

THE UNIVERSITY OF WYOMING

MINUTES OF THE TRUSTEES

SPECIAL MEETING

Monday, April 13, 2015

**Final minutes can be found on the University of Wyoming Board of Trustees website at
www.uwyo.edu/trustees**

**THE UNIVERSITY OF WYOMING
“SPECIAL” MEETING OF THE BOARD
MINUTES OF THE TRUSTEES**

**Monday, April 13, 2015
8:00 a.m. - 9:00 a.m.
Old Main Boardroom, Laramie, Wyoming
Conference Call**

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Call to Order

Board President Trustee Dave Palmerlee called the meeting to order at 8:00 a.m.

Roll Call

Trustees participating: Mel Baldwin, Dave Palmerlee, John MacPherson, Jeff Marsh, Mike Massie, John McKinley, Dave True, Michelle Sullivan, Wava Tully. Trustee Dick Scarlett was not in attendance. Ex-officio Trustees: University President Dick McGinity, ASUW President Ahmed Balogun, Wyoming State Superintendent for Public Instruction Jillian Balow, and Executive Director for the Wyoming Community College Commission Jim Rose were in attendance. Ex-officio Trustee Governor Matt Mead was not in attendance.

Trustee President Dave Palmerlee thanked the Board for having this conference call and noted that they relieve pressure on the regular board meetings.

Discussion Items

1. Update, Axelson

Vice President of Student Affairs Sara Axelson shared information about the tragedies that were experienced in the last week. She noted that there were two deaths by suicide around the residence halls. Both matters are still under police investigation. She shared UW’s response and what is going on in the UW community. The first priority is to support the families. One family is from Ohio and one from Wyoming. Dean of Students Sean Blackburn has been on point, and Chief of Police Mike Samp is on point for the investigation. She thanked them for their work and thoughtfulness. The crisis response team met frequently last week and are covering all of the bases. The primary effort is working with the residence halls so that support is available to students, families and people off-campus. One family was unable to come back to Laramie. The family that visited from Jackson had time with Dean Blackburn, Chief Samp and students. This was very helpful to the family and students. President McGinity sent out two pieces of correspondence, reassuring the campus community about support available to the campus. Vice President of Academic Affairs David Jones and Vice President Axelson also sent a communication to campus, as did ASUW President Ahmed Balogun. Vice President Axelson also discussed the gatekeeper’s programs. She noted that the gatekeepers will have a training session this week. On the faculty list serve there was a dialogue about encouraging students to get counseling. This week there is an active push for more information posters so that students know the support that is available. There will also be pet therapy this week on campus, as well as a walk in prayer by student organizations. There will also be a post incident briefing. More information will be provided at the May meeting.

Trustee President Dave Palmerlee asked Vice President Axelson to call Trustee Dick Scarlett and share this information with him.

UW President Dick McGinity noted that Vice President Axelson and her team have been extraordinary. Vice President Axelson thanked her team.

Trustee Michelle Sullivan asked if the University Counseling Center could meet the current needs with its capacity. Vice President Axelson noted that she was staying in close contact with them and that there are also other counseling centers, Peak Wellness Center, an employee assistance program and private

providers. Through the coordination of these efforts we have the capacity to meet the needs. There were also sessions for students in the residence halls and a community wide meeting on how to work closely together.

2. Change Order Process Clarification, Mai

Vice President of Administration Bill Mai clarified information on change orders from the last meeting. He shared the language of the resolution that was passed during the last meeting. He noted that he understood that he could approve change orders himself, without the approval of the Board, as long as the change orders did not add to the total cost of the project. However, if the change order adds to the cost of the project, the change orders will need to be approved by the Board. Vice President Mai noted that he hopes that UW will not have to do this. A fourth category is the FFE (furniture fixtures, and equipment) budget that is added for the performing arts. Before that money is spent, there are forms that will need to be submitted to Vice President Mai so that the FFE will support everything in priority order. Vice President Mai noted that he is not asking for a motion or vote, but only wanted to clarify the procedures.

Trustee President Palmerlee asked the facilities committee to speak. Trustee MacPherson stated that the committee knew that further refinement was needed, and there are no problems with Vice President Mai’s clarifications. He asked Vice President Mai to work on documentation so the Board does not find itself in this position again. He noted that there is a problem with the processes that have put the Board in this position.

Vice President Mai agreed, and stated that work continues with Facilities Planning and the Office of General Counsel to address this topic. He stated that he is impressed with the work being done.

Trustee McKinley agreed with Vice President Mai in regard to the Performing Arts building and the Half Acre Gym. He explained that one reason for that motion was to make sure UW has a new process in place in regard to change orders. Any change orders that were inherently included in the changes made at the last meeting would be subject to Vice Presidents Mai and Miller’s approval. Any change that arises after the date of the approved motion is subject to the motion. Vice President Mai agreed. There was further discussion relating specifically to the change order for the Half Acre Gym renovation project.

Discussion then transitioned to UW’s rights when contesting claims in regard to change orders, and Vice President Mai noted that the Office of General Counsel office is reviewing all of the change orders as they are processed in order to preserve UW’s right to contest claims.

Trustee Massie then inquired about the FFE budget for performing arts and noted that he hopes the additional funds will be targeted to ensure accreditation for the music programs as UW needs to provide assurance to the legislature that these programs would remain accredited.

Vice President Mai noted that that is the theme of the performing arts building, and most of the additional funds were used to ensure these programs can remain accredited.

Trustee True stated that he hopes that before the Board is asked to take action, they will see this language on paper. He stated that he appreciates the necessity of non-board approval of undefined expenditures

within a budgeted amount. However, he noted that he does not want to get into a situation where the contingency funds are consumed through non-board actions.

Vice President Mai commented that the Half Acre Gym is based on the number of days of delay, which caused the timeline of the project to increase. He noted that he did not want to add in a contingency on a very complicated project and that he wanted to leave the power with the board to negotiate through the process. He stated that this is the available budget, and a strong case will have to be made for additional funding. He noted that the budget for the Buchanan Center for the Performing Arts is clearer, and that he will share this information with the Board on paper, but his main intent was to make sure his actions were in line with what the Board approved last meeting. He added that the third category is key, that any change orders that will add to the total cost of the project must be approved by the Board.

Trustee John McKinley asked if Vice President Mai was only asking for verbal clarification or if he was looking for Board actions. He also asked that the FFE budget for the Buchanan Center for the Performing Arts building be watched and used solely for FFE and not as a contingency for construction.

Vice President Mai responded that the FFE budget is all lined out, and there is not room for adding or removing from the list with no funds for construction. He noted that all he is looking for is verbal confirmation.

Trustee President Palmerlee responded that it seemed correct to him, but he asked the facilities committee to comment.

Trustee Macpherson stated that he did not have a problem with the clarification. He noted that he hopes to have some documents to review by the May meeting for future projects. Trustee McKinley and Trustee Marsh agreed.

Vice President Mai commented that it is likely going to be necessary for a whole project delivery method to be the best method, whether it be design, bid, building, or CMAR. He noted that the motion that was passed is only a temporary fix until the new process is developed.

Vice President Mai also updated the Board on the 2016 budget and when the Board would approve it. He also noted that there was one small change to the fee book that the Trustees approved last meeting, which involved the allocation of fees to The University Counseling Center.

3. Phase II of the Arena Auditorium, Mai

Vice President of Administration Bill Mai explained that phase two of the Arena Auditorium renovation has undergone some challenges. He noted that there were some initial designs done for the building, but the construction dollars will not go as far as was expected when the concept was designed. There was an effort to redesign the building, but the redesign was not well received. Significant additional funding would be needed to achieve the initial design. Therefore, the project has returned to the initial design phases. However, the fire pipes will be installed as is required by the fire marshal.

Vice President and General Counsel Rick Miller noted that there have been some meetings with people who have concerns with the exterior. Other than the fire piece, UW is essentially redesigning the process,

and they will redesign the exterior to be nice but within the budget. He noted that the Board will be informed of any decisions before they are made, especially in regard to the construction process. He added that the administration will be involving the Facilities Committee so they are fully involved in this decision. He noted that the timeline is to have everything in place so that construction can begin as soon as next year’s basketball season is over. He stated that the Board would have opportunities in the future to approve and act on this process.

Trustee Gubbels asked if UW is working with the same architectural firm as the one that initially designed the renovation. Vice President Miller responded affirmatively.

Trustee Massie noted that some comments from the community have expressed concern on the part of the exterior improvements, and this should not be sacrificed for interior high-end improvements.

Trustee Marsh asked if the current information on this project could be removed from the website, as there are issues. There was discussion over which information Trustee Marsh was referring to, and Vice President Mai stated that this information would be removed. Trustee President Palmerlee asked Vice President Mai to include the Facilities Committee as the project moves forward.

4. Tenure and Promotion Briefing, Jones

Vice President of Academic Affairs David Jones explained that the Board will take action on tenure and promotion at the May Board meeting. He stated that he would provide a brief overview of the process for the Board and referenced the PowerPoint shared with Trustees in the report. He noted that the most important decision in the tenure process is the initial hire.

Vice resident Jones explained that some hires will do more teaching, extension, or research, and that they are evaluated based on how they are performing in those aspects of their position. The process is guided by a number of UW regulations that outline policies and procedures. He noted that the first six years will tell if a faculty member receives tenure. He explained that there are several times that faculty members are reviewed over this six year period. He noted that the culture has been to review every year, and typically the review committee has a good idea of their tenure future by year four. He shared the different approvals needed for tenure, such as approval by the department head, fellow faculty, the college dean, and the Tenure and Promotion committee, as well as letters from external faculty members and other review levels if needed. He discussed the process that occurs when the different review levels do not agree. He noted that the final say rests with the Board. He shared information on the last four years of the tenure process and where those cohorts are now. He also noted that if a faculty member is not performing well, a performance improvement process can be put in place, as can further sanctions. Faculty members can be dismissed if there is not improvement.

Trustee True inquired about the post-tenure review process, and asked if there was data on how many faculty members undergo a post-tenure review process.

Vice President Jones stated that the outcomes of post-tenure review across the university have not been tracked. Academic Affairs has data on the cases in which faculty members may have appealed their performance improvement plans or who have dismissal procedures in place.

Vice President Jones estimated that in the last 10-12 years, there have likely been about three faculty members dismissed from the University. Others have performance improvement plans in place. Vice President Jones noted that he needed to collect this data. Trustee President Palmerlee asked that Vice President Jones get this data reaching back as many as ten years. Vice President Jones stated that there is good data back three to five years, but he is not sure he can go back ten years.

Trustee President Palmerlee asked Trustee Tully to serve as the representative to the Alumni Association Board. He asked Shannon to draft a letter to Keener Fry, the Executive Director of the Alumni Association.

Public Session

1. Consent Agenda

a. UW Regulation 8-1, Axelson

Trustee President Palmerlee then moved to the consent agenda. He asked Vice President of Student Affairs Sara Axelson if she wanted to comment on the University Regulation up for vote.

Vice President Axelson explained that the federal government passed legislation that will allow veterans to receive in-state tuition starting this fall 2015. The Wyoming State Legislature extended this to the summer of 2015. She noted that this is an excellent opportunity to encourage more veterans to come to UW.

b. UW Regulation 4-175, Miller

Vice President and General Counsel Rick Miller explained his regulation. He stated that this is a clarification of the current regulation to continue education benefits to the Western Research Institute employees. He noted that these employees are basically UW employees, so they receive a free course per semester. He added that they are changing this regulation so it is clearer.

Trustee Mike Massie motioned to approve the regulation changes. Trustee Marsh second the motion. All were in favor.

Trustee Massie moved for the Board to enter into executive session. Trustee Marsh seconded. The Board moved to executive session at 9:08 a.m. The Board returned to public session again at 10:06 a.m.

Discussion Items

1. Search Process Discussion, Palmerlee/McGinity

UW President Dick McGinity stated that he wanted to make an announcement. He explained that considering the best interest of the University, he is recommending that the Board undertake a search for the new president to take office in June 2016. He noted that he is not making this announcement out of any lack of loyalty or excitement for this position, but rather because the university faces an array of long-term opportunities. The best interest of the University will be served if this process gets underway promptly. He stated that he intended to make this announcement late last week, but under circumstances it seemed unwise to do so. He hoped the Board will act favorably on his recommendation.

Trustee President Palmerlee responded by stating that President McGinity’s announcement demonstrates his real love for the University and his high sense of ethics. He noted his appreciation for President McGinity’s announcement.

Trustee John MacPherson thanked President McGinity for his service. Trustee MacPherson moved that Trustee President Palmerlee appoint a committee of no less than three and no more than five Trustees to meet with members of the faculty, staff and students and other stakeholders to receive their input on the process to be used in selecting the next President of the University of Wyoming, within the next week. After receiving such input the committee will then report back to the entire Board of Trustees at its May meeting so the process of selecting a new President of the University of Wyoming can move forward in an orderly fashion. Trustee Jeff Marsh seconded the motion. The motion passed unanimously.

Date of Next Meeting

May 13-15, 2015

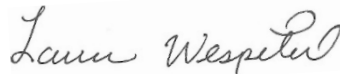
Adjournment

Board of Trustees President Dave Palmerlee adjourned the meeting at 9:11 a.m.

Respectfully submitted,



Shannon Sanchez
Deputy Secretary, Board of Trustees



Laura Wespetal
Senior Administrative Assistant