of a first-year probationary review, no review by the Extension Educator Term and Promotion Committee is necessary, and the Director of Extension may forward the case directly to the Dean of Agriculture.

Proposed change: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Term and Promotion Committee

Paragraph 1

Current wording: Make written recommendations for all of these candidates to the Dean of Agriculture.

Proposed change: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Paragraph 2

Current wording: The chairperson shall forward all recommendations and portfolios to the Dean of Agriculture.

Proposed change: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Dean of Agriculture

Current wording: The Dean of Agriculture shall consult with the Director of Extension to formulate a written recommendation for each case.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources in both the subsection title and the body of the paragraph.

Subsection II. EXTENDED-TERM-TRACK APPOINTMENTS

D. Ranks

Assistant Extension Educator

Current wording: Such nominations are subject to the approval of the Dean of Agriculture and the Vice President for Academic Affairs.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

E. Job Descriptions

Current wording: These job descriptions are subject to annual review and possible revision by the employee and the direct supervisor and are subject to consultation with and approval by the Dean of Agriculture.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

F. Term and Promotion Committee

Paragraph 1

Current wording: The Dean of Agriculture is responsible for determining the precise size of the committee.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Paragraph 2

Current wording: If there are not enough extended-term Extension Educators to fill the required categories, then the Dean of Agriculture shall identify a broader set of Extension Educators from whom candidates may be selected.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

UW REGULATION 5-408 Guidelines for Establishing Academic Professionals Section 5. Research Scientists

E. Job Descriptions

Current wording: The elements of the job description that are appropriate for Research Scientists are teaching, research, service, administration, and, in some cases, cooperative extension.

Proposed wording: Replace cooperative extension with extension

APPENDIX A TO UNIREG 5-408, REVISION 2 EXTENSION EDUCATORS

I. DEFINITION AND DESCRIPTION

Current wording: As members of the Cooperative Extension Service, Extension Educators are part of the University's educational outreach system.

Proposed wording: Replace the Cooperative Extension Service with University of Wyoming Extension

II. EXTENDED-TERM-TRACK APPOINTMENTS

B. Reviews During the Probationary Period

Regional Peers

Current wording: The Dean of Agriculture is responsible for defining a set of peer regions for the state.

Proposed change: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Supervisor

Current wording: In the case of a first-year probationary review, no review by the Extension Educator Term and Promotion Committee is necessary, and the Director of Extension may forward the case directly to the Dean of Agriculture.

Proposed change: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Term and Promotion Committee

Paragraph 1

Current wording: Make written recommendations for all of these candidates to the Dean of Agriculture.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Paragraph 2

Current wording: The chairperson shall forward all recommendations and portfolios to the Dean of Agriculture.

Proposed change: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Dean of Agriculture

Current wording: The Dean of Agriculture shall consult with the Director of Extension to formulate a written recommendation for each case.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources in both the subsection title and the body of the paragraph.

D. Ranks

Assistant Extension Educator

Current wording: Such nominations are subject to the approval of the Dean of Agriculture and the Vice President for Academic Affairs.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

E. Job Descriptions

Current wording: These job descriptions are subject to annual review and possible revision by the employee and the direct supervisor and are subject to consultation with and approval by the Dean of Agriculture.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

F. Term and Promotion Committee

Paragraph 1

Current wording: The Dean of Agriculture is responsible for determining the precise size of the committee.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

Paragraph 2

Current wording: If there are not enough extended-term Extension Educators to fill the required categories, then the Dean of Agriculture shall identify a broader set of Extension Educators from whom candidates may be selected.

Proposed wording: Replace Dean of Agriculture with Dean of Agriculture and Natural Resources

APPENDIX C TO UNIREG 5-408, REVISION 2 RESEARCH SCIENTISTS

II. EXTENDED-TERM-TRACK APPOINTMENTS

E. Job Descriptions

Current wording: The elements of the job description that are appropriate for Research Scientists are teaching, research, service, administration, and, in some cases, cooperative extension.

Proposed wording: Replace cooperative extension with extension

UW REGULATION 5-808 - Post-Tenure Review Policy Section II PERFORMANCE IMPROVEMENT PLAN (PIP).

Subsection B

Current wording: A “performing below expectations” evaluation concerning extension performances must be addressed and appropriate involvements stipulated at the unit level in consultation with the Director of Cooperative Extension.

Proposed wording: Replace Director of Cooperative Extension with Director of University of Wyoming Extension

6. Academic Policy

UW REGULATION 6-409 - Establishment of Faculty Office Hours Policy Section 2. DIRECTIVE

Current wording: Effective immediately, the following are the policies on faculty office hours for the Colleges of Agriculture, Arts and Sciences, Business, Education, Engineering and Applied Science, Health Sciences, Law, and University of Wyoming/Casper College Center.

Proposed wording: Replace Agriculture with Agriculture and Natural Resources

Section 2. DIRECTIVE
subsection A - COLLEGE OF AGRICULTURE

Current wording: The College of Agriculture faculty members adhere to a modified open door policy with regard to their interaction with students.

Proposed wording: Replace College of Agriculture in both the title and the paragraph with College of Agriculture and Natural Resources

7. Regulations of Academic Units

UW REGULATION 7-621 - Outreach Educational Programs and Equivalency of Credits
1. OFF-CAMPUS EDUCATIONAL PROGRAMS

Item c

Current wording: In these matters, the School Dean or his/her designee shall consult with the Deans of the other academic units of the University and, when appropriate, with the Dean of UW/CC Center, the Director of the Cooperative Extension Service and the heads of academic departments and administrative units concerned.

Proposed change: Replace the Cooperative Extension Service with University of Wyoming Extension

8. Students

No proposed modifications

c. Faculty Senate Bill 323, "A Bill to Revise UW Regulation 5-801, 'Procedures for Dismissal of Faculty Members'", Allen

BACKGROUND AND POLICY CONTEXT OF ISSUE:

On November 28, 2011, the Faculty Senate adopted proposed changes to UW Regulation 5-801, which defines the procedures for dismissal of faculty members. The regulation applies principally to faculty members with tenure and to academic personnel with extended term appointments who are subject to charges potentially culminating in dismissal for "cause", as that term is defined in UW Regulation 5-1(E). The proposed changes introduce a role for the affected faculty member's departmental colleagues, who may be constituted as a Peer Committee early in the proceedings to explore informal resolution of the potential dismissal proceedings. This committee recommends whether formal dismissal proceedings should or should not be initiated. The process by which a formal hearing takes place is also described in more detail in the proposed regulation than in the existing regulation.

As in the current regulation, the proposed regulation requires trustee action to act on the recommendation of the President and to dismiss a tenured faculty member or an extended-term academic professional prior to completion of his or her contract. The proposed regulation provides a timeline by which the President and the Board of Trustees will review and render their decisions.

The proposed regulation and the current UW Regulation are appended in the attachment to this narrative.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

The Board last voted to dismiss a tenured faculty member in September, 2006, under the UW Regulation currently in effect. The proposed revisions address several potential improvements identified during the processes leading to that decision.

WHY THIS ITEM IS BEFORE THE BOARD:

UW Regulation 1-101 requires that any amendment to UW Regulations must be approved by the Board.

ARGUMENTS IN SUPPORT:

- The proposed revisions are needed to make it clear that the regulation applies to both tenured faculty and extended term academic professionals.
- The current regulation does not specify the timeline of any events in the dismissal process except for the setting of the date of the hearing. The proposed regulation specifies the number of days by which every step of the process must be completed.
- The proposed regulation introduces a role for the academic appointee's departmental colleagues, who will be familiar with the academic appointee's performance.

- The proposed regulation introduces a role for the Provost, who as the university's chief academic officer, should be involved in a decision that involves the potential dismissal of an academic employee.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

Board approval or disapproval of the amendment to the Regulation.

PRESIDENT'S RECOMMENDATION:

The President recommends approval.

Senate Bill 323, as amended

**Introduced by
Faculty Academic Standards,
Rights and Responsibilities Committee**

**A BILL TO REVISE UW REGULATION 5-801
"PROCEDURES FOR DISMISSAL OF FACULTY MEMBERS"**

**UW REGULATION 5-801
Procedures for Dismissal of Faculty Members**

PURPOSE:

To establish dismissal procedures for tenured "faculty members," as that employee classification is defined in UW Regulation 1-1(C)(1), for extended term academic professionals, as that employee classification is defined and referenced in UW Regulations 5-1(F) and 5-408, for American Heritage Center academic personnel on extended term appointment, as defined in UW Regulation 7-490, for Law Library academic personnel on extended term appointment, as defined in UW Regulation 7-570, for University Library academic personnel on extended term appointment, as defined in UW Regulation 7-631, and for any other academic personnel holding continuing appointments within classifications that the university has established, or may from time to time establish in the future, that provide for such appointments subject to applicable UW Regulations. For academic personnel with extended term appointments, these procedures apply only to cases where termination for cause is sought prior to the end of the extended term.

RATIONALE:

These procedures are intended to afford appropriate due process to individuals employed in the classifications referenced in the preceding section. The procedures are meant to apply principally to faculty members with tenure, as that term is defined in UW Regulation 5-1(D), and to academic personnel with extended term appointments, who are subject to charges potentially culminating in dismissal for "cause", as that term is defined in UW Regulation 5-1(E). The procedures shall also apply to any academic personnel – whether tenured, non-tenured, or contract – when it is alleged that a dismissal action is motivated by inappropriate interference with "academic freedom," as that term is defined in UW Regulation 5-1(A).

PRELIMINARY PROCEEDINGS:

- 1. Personal Conference:** If the unit head or comparable administrative officer (hereinafter denoted "AO") determines the need to dismiss a tenured or extended term academic appointee (hereinafter denoted "AA"), the AO, as the charging officer, shall meet in person with the AA to discuss the matter in confidence. The matter may thereafter be concluded informally by mutual consent without the need for further proceedings.
- 2. Referral to a Peer Committee for Consultation:** If, however, the AO and the AA are unable to reach a mutually satisfactory accord within seven days after the initial personal conference, or at such later time as all parties may agree, the matter shall be referred to a committee of the AA's peers, the composition of which shall be determined by the rules or regulations of the involved unit. The Peer Committee shall consult in confidence with all involved parties to explore informal resolution of the potential dismissal proceedings. In the event the Committee is able to achieve a resolution, the matter may thereafter be concluded informally, by mutual consent of the AO and AA, without the need for further proceedings. If, however, the Peer Committee is unable to negotiate a resolution, it shall recommend to the AO whether in its judgment formal dismissal proceedings should be initiated. The Peer Committee's findings and recommendations respecting the initiation of formal dismissal proceedings shall be submitted to the AO within 15 days of the Committee's receipt of the charge, or at such later time as all parties may agree.
- 3. Referral to a College Committee for Consultation:** Within three days of the AO's receipt of the Peer Committee's findings and recommendations respecting the initiation of formal dismissal proceedings, the AO shall take one of the following actions. If the general recommendation of the Peer Committee is that formal dismissal proceedings should not be initiated, and the AO concurs in the recommendation, the AO will terminate further consideration of the matter, and notify all parties of the termination. If, on the other hand, the general recommendation of the peer committee is that formal dismissal proceedings should be initiated, and the AO concurs in the recommendation; or, if the AO disagrees with the Peer Committee's general recommendation that no formal dismissal proceedings be initiated, the AO shall refer the matter to the College Dean for consideration. Upon receipt of the AO's referral, the College Dean shall in turn refer the matter to a College Committee, the composition of which shall be determined by the rules or regulations of the involved college or comparable unit, within seven days, or at such later time as the parties may agree. The College Committee shall consult in confidence with all involved parties to explore informal resolution of the potential dismissal proceedings. In the event the committee is able to achieve a resolution the matter may thereafter be concluded informally, by mutual consent of the AO and AA, without the need for further proceedings. If, however, the College Committee is unable to negotiate a resolution, it shall submit its findings and recommendations to the College Dean as to whether in its judgment formal dismissal

proceedings should be initiated. The College Committee's findings and recommendations respecting the initiation of formal dismissal proceedings shall be made to the College Dean within 15 days of the Committee's receipt of the charge, or at such later time as all parties may agree.

- 4. Notification of the Provost and Vice President for Academic Affairs (hereinafter "Provost"):** Upon receiving the recommendation of the college committee, the Dean shall promptly inform the Provost of the peer and college committees' recommendations, along with any recommendation the Dean may choose to make, and shall thereafter submit a report within 10 working days of receipt of the recommendations of the College Committee. Following consultation with a standing or ad hoc university committee, the Provost shall determine whether to initiate formal dismissal proceedings against the AA. The determination shall be made no later than 30 days from the Provost's receipt of the Dean's report. In the event the Provost should fail to render the determination respecting whether to initiate formal dismissal proceedings against the AA within 30 days, the AA's personnel record shall be expunged.

- 5. AA Request for Formal Proceedings:** At any time during the informal, preliminary proceedings set forth above, the AA may opt to initiate formal dismissal proceedings by directing a written request to that effect to the Provost. Upon the AA's tender of such a request, formal proceedings shall be initiated within 30 days of its receipt by the Provost and, absent agreement of all parties, failure to initiate formal proceedings within this time frame shall result in final termination of the matter with no subsequent opportunity for the university to pursue the same matter, and shall further result in the expunction of the details surrounding the matter from the AA's file.

FORMAL PROCEEDINGS:

- 1. Statement of Charges:** The Provost shall initiate formal proceedings, within the time frame established in Paragraph 5 of the Preliminary Proceedings, above, by delivering a written statement of particulars to the AA. Copies of the statement will simultaneously also be delivered to the unit head and College Dean. The statement of particulars shall include the following:
 - A. An indication of an intent to dismiss with the specific grounds for dismissal (hereinafter "dismissal charges") as set forth by the AO.
 - B. A declaration advising the AA that:
 - i. A formal hearing on the dismissal charges will be conducted solely upon the AA's written request;

- ii. A Hearing Committee selected from the Faculty Dispute Resolution Panel by the Faculty Senate Executive Committee will conduct any hearing held in connection with the dismissal charges
 - iii. Failure to submit to the Provost a written request for a hearing in time for it to be received within 30 thirty days of the statement of particulars' mailing may result in summary implementation of the dismissal charges.
 - C. A declaration that the purpose for holding a formal hearing is to determine whether dismissal should occur on the grounds stated.
 - D. A copy of UW Regulations 5-35(6) and 5-801 governing, respectively, the Faculty Dispute Resolution Panel and hearing procedures.
 - E. An initial list of witnesses whom the AO would expect to testify in support of the dismissal charges at a formal hearing.
- 2. **Hearing Committee:** A Hearing Committee (hereinafter called "HC") shall be chosen from the Faculty Dispute Resolution Panel as established in UW Regulation 5-35(6). The functions, powers, composition of and challenges to the Hearing Committee are as follows:
 - A. **Functions:** The HC shall conduct the hearing, make findings, and report, in writing, its conclusions and recommendations to the Provost. It may be represented by counsel, separate and apart from counsel for the AA and from University counsel.
 - B. **Powers:** The committee is a fact-finding body and serves solely in an advisory capacity.
 - C. **Composition:** The HC shall be composed of five regular members and seven alternates chosen by the Faculty Senate Executive Committee from the Faculty Dispute Resolution Panel. No more than one member of any academic department can serve as a regular or alternate member on the HC. Neither a regular nor any alternate HC member shall be a departmental colleague of the AA, nor shall any designated HC member be authorized to serve if possessing a good faith belief that personal considerations may interfere with reaching an unbiased decision. In the event a regular or alternate HC member possesses a good faith belief of an inability to make an unbiased decision, the Faculty Senate Executive Committee shall replace the regular or alternate HC member, as the case may be, with a new HC member selected from the Faculty Dispute Resolution Panel. In the event a regular HC member becomes unable to participate in all or a portion of the hearing after it has commenced, the Faculty Senate Executive Committee will, at its sole discretion, replace the regular member with one of the seven pre-

designated alternate members. The regular HC members will designate one from among their number to serve as Chairperson.

- D. **Challenges:** Either the AA or the AO may disqualify up to two members of the HC without providing a basis for such disqualification provided the proposed disqualifications are transmitted in writing to the HC Chairperson no later than seven days after the regular HC members have been designated..
- 3 Scheduling the Formal Hearing:** The Chairperson of the Hearing Committee, in consultation with the AA and AO, shall designate a time, date and place for formal hearing, and for any proceedings ancillary to the formal hearing, and shall notify all involved parties of such times, dates and places. Sufficient time for the preparation of a defense, not to exceed 60 days after receipt of the formal charges by the HC Chairperson, in the absence of good cause shown, shall be allowed to the AA.
- 4 Pre-Hearing Conference:** A pre-hearing conference shall be scheduled 14 days prior to the formal hearing, or at such other time as all parties may agree, to exchange evidence and witness lists. A preliminary list of witnesses for the formal hearing will be developed at this conference.
- 5 Performance of Duties During Dismissal Proceedings:**
- A. Suspension of the AA during the pendency of dismissal proceedings lies within the discretion of the Provost. Any such suspension, however, shall be with pay, except in the event suspension is based on a criminal conviction or on an abandonment of employment.
- B. In the absence of suspension during the pendency of dismissal proceedings, as described above in paragraph A, the AA may, in the alternative, be reassigned to any duties reasonably suited to the AA's skills and abilities that the Provost deems warranted. Any such reassignment shall be with pay.
- 6. Committee Proceedings:**
- A. The AA shall submit to the AO and the Chairperson of the HC a written answer to the dismissal charges that must be received by the Chairperson within 30 days of the Provost's initiation of Formal Proceedings as described in Paragraph 1 of the Formal Proceedings section, above.
- B. Failure of the AA to dispute the charges reflected in the statement of particulars will be deemed an admission of the charges. The HC will in that event be privileged to consider whether the admission establishes on its face adequate grounds for dismissal, or whether, notwithstanding the admission, hearing testimony will be required to determine whether the University has satisfied its burden of proving that dismissal of the AA is warranted. The HC shall thereafter

either convene a hearing, or, in the event it determines no hearing to be necessary, forward its written recommended findings and decision to the AA, AO and Provost.

- C. If, on the other hand, the AA submits a written answer, the HC shall conduct a hearing to consider both the statement of particulars and the AA's written answer to the statement. The following guidelines apply throughout the hearing:
- i. The hearing shall be held in confidence unless the AA requests, in writing, a public hearing. In that event, the HC may, at its discretion, allow a public hearing.
 - ii. The AA and the AO have the option of being represented by counsel, or by any other individual. The HC may also be represented by counsel. If the AA chooses to be represented by counsel, he/she is responsible for all costs of that counsel. If the AO and/or HC exercise their option to arrange for counsel, the University Legal Office will contract for that counsel.
 - iii. The HC shall determine the order of proof, is entitled to conduct the questioning of witnesses, and shall determine the relevance of evidence. The HC shall at all times make good faith efforts to develop reasonably grounded and reliable evidence.
 - iv. The HC shall attempt to resolve factual disputes by receiving witness testimony and other relevant evidence offered by the parties.
 - v. All witnesses shall testify under oath or affirmation. All parties have the right to hear and confront witnesses. Parties or their representatives, if any, have the right to question all witnesses testifying in connection with the hearing in person. At the sole discretion of the HC, testimony may be taken by deposition upon good cause shown.
 - vi. The HC may direct the parties to produce evidence on specific issues and may call witnesses and introduce evidence on its own motion.
 - vii. All evidence is part of the hearing record. All HC decisions are based solely on the hearing record. The burden of proof that there is adequate cause for dismissal rests at all times with the AO and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
 - viii. The HC may allow the parties to object to evidence on relevance grounds. At its discretion, the HC may allow amendments to the statement of particulars or to the AA's answer to the statement, at any time following the commencement of the hearing and before the closing of the hearing. If, in the judgment of the HC, such an amendment would introduce new issues or factual disputes for which the adverse party could not reasonably have been

prepared, the HC may allow the hearing to be continued or extended to allow the adverse party adequate time to prepare.

- ix. The HC may grant reasonable continuances, especially when required in the interests of justice to meet newly presented evidence for which a party could not reasonably have been prepared.
- x. The HC shall not be bound by formal rules of procedure or evidence otherwise applicable in civil litigation.
- xi. The Provost's office shall secure the cooperation of witnesses insofar as feasible.
- xii. Every administrative office of the University shall make available to the AA and AO any requested documents over which the University has control, and which are not privileged from disclosure by law.
- xiii. Allegations of the AA's inadequate work performance must be supported by competent and reliable evidence. Testimony concerning such alleged inadequacies should be corroborated.
- xiv. A written verbatim record of the hearing shall be produced, the expense of which shall be borne by the University.

D. The order of proceedings shall, to the extent practicable, conform to the following pattern:

1. The parties shall have the opportunity to present opening statements.
2. The AO shall present evidence in support of the charges and stated grounds for dismissal.
3. The AA shall present evidence in opposition to the charges and stated grounds for dismissal.
4. The HC shall permit the parties such rebuttal evidence as is not cumulative, repetitious, or irrelevant.
5. The parties shall have the opportunity to present closing arguments.
6. The HC may vary the order of proceedings if circumstances warrant, and may admit any evidence probative of the issues in dispute. The HC is not bound by formal rules of evidence.

E. Within 30 days of the close of hearing, the HC shall notify the AA, the AO and the Provost, in writing, of its recommendations, findings and rationale in support of the decision, and provide all parties with the official record upon which the decision was based.

7. Consideration by the Provost

Within 30 days of receipt of the HC's recommendation, the Provost shall take one of the following courses of action:

- A. If the HC has concluded that the evidence of record has not established cause for dismissal, and the Provost accepts the conclusion, then the charges in question shall be expunged, the record of hearing shall not become part of the AA's personnel file, and the AA shall remain in, or be reinstated to, as the case may be, his or her position, with all rights and privileges attendant thereto.
- B. If, on the other hand, the HC has concluded that the evidence of record has established adequate cause for dismissal, but the Provost rejects the conclusion, the Provost shall provide all parties of record with written reasons for the rejection, and shall allow all such parties 30 days from their receipt of the Provost's written reasons for rejection within which to file written responses to the reasons. Following the expiration of this 30 day period, the charges in question shall be expunged, the record of hearing shall not become part of the AA's personnel file, and the AA shall remain in, or be reinstated to, as the case may be, his or her position, with all rights and privileges attendant thereto, unless the Provost, within 15 days following the 30 day period allowed to parties to file responses, chooses on further reflection to adopt the HC's decision. In that event, the Provost shall forward findings, conclusions, and recommendations from the underlying proceedings, with the record of hearing and the Provost's individual recommendation, to the President for further consideration
- C. If the HC has concluded that the evidence has established adequate cause for dismissal and the Provost accepts the conclusion, the Provost shall forward findings, conclusions, and recommendations from the underlying proceedings, with the record of hearing, to the President for further consideration.
- D. If the HC has concluded that the evidence has not established cause for dismissal, and the Provost rejects the conclusion, the Provost shall provide all parties of record with written reasons for the rejection, and shall allow all such parties 30 days from their receipt of the Provost's written reasons for rejection within which to file written responses to the reasons. If, after reviewing written responses submitted within the 30 day period, the Provost continues to reject the HC's conclusion, the Provost shall, within 15 days following the 30 day period allowed to parties to file responses, forward findings, conclusions, and recommendations from the underlying proceedings, with the record of hearing and the Provost's recommendation, to the President for further consideration. If, on the other hand, after reviewing written responses submitted within the 30 day period, the Provost chooses on further reflection to adopt the HC's conclusion, the charges in question shall be expunged, the record of hearing shall not become part of the AA's personnel file, and the AA shall remain in, or be reinstated to, as the case may be, his or her position, with all rights and privileges attendant thereto.

8. Consideration by the President

Within 30 days of receipt from the Provost of findings, conclusions, and recommendations from the underlying proceedings, with the record of hearing, the President shall take one of the following courses of action:

- A. If the Provost has decided that the evidence has established adequate cause for dismissal and the President accepts the decision, the President shall forward findings, conclusions, and recommendations from the underlying proceedings, with the record of hearing and the President's recommendation, to the Board of Trustees for further consideration.
- B. If the Provost has decided that the evidence has established adequate cause for dismissal and the President rejects the decision, the President shall provide all parties of record with written reasons for the rejection, and shall allow all such parties 30 days from their receipt of the President's written reasons for rejection within which to file written responses to the reasons. Following the expiration of this 30 day period, the charges in question shall be expunged, the record of hearing shall not become part of the AA's personnel file, and the AA shall remain in, or be reinstated to, as the case may be, his or her position, with all rights and privileges attendant thereto, unless the President, within 15 days following the 30 day period allowed to parties to file responses, chooses on further reflection to adopt the Provost's decision. In that event, the President shall forward findings, conclusions, and recommendations from the underlying proceedings, with the record of hearing and the President's recommendation, to the Board of Trustees for further consideration

9. Consideration by the Board of Trustees

Within 60 days of receipt from the President of findings, conclusions, and recommendations from the underlying proceedings, with the record of hearing, or as soon thereafter as is practicable, the Board of Trustees shall review the proposed decision to dismiss the AA. The Board at its discretion may provide further opportunity to the parties for oral or written argument. Whenever possible, the Board shall render its final decision on the dismissal within 60 days of its receipt of findings, conclusions, and recommendations from the underlying proceedings, with the record of hearing, or within 60 days from the conclusion of any additional arguments allowed.

AUTHENTICATION: *The foregoing Senate Bill 323 duly adopted by the Faculty Senate of the University of Wyoming under date of November 28, 2011, is hereby transmitted to the President of the University of Wyoming for review in accordance with UW Regulations.*

/s/
Carolyn Anderson
Secretary of the Faculty Senate

UW REGULATION 5-801
Procedures for Dismissal of Faculty Members

1. PURPOSE.

To establish procedures for dismissal of faculty members for cause and for review of nonreappointments of probationary faculty members when violations of academic freedom are alleged.

2. DEFINITIONS.

(a) Faculty Member. An employee of the University appointed to and serving in a faculty position as defined in UW Regulation 1-1.

(b) Tenured Status. A faculty appointment which is considered permanent and not subject to termination or substantial reduction in status without adequate justification as outlined in UW Regulation 5-1.

(c) Non-Tenured Status. A probationary, supply, temporary, visiting or adjunct appointment to a position of academic rank.

(d) Contract Period. That period of time commencing on the date of appointment to a faculty position which ends on a predetermined date.

(e) Hearing Committee. Should there not be a Hearing Committee as a standing committee of the Faculty Senate, the Executive Committee of the Senate shall appoint an ad hoc Hearing Committee, whose membership will be subject to ratification by the full Senate, when the need arises and only for the duration of the case or cases at issue. The functions, powers and composition of the Committee shall be as follows:

1. Functions. The Committee shall conduct hearings, make findings and reports its conclusions and recommendations to the parties concerned whenever: (a) the dismissal of a tenured faculty member is at issue; (b) a nontenured faculty member alleges that considerations violative of academic freedom significantly contributed to a decision not to reappoint him.

2. Powers. The Committee is a fact-finding body and serves in an advisory capacity to the President of the University.

3. Composition. The Committee shall be composed of five members and seven alternates who shall be tenured members of the faculty. No department chairman, dean or administrative officer shall serve on the Committee. Not more than one member of any department shall serve as a regular member or alternate at the same time. The alternates shall participate as Committee members only when regular committee members, for any reason, are unable to serve, and shall

be selected for such serviced by lot. Five members shall comprise a quorum for conducting a hearing; three shall constitute a quorum for all other business of the Committee.

3. SENATE BILL 28, AS INCORPORATED INTO SENATE RESOLUTION 38:

Section 1. Hearing Procedures. It is understood that a faculty member with tenure is deemed qualified to serve the University of Wyoming throughout his academic career unless that records affirmatively demonstrates his lack of qualifications. In the event that a tenured faculty member is to be dismissed involuntarily he shall have an opportunity to submit his case and the charges against him to a full review conducted by the following procedures:

It is also understood that a non-tenured faculty member appointed to and serving in a faculty position for a fixed contract period is deemed qualified to serve in such position until the expiration of his contract period unless the record affirmatively demonstrates otherwise. In the event that a non-tenured faculty member is to be dismissed involuntarily during his contract period he shall have an opportunity to submit his case and the charges against him to a full review conducted by the following procedures:

(a) Preliminary Proceedings.

(1) When a question arises within a department, college or other administrative unit, concerning the termination of the services of a faculty member who has tenure, or the termination of the services of a non-tenured faculty member during the contract period, the department head, the appropriate dean, or comparable administrative officer, hereinafter referred to as appropriate administrative officer, ordinarily shall first discuss the matter with the faculty member in personal conference. The matter may be concluded by mutual consent at this point.

(2) If the matter is not concluded, at the request of the appropriate administrative officer or the faculty member, the Faculty Rights and Responsibilities Committee may be asked to offer its confidential advice to the parties. At this time the President of the University will be apprised of the question. The Committee shall consult privately with the appropriate administrative officer, the faculty member, and others and shall proceed informally to effect a mutually acceptable adjustment if possible.

(3) If at any time during the preliminary proceedings the faculty member requests that the formal proceedings be held, these shall be initiated within one month or the matter shall be dropped.

(b) Statement of Charges

A formal dismissal proceeding shall be commenced by a written communication from the appropriate administrative officer appointed by the President to act as a charging authority to the faculty member and to the Chairman of the Hearing Committee containing:

(1) A statement giving the grounds for dismissal with sufficient particularity of the underlying facts to inform the faculty member of the nature of the charges against him;

(2) A statement that if the faculty member makes a written request to the Chairman of the Hearing Committee within 20 days of receipt of the charging authority's statement, he is entitled to a hearing before the Hearing Committee;

(3) A copy of the UW Regulation covering Hearing Procedures; and

(4) A first list of witnesses.

The statement of charges shall be sent to the faculty member by certified mail.

(c) Time and Place of Hearing; Faculty Member's Answer

(1) If within 20 days of his receipt of the statement of charges the faculty member requests a hearing, the Chairman of the Hearing Committee, after consulting the charging authority and the faculty member, shall set the time and place of the hearing and notify the parties thereof, such time being set to afford the faculty member sufficient time to prepare his defense and in no event shall be less than 20 days after notice of the hearing date is received by the faculty member.

(2) If the faculty member desires a hearing, he shall submit to the charging authority and to the Chairman of the Hearing Committee his written answer to the charges not less than one week before the date set for the hearing.

(3) If the faculty member does not answer the charging authority's statement of charges, the Hearing Committee shall consider whether the stated grounds constitute adequate cause for removal. The Committee shall forward its written decision on this question, normally with reasons stated, to the faculty member, the charging authority, and the President.

(d) Committee Proceedings.

If the faculty member submits an answer, the following procedures shall be followed:

(1) Neither a regular nor an alternate Committee member shall sit when the Committee is considering a matter directly involving a departmental colleague of such Committee member nor when he has reason to believe that some personal consideration might interfere with his reaching an unbiased conclusion; by preemptory challenge, not more than two members of the Hearing Committee may be disqualified on each side. Such challenges must be made in writing to the Chairman of the Hearing Committee at least three days before the hearing is scheduled to begin.

(2) The Committee, in consultation with the charging authority and the faculty member, will exercise its judgment as to whether the hearing should be public or private, but if the faculty member requests, the hearing shall be public. Such request must be made in writing at least three days before the hearing is scheduled to begin.

- (3) The faculty member and the charging authority shall have the option of being represented by counsel, and academic advisor, or both. The Hearing Committee may also be represented by counsel.
- (4) If the facts are in dispute, testimony of witnesses and other evidence relevant to the issues shall be received if offered. The hearing normally shall proceed as follows: (a) presentation of the evidence in support of the statement of grounds; (b) the faculty member's evidence in answer; (c) the rebuttal evidence; and (d) closing arguments. If the circumstances warrant, the Committee may vary the normal order of proceeding. The Committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
- (5) The parties shall have the opportunity to be confronted by all witnesses who shall testify under oath or upon affirmation. The faculty member and the charging authority, their representatives, Committee members, and the Committee's counsel, if one is present, shall have the right to question all witnesses who testify orally. In the event witnesses cannot appear in person, depositions from these witnesses may be presented.
- (6) The Committee, if it deems it desirable, may direct the parties to produce evidence on specific issues deemed significant by the Committee, and proceed on its own initiative to call witnesses to testify or introduce evidence on its own motion.
- (7) All evidence shall be made part of the record, and all Committee decisions shall be based on the record. The burden of proof that adequate cause exists rests with the charging authority, and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
- (8) If evidence is objected to at the hearing on the ground that it is not within the issues raised either by the statement of charges or by the answer, the Committee may allow either to be amended and shall do so freely when, in its view, the presentation of the substantive issues will be served thereby. Where appropriate, the Committee shall grant a continuance to give the objecting party reasonable time in which to meet the evidence.
- (9) The administration of the University will, insofar as it is possible for it to do so, secure the cooperation of witnesses and make available necessary documents and other evidence within its control of the faculty member and to the charging authority.
- (10) If the faculty member's academic competence is questioned, the proof before the Hearing Committee shall be insufficient unless it includes testimony or written reports of teachers or other scholars, either from the University or from other institutions.
- (11) A verbatim record of the proceeding shall be kept. The cost of such record shall be borne by the University.

(12) The Hearing Committee shall notify the faculty member, the charging authority and the President of the decision in writing and shall provide each with a copy of the record of the hearing.

(e) Consideration of Matter by President and Trustees

(1) If the Hearing Committee concludes that adequate cause for dismissal has not been established by the evidenced in the record and the President rejects the report, he will state his reasons for doing so, in writing, to the Hearing Committee, the faculty member and the charging authority, and provide an opportunity for responses before transmitting the case to the Trustees.

(2) If the Hearing Committee recommend dismissal, the President will, on request of the faculty member, transmit to the Trustees the record of the case. In such case, the Trustees' review will be based on the record of the hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives.

(3) The decisions of the Hearing Committee will either be sustained by the Trustees, or the proceeding returned to the Committee with specific objections. If returned, the Committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Trustees will make a final decision only after study of the Committee's reconsideration.

(f) Performance of Duties Pending Proceedings

The faculty member may be relieved from such of his duties as the President may deem proper while proceedings are pending. In such event the President shall assign to the faculty member such duties as the President deems appropriate. The faculty member shall be continued on his regular salary while the proceedings are pending.

(g) Conditions of Termination

Following receipt of the Hearing Committee's recommendation, the President shall develop recommendations about conditions of termination, including the possibility of continued employment up to one year, which, with the Hearing Committee's review, shall be transmitted to the Trustees.

Section 2. Academic Freedom of Non-tenured Faculty. If a faculty member on probationary or other non-tenured appointment alleges that considerations violative of academic freedom significantly contributed to a decision not to reappoint him, his allegation will be given preliminary consideration by the Faculty Rights and Responsibilities Committee, which will seek to settle the matter by informal methods. His allegation shall be accompanied by a statement that he agrees to the presentation, for the consideration of the faculty committees, of such reasons and evidence as the University may allege in support of its decision. If the difficulty is unresolved at

this stage, and if the Committee so recommends, the matter will be heard in the manner set forth in Section 1, except that the faculty member making the complaint is responsible for stating the grounds upon which he bases his allegations and the burden of proof shall rest upon him. If he succeeds in establishing a prima facie case, it is incumbent upon those who made the decision not to reappoint him to come forward with evidence in support of their decision.

Section 3. Modifications of Prior University Faculty Actions. To the extent that the provisions of this bill modify or supplement prior actions of the University faculty, including the functions of the faculty Tenure and Promotion Committee as stipulated in Article IV, Section 5, of the Bylaws of the University Faculty (1968), such prior actions are modified or supplemented accordingly.

Section 4. This Regulation supersedes all prior University Faculty action regarding procedures for dismissal of Faculty.

Source: University Regulation 801, Revision 1 and Change 1; adopted 7/17/08 Board of Trustees meeting

4. Committee of the Whole- CONSENT AGENDA

Approval of Tuition, Vinzant

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify: Committee of the Whole (Consent Agenda)

5. Committee of the Whole- CONSENT AGENDA

Approval of Fees, Vinzant

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify: Committee of the Whole (Consent Agenda)

6. Committee of the Whole- CONSENT AGENDA

Approval of Program Name Change from International Studies to Global and Area Studies, Hansen

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify: Committee of the Whole (Consent Agenda)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The International Studies Program in the College of Arts and Sciences has requested to change its name to Global and Area Studies. The purpose of the change is twofold: (1) to align the program's name with the majority of similar interdisciplinary and globally-oriented programs across the U.S. and (2) to recognize the broader scope of teaching and research that the interdisciplinary field encompasses at UW since the degree program became independent from Political Science in 1991. Those teaching and research areas include global concentrations in governance and conflict resolution, economic systems, sustainable development and the environment, and cultural and social issues and regional concentrations in Africa and the Middle East, Latin America, Europe/ and the former Soviet Union, and Asia and the Pacific Rim.

UW's International Studies Program offers an undergraduate major, undergraduate minors in International Studies, Asian Studies, and European Studies, and at the graduate level has the traditional International Studies MA, the Master's International Peace Corps degree, a joint degree with ENR, and a graduate minor. The program also administers UW's Arabic language program. The program has five faculty members, augmented by faculty from sixteen departments and programs from seven colleges. The Arts and Sciences Central Committee, the Dean of Arts and Sciences, and the Provost support this request.

ARGUMENTS IN SUPPORT:

- The program name change conforms with practices at other universities and reflects the more inclusive scope of teaching and research that now characterizes the field nationwide.
- The name change would reflect more accurately the scope of teaching and research interests among the program's interdisciplinary faculty as well as what students take.
- The participating faculty, the College Dean, the A&S Central Committee, and the Office of Academic Affairs carefully considered the proposed name change and support the plan.

ACTION REQUIRED AT THIS BOARD MEETING:

The proposed name change appears on the consent agenda for approval by the Board.

PRESIDENT'S RECOMMENDATION:

President Buchanan recommends immediate approval.

7. Committee of the Whole- CONSENT AGENDA

Approval of Program Name Change for Ph.D. in Education, Hansen

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify: Committee of the Whole (Consent Agenda)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The College of Education is proposing to split the Ph.D. in Education into two Ph.D. program areas. Currently, the college offers a Ph.D. in Education with eight specialization areas. We propose to split the current Ph.D. in Education into two Ph.D. programs. One would remain a Ph.D. in Education, with four specializations. The second Ph.D. would be titled Ph.D. in Curriculum and Instruction and would also have four specializations. The tables below illustrate the change in structure from one Ph.D. program to two.

Current program structure (one Ph.D., eight areas of specialization):

Ph.D. in Education, with specializations in:
Educational Leadership
Instructional Technology
Adult & Post-Secondary Education
Special Education
Curriculum & Instruction
Mathematics Education
Literacy Education
Science Education

Proposed program structure (two Ph.D. programs, each with four areas of specialization)

Ph.D. in Education, with specializations in:	Ph.D. in Curriculum and Instruction, with specializations in:
Educational Leadership	Curriculum Studies
Instructional Technology	Mathematics Education
Adult & Post-Secondary Education	Literacy Education
Special Education	Science Education

There are 44 tenured and tenure-track faculty members in Curriculum and Instruction. The specializations in Curriculum Studies, Mathematics Education, Literacy Education, and Science Education are all existing topic areas within Curriculum and Instruction and each faculty

member provides expertise in at least one of the four. Similarly, there are 24 tenured and tenure-track faculty members who provide expertise in the four specialization areas of Educational Leadership, Instructional Technology, Adult and Post-Secondary Education, and Special Education. The name change more naturally defines the two faculty groupings. There are no new resources needed as a result of this name change.

WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees must approve all changes to UW degree programs.

ARGUMENTS IN SUPPORT:

The proposed program will add no essentially new doctoral programs to UW's existing slate. It will facilitate greater recognition by potential employers of the expertise associated with the different areas of specialization; in this respect it will lead to greater marketability of UW's graduates in these areas.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

The proposed change appears on the consent agenda for approval by the Board.

PRESIDENT'S RECOMMENDATION:

President Buchanan recommends approval.

8. Committee of the Whole- CONSENT AGENDA

Annual Review and Reappointment of the External Audit Firm, Vinzant

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify: Committee of the Whole (Consent Agenda)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Article VII. Section 7-2 IV (a) of the Bylaws of the Trustees charges the Fiscal and Legal Affairs Committee with the responsibility of recommending to the Board "the selection and retention of the external audit firm."

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

In March 2010, the Board of Trustees approved a four-year engagement, beginning with the fiscal year ending June 30, 2010, with McGee, Hearne & Paiz, LLP.

WHY THIS ITEM IS BEFORE THE BOARD:

The audit engagement is subject to an annual review and evaluation of the firm's performance. The Fiscal and Legal Affairs Committee met on January 19, 2012 to discuss reappointment of McGee, Hearne & Paiz, LLP, for the third year of the four-year engagement.

ARGUMENTS IN SUPPORT:

MH&P continues to demonstrate their ability to deliver high-quality professional services at an attractive price. They consistently exhibit a strong commitment to the time schedules necessary to deliver the audited financial statements and reports. They assigned experienced personnel to the engagement and returned those professionals to the University providing continuity and efficiency to the audit. The firm's partners spent time in the field and were available for face-to-face conferences and meetings. Communication with the Fiscal and Legal Affairs Committee, as well as with UW administration, is excellent and is a key factor to successful completion of the external audit.

The Fiscal and Legal Affairs Committee agreed unanimously in favor of recommending reappointment.

ACTION REQUIRED AT THIS MEETING:

Reappointment of McGee, Hearne & Paiz, LLP as the independent audit firm to perform the external audit for the fiscal year ending June, 30, 2012.

PRESIDENT'S RECOMMENDATION:

The President recommends reappointment of McGee, Hearne & Paiz, LLP as stated above.

1. INFORMATION ONLY ITEM

Progress Report/Change Orders, Vinzant

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

**Capital Construction
 Progress Report as of March 2, 2012**

The following gives an accounting of the progress and activity of construction and design since the last Trustees meeting. Also reported are approved change orders.

PROJECTS IN CONSTRUCTION

1. Visual Arts Facility

Construction Manager at Risk	G E Johnson Construction Company
	Jackson, WY
Guaranteed Maximum Price	\$26,673,930
Contract Substantial Completion Date	October 28, 2011
Extended	December 18, 2011

(In Thousands)	Total	Admin	Constr	Design	Tech	FF&E	Misc	Cntngcy
Budget	36,350	1,076	26,964	3,236	712	2,860	215	1,287
Expended	30,155	631	25,541	3,168	45	731	39	0
Obligated	1,301	41	741	15	0	504	0	0
Un-obligated	4,894	404	682	53	667	1,625	176	1,287

Remarks Substantial Completion was issued December 23, 2011. Classes began in the building spring semester. Testing and final adjustment of mechanical/electrical systems are ongoing throughout the building. Furniture and equipment continue to arrive.

2. Energy Resource Center

Construction Manager at Risk	G E Johnson Construction Company
	Jackson, WY
Guaranteed Maximum Price	\$18,926,514
Contract Substantial Completion Date	June 4, 2012

Statement of Contract Amount

Original Contract	\$26,673,930
Change Orders 1-13	- <u>392,071</u>
Adjusted Contract	\$26,281,859
	Add 51 calendar days

2. Energy Resource Center

Item 1 Finalized Guaranteed Maximum Price	Add:	<u>36,278</u>
	<u>Total Change Order No. 2</u>	Add: 36,278

Item 1 Repair damage to chilled water lines due to improper locates	Add:	1,617
Item 2 Staging yard relocation	Add:	10,670
Item 3 Remove existing footings and slab	Add:	10,096
Item 4 Excavate and backfill storm line	Add:	<u>2,760</u>
	<u>Total Change Order No. 3</u>	Add: 25,143

Item 1 Infill existing tunnel openings	Add:	11,775
Item 2 Modification to pier caps	Add:	2,252
Item 3 Scope Gap on mechanical contractor	Add:	20,206
Item 4 Interior blind due to re-bid	Add:	2,603
Item 5 Fencing re-bid cost increase	Add:	1,075
Item 6 Modifications of glazing in storefront offices	Add:	7,396
Item 7 Modifications to coal prep ceiling	Add:	<u>1,433</u>
	<u>Total Change Order No. 4</u>	Add: 46,740

Item 1 Fiber optic duct bank relocate	Add:	<u>83,869</u>
	<u>Total Change Order No. 5</u>	Add: 83,869

Statement of Contract Amount

Original Contract	\$18,926,514
Change Orders 1 – 5	+ <u>612,030</u>
Adjusted Contract	\$19,538,544

2. INFORMATION ONLY ITEM

State Matching Funds for Endowments, Buchanan

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify:

STATE MATCHING FUNDS FOR ATHLETICS

There have been none.

STATE MATCHING FUNDS FOR ACADEMIC FACILITIES

There have been none.

STATE MATCHING FUNDS FOR ENDOWMENTS

Knape, Bill and Charlene

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a pledge of \$50,000.00 from Mr. and Mrs. Knape, toward the Knape Family Clinical Laboratory Science Fund in the College of Health Sciences.

Mr. Knape graduated with a Bachelor of Science in Psychology from the College of Arts and Sciences in 1982 and in 1985 with a Bachelor of Science in Medical Technology from the College of Health Sciences from the University of Wyoming. Mrs. Knape is a friend of UW.

Shlemon, Roy

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a gift of \$50,000.00 from Dr. Shlemon for the Roy J. Shlemon Endowment for Quaternary Studies. Dr. Shlemon has prior endowment state matches of \$478,000.00 to various allocations.

Dr. Shlemon is a member of the Foundation Board of Directors and graduated with a Master of Science in Geology from the College of Arts and Sciences at University of Wyoming in 1959.

Wyoming Archaeological Foundation

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a pledge of \$100,000.00 from the Wyoming Archaeological Foundation to the George C. Frison Institute Endowment. The Wyoming Archaeological Foundation has prior endowment state matches of \$106,862.00 to the same allocation.

The Wyoming Archaeological Foundation is an entity.

3. INFORMATION ONLY ITEM

Development Report, Blalock

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The UW Foundation has agreed to report on donor giving to the University of Wyoming Board of Trustees.

WHY THIS ITEM IS BEFORE THE BOARD:

This report is before the board to advise them of the most current giving totals.

COMMENTS:

There are two spreadsheets within the FY2012 Monthly Giving Report through February 2012. The first includes all gifts, while the second focuses on annual fund gifts. Both tables are broken down by the unit receiving the gifts.

**University of Wyoming, Foundation
FY 2012 Monthly Giving Report through February
All Gifts**

FUND	Current Month Gifts Received		FY 2012 to date								FY 2011 Commitments YTD	
	DONORS	GIFTS	Cash & Cash equivalent			New Commitments YTD				STATE MATCHING	DONORS	GIFTS
			DONORS	OUTRIGHT	GIK	PLEDGE PMTS	NEW PLEDGES	PLANNED GIFTS	TOTAL			
AGRIC	50	\$15,489	662	\$1,130,491	\$317	(\$731,000)	\$1,120,000	\$121,000	\$1,640,808	\$450,000	814	\$10,209,425
AHC	16	\$2,065	349	\$87,404	\$722,500	(\$15,700)	\$50	\$0	\$794,254	\$0	307	\$207,573
ALUMNI	2	\$250	269	\$48,085	\$0	\$0	\$0	\$0	\$48,085	\$0	0	\$0
A & S	135	\$81,587	1826	\$1,313,962	\$16,850	(\$605,377)	\$381,420	\$60,001	\$1,166,856	\$385,000	1993	\$2,882,896
ATHLETICS	1007	\$431,497	4114	\$2,244,846	\$318,531	(\$690,370)	\$560,000	\$150,000	\$2,583,007	\$0	4086	\$3,296,655
BUSINESS	53	\$32,640	711	\$867,165	\$7,000	(\$264,230)	\$35,000	\$451,667	\$1,096,602	\$4,975	824	\$2,148,353
EDUCATION	38	\$10,648	743	\$509,582	\$0	(\$265,000)	\$700,000	\$3	\$944,585	\$700,000	637	\$758,975
ENERGY	3	\$1,650	32	\$1,034,534	\$0	(\$973,602)	\$1,125,000	\$0	\$1,185,932	\$1,174,816	23	\$142,553
ENGINEERING	70	\$52,123	1097	\$2,000,650	\$0	(\$1,373,647)	\$205,000	\$900,000	\$1,732,003	\$0	1214	\$1,805,665
IENR	5	\$12,576	63	\$289,015	\$0	(\$12,391)	\$0	\$0	\$276,624	\$50,000	76	\$67,741
HEALTH SCI	54	\$16,918	710	\$216,848	\$4,388	(\$41,000)	\$50,000	\$527,000	\$757,236	\$50,000	663	\$278,291
LAW	33	\$5,700	431	\$251,509	\$10,823	(\$105,019)	\$235,000	\$25,000	\$417,313	\$150,000	412	\$414,894
LIBRARY	11	\$1,341	147	\$540,354	\$1,220	(\$383,456)	\$0	\$226,667	\$384,784	\$0	148	\$78,939
OUTREACH	1262	\$60,606	6279	\$580,159	\$0	(\$10,123)	\$0	\$0	\$570,036	\$0	6155	\$521,489
STU AFFRS	66	\$7,144	943	\$58,191	\$5,227	\$0	\$0	\$90,000	\$153,418	\$0	710	\$106,527
UW ART MUS	11	\$980	649	\$153,593	\$84,804	\$0	\$0	\$500,000	\$738,397	\$0	613	\$361,868
UNIV. FUND	47	\$6,805	630	\$81,129	\$0	\$0	\$0	\$0	\$81,129	\$0	757	\$111,724
OTHER	39	\$76,671	496	\$1,245,851	\$0	(\$401,271)	\$1,672,000	\$166,667	\$2,683,247	\$50,000	606	\$2,533,153
GIFTS NOT YET BOOKED												
TOTAL	2,784	\$816,691	17,132	\$12,653,367	\$1,171,660	(\$5,872,185)	\$6,083,470	\$3,218,004	\$17,254,317	\$3,014,791	16,848	\$25,926,721
Funds Not Deposited at Foundation				-\$1,993,406								
Foundation Cash In				\$10,659,961								
TOTAL YTD GOAL \$40,000,000							Total Count of All Planned Gifts 21					
**Total Donors does not reflect Column totals. Donors may give to more than one unit/division.												

**University of Wyoming, Foundation
FY 2012 Monthly Giving Report through February
Annual Gifts**

FUND	FY 2012 GOALS	Current Month		FY 2012 to date		FY 2011 to same date		FY 2012 AF % of Goal
		DONORS	AMOUNT	DONORS	TOTAL	DONORS	TOTAL	
AGRIC	\$ 98,500	42	\$3,412	575	\$81,271	704	\$120,823	82.51%
AHC	\$ 45,000	11	\$1,450	329	\$52,807	278	\$37,386	117.35%
ALUMNI	\$ -	2	\$250	39	\$8,200	0	\$0	N/A
A & S	\$ 407,000	92	\$14,328	1619	\$296,545	1714	\$304,803	72.86%
ATHLETICS	\$ 2,600,000	948	\$229,667	3905	\$1,310,566	3726	\$1,290,339	50.41%
BUSINESS	\$ 192,000	32	\$10,873	625	\$103,810	705	\$100,589	54.07%
EDUCATION	\$ 68,000	29	\$2,999	552	\$44,877	602	\$43,021	65.99%
ENERGY	\$ 2,500	3	\$1,650	18	\$9,117	15	\$6,553	364.67%
ENGINEERING	\$ 300,000	50	\$10,888	946	\$203,726	1106	\$222,995	67.91%
IENR	\$ 58,000	3	\$185	52	\$24,124	71	\$27,241	41.59%
HEALTH SCI	\$ 126,000	51	\$4,418	653	\$101,100	588	\$99,750	80.24%
LAW	\$ 70,000	31	\$5,475	276	\$66,461	265	\$63,959	94.94%
LIBRARY	\$ 31,000	8	\$650	135	\$17,508	131	\$14,415	56.48%
OUTREACH	\$ 810,000	1262	\$60,606	6274	\$539,327	6143	\$473,811	66.58%
STU AFFRS	\$ 33,500	64	\$4,694	883	\$37,175	682	\$37,301	110.97%
UW ART MUS	\$ 49,000	9	\$780	168	\$34,673	189	\$30,822	70.76%
UNIV. FUND	\$ 93,500	47	\$6,805	627	\$81,029	750	\$94,121	86.66%
OTHER	\$ 16,000	15	\$2,157	271	\$43,418	237	\$50,510	271.36%
GIFTS NOT YET BOOKED								
TOTAL	\$5,000,000	2,629	\$361,287	15,750	\$3,055,731	15,530	\$3,018,439	61.11%

****Total donors do not reflect Column totals. Donors may give to more than one unit/division.**