

**THE UNIVERSITY OF WYOMING
BOARD OF TRUSTEES'
REPORT & SUPPLEMENTAL MATERIALS**

**December 9, 2020
Conference Call Meeting**

**The final report can be found on the University of Wyoming Board of Trustees Website at <http://www.uwyo.edu/trustees/>
University of Wyoming Mission Statement (July 2017)**

We honor our heritage as the state's flagship and land-grant university by providing accessible and affordable higher education of the highest quality; rigorous scholarship; the communication and application of knowledge; 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:

- Graduate students who have experienced the frontiers of scholarship and creative activity and who are prepared for the complexities of an interdependent world;
- Cultivate a community of learning energized by collaborative work among students, faculty, staff and external partners.
- Nurture an environment that values and manifests diversity, internationalization, free expression, academic freedom, personal integrity and mutual respect; and
- Promote opportunities for personal health and growth, physical health, athletic competition and leadership development for all members of the university community.

As Wyoming's only public university, we are committed to scholarship, 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.

TRUSTEES OF THE UNIVERSITY OF WYOMING AGENDA
December 9, 2020
Conference Call Meeting

Note: Only topics that have support materials provided in advance of the meeting are contained within this report. Topics that will be discussed with only a verbal report do not have information included.

WORK SESSIONS

COVID-19 Update – Seidel/Benham-Deal

- Information: 2021 Spring Campus Plan *[provided as supplemental]*

Trustees Education Initiative – Bostrom/Rush

- Consideration and Action: E-5 Model4

Facilities Contracting Committee – McKinley/Mai

- Consideration and Action): Viaero Wireless Lease Extension at Torrington WPR Site.....7

Consideration and Action: Modifications to UW Regulations – Brown/Evans

- UW Regulation 2-200 (Students).....21
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Information: Graduate Medical Education Annual Report –
Alexander/Jones/Robitaille53

AGENDA ITEM TITLE: Trustees Education Initiative, Bostrom, Rush

SESSION TYPE:

- Work Session
- Education Session
- Information Item
- Other:
[Committee of the Whole – Items for Approval]

Attachments are provided with the narrative.

APPLIES TO STRATEGIC PLAN:

- Yes (select below):
 - Driving Excellence
 - Inspiring Students
 - Impacting Communities
 - High-Performing University
- No [Regular Business]

EXECUTIVE SUMMARY:

At the TEI Governing Board meeting on 10/30/2020, members of the TEI Governing Board approved E5: Endurance. The purpose of this agenda item is to seek approval from the UW Board of Trustees for this project.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

This item is a follow-up to the updated provided at the November 2020 meeting of the Board of Trustees.

WHY THIS ITEM IS BEFORE THE BOARD:

According to the TEI Governing Principles, UW BoT approval is required prior to implementing new proposals.

ACTION REQUIRED AT THIS BOARD MEETING:

Members of the TEI Governing Board request that the BoT approve the proposal for a new project, E5: Endurance.

PROPOSED MOTION:

I move to authorize the TEI to implement the new project, E5: Endurance.

PRESIDENT'S RECOMMENDATION:

The President recommends approval.



TEI E5: Endurance

UW Board of Trustees December 2020 Meeting

Introduction

The Trustees Education Initiative received approval from its Governing Board (October 30, 2020) to provide services as a hub and direct link for ongoing educator professional development (PD). Informally coined “E5: Endurance,” this endurance hub would be the next leg in the UW-E4 Student Journey model, serving Wyoming educators in early childhood settings, K12 schools, community colleges, the University of Wyoming and other applicable agencies or organizations. If approved, these TEI PD services would be primarily housed in and available via the UW WyoLearn (soon to be Elevate) platform. Content developed through this project would be ongoing and responsive to Wyoming’s education community needs.

TEI and the College of Education cannot take on this significant task alone. Partnership with and support of other professional development providers are hallmarks of TEI and would advance through the TEI E5. TEI suitably recognizes and supports partners in the in the substantial educator PD being provided. Collectively, we can provide a platform offering materials, courses, and other related information that support Wyoming educators.

TEI Endurance PD would come in all shapes and sizes, based on the needs and preferences of educator audiences and TEI PD partners. Synchronous and asynchronous, blended and fully online, fully facilitated to self-paced, short-term to semester-long, and credential- and credit- bearing, TEI Endurance PD must be adaptable and nimble, to best assure options that fit all educator content areas, schedules, and location.

Rationale

The need for a professional development hub supportive of district-level, state-level, third-party providers materialized in spring and summer of 2020, when CoE faculty members reshaped an established online course titled “Digital Teaching and Learning” developed by UW’s Ellbogen Center for Teaching and Learning. The new course was customized for K12 teachers who needed to translate their teaching knowledge and skills to a digital environment. The resulting course, instigated by the impacts of the COVID 19 pandemic, was completed by over 60 Wyoming educators, from 29 school districts, Saint Stephens Indian High School, Wyoming Girls School, and Holy Name Catholic School.

In addition to K12 support, a need for such a platform or hub is also felt internally, as the College of Education and other units at UW seek to support faculty in the use of new and proven distance

teaching technologies and practices, and as we seek to provide support to preservice teachers in online teaching methodologies. While some UW units have found success in the use of WyoLearn (University's outward-facing, professional development or continuing education arm of Canvas Learning Management System), this platform has largely been underutilized. TEI Endurance would actualize the potential of WyoLearn (WyoElevate) and continue to move UW professional development and continuing education forward.

Project Description

Having completed the Summer Digital Teaching & Learning programming, it became clear that ongoing training in such areas remained a high need across the state. Preparing to serve this need, College of Education faculty are now in the process of fine-tuning existing courses and adding courses related to Pedagogy, Assessment, and Digital Tools, and LMS Structure & Design. These courses would be mostly self-paced and modular/stackable, with options of graduate credit and continuing education units.

Professional development for current and upcoming TEI initiatives would also be incorporated into TEI Endurance, including Teacher Cadets and Mursion training for K12 and community college partners.

Numerous other individuals and units across campus regularly produce materials, courses, and projects that are designed to provide support to the educators of the state. TEI Endurance would be the home for such content, increasing awareness and access to these resources. Although an exhaustive list might not be possible, some of the current TEI, College of Education and broader UW professional development projects include the following:

- Science education
- Literacy education
- Social studies/civics education
- Student teaching coaching and mentorship
- Drone technology
- Counseling- tele-health, teacher mental health training
- English as a Second Language/Dual Language Immersion
- Special Education

Budget Overview

Initial TEI Endurance costs (remainder of FY21, and FY22) would be covered by TEI funding, College of Education funding, and partner funding. Operational costs for the remainder of FY21 would range from \$40,000 to \$130,000, based on funds available and PD requested. This would include startup/development, facilitation, and strategic planning/update costs.

TEI Endurance budgets for FY22 and beyond would be proposed, established, and maintained, based on funds available and internal and external PD demands. While costs for established projects and programs would stabilize, increased costs for new projects, year-to-year, will be a part of year-to-year operations and budget considerations, with controlled growth in mind. Continuing cost-sharing partnerships with stakeholders, along establishing a revenue-generating model (based on established university practice) will be instrumental in TEI Endurance sustainability.

AGENDA ITEM TITLE: Viaero Wireless Lease Extension at Torrington WPR Site, Mai

SESSION TYPE:

- Work Session
- Education Session
- Information Item
- Other:
[Committee of the Whole – Item for Approval]

APPLIES TO STRATEGIC PLAN:

- Yes (select below):
 - Driving Excellence
 - Inspiring Students
 - Impacting Communities
 - High-Performing University
- No [Regular Business]

Attachments are provided with the narrative.

EXECUTIVE SUMMARY:

This agenda item is to request approval of an amendment to extend an existing sublease agreement for a cellular communications site on the University’s Wyoming Public Radio (WPR) tower site in Torrington, Wyoming with Industrial Tower West, LLC dba Viaero Wireless (see attached map).

The University of Wyoming and Viaero Wireless first entered into a sublease agreement on January 1, 2016 for a five (5) year term allowing Viaero to install an antenna system on the tower and install radio communications equipment in the building, both owned by the University. The current lease term ends January 1, 2021. Viaero Wireless has an option to extend the agreement for another five (5) year term and has expressed a desire to extend the sublease to continue cellular communications coverage in the Torrington area.

The University is a Lessee in a ground lease agreement with the landowner, Eastern Wyoming College. The ground lease grants the University the right to sublease space and facilities on the site to third parties, including but not limited to Viaero Wireless. The current annual lease rent is \$1,800.00 and may be increased prior to a renewal term. The University proposed to increase the annual rent rate to \$4,200.00 with a 3% increase per year during the term of the agreement to bring the rent within the market rent range for cellular sites with populations less than 25,000.

The sublease would be renewed for another five (5) year term ending December 31, 2025 or concurrent with the University’s agreement with the landowner, whichever is less. The University has the ability to terminate the sublease agreement with Viaero Wireless upon 180 days’ advance written notice. The University may assign its interest in the sublease with no less than thirty (30) days’ advance written notice. Viaero Wireless may not assign or sublease its rights without University consent.

At the direction of the Facilities Contracting Committee, the administration has finalized the sublease agreement for signature. The attached sublease amendment has been signed by Viaero Wireless and is ready for the University’s signature.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

None.

WHY THIS ITEM IS BEFORE THE BOARD:

Per UW Regulation 7-2, the Board of Trustees reserves authority to approve and/or sign contracts for “Other matters involving real property, including but not limited to the lease of real property;

easements; water rights and development; oil, gas and mineral leases; and federal or state government leases, permits, or licenses for longer than one year or more than \$50,000”.

The administration requests approval to execute the Sublease Amendment to continue the sublease with Viaero Wireless.

ACTION REQUIRED AT THIS BOARD MEETING:

Board approval or disapproval of the recommendation of the Board’s Facilities Contracting Committee.

PROPOSED MOTION:

“I move to authorize Administration to execute the Amendment to the Sublease Agreement with Viaero Wireless as presented to the Board.”

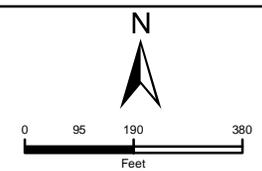
PRESIDENT’S RECOMMENDATION:

The President recommends approval.



Torrington Site Lease Extension with Viaero Wireless Wyoming Public Radio Torrington, WY

Disclaimer: This map is provided as a visual aid only and its accuracy is not guaranteed.
Any duplication of this document is not permitted without prior written consent.



Date: 10/13/2020

Prepared by:
Real Estate Operations



**AMENDMENT NO. 1
TO THE SUBLEASE AGREEMENT
BETWEEN
UNIVERSITY OF WYOMING
AND
NE COLORADO CELLULAR, INC. d/b/a VIAERO WIRELESS**

This Amendment to the Sublease Agreement dated 1 January 2016 between University of Wyoming (herein called "LESSOR") and NE Colorado Cellular, Inc. d/b/a Viaero Wireless, with its principal offices at 1224 West Platte Avenue, Ft. Morgan, Colorado 80701 (herein called "LESSEE"), is effective 1 January 2021.

WITNESSETH:

WHEREAS, LESSOR is the operator of a transmit facility on the following described land ("Site"):

**Eastern Wyoming College Campus, 320 W C St., Torrington, WY
Site specific: 42.076498, -104.191775**

WHEREAS the Lessor, as a Lessee, has an agreement with the property owner, Eastern Wyoming College, that grants Lessor the right to have and maintain the existing tower or a replacement tower and related facilities on the site, including the rights of access and the provision of utilities and the right to sublease space and facilities on the site to third parties, including but not limited to Lessee; and

WHEREAS the Sublease agreement dated 1 January 2016 between the University of Wyoming and NE Colorado Cellular, Inc. d/b/a Viaero Wireless is subordinate to the Lease Agreement dated 1 April 2005 between Eastern Wyoming College and the University of Wyoming as amended and extended. The requirements of the agreement between Eastern Wyoming College and the University of Wyoming as amended and extended shall apply to NE Colorado Cellular, Inc. d/b/a Viaero Wireless as sub-lessee to the University of Wyoming including but not limited to any insurance requirements.

WHEREAS Lessee has installed a cellular antenna system on said radio tower and installed certain communications equipment within the adjacent building and operates and maintains said cellular antenna and equipment upon and subject to the terms and special conditions, if any within the original sub-lease; and

WHEREAS the parties hereto desire to cooperate on the site and to operate and maintain the communications tower and facility subject to the terms and conditions set forth in the original sub-lease; and

WHEREAS the Lease Agreement dated 1 January 2016 will expire after 31 December 2020; and

WHEREAS, LESSOR has agreed to extend said lease for an additional term as set forth herein below;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree to revise the above Agreement by this Amendment as follows:

10. TERM OF AGREEMENT:

A. Term. This Agreement shall be for an additional term of Five (5) years commencing on 1 January 2021 and ending on 31 December 2025 or for a term concurrent with the Lessor's agreement with Eastern Wyoming College as amended and extended, whichever is less.

11. LEASE PAYMENTS:

A. Rents shall be paid annually within thirty (30) days of the Commencement Date (as designated in Item 10. A.), in the amount of Four Thousand Two Hundred Dollars (\$4,200.00) per year, payable to:

**AMENDMENT NO. 1
TO THE SUBLEASE AGREEMENT
BETWEEN
UNIVERSITY OF WYOMING
AND
NE COLORADO CELLULAR, INC. d/b/a VIAERO WIRELESS**

UW Real Estate Operations
Dept. 4308, 127 Bureau of Mines
1000 E. University Avenue
Laramie, WY 82071

The rent shall be increased on each anniversary of the Commencement Date by three percent (3%).

15. ASSIGNMENT AND SUBLEASING:

A. Lessee shall not have the right to assign or sublease its rights hereunder without Lessor's written consent, and any such attempted assignment or sublease by the Lessee shall be invalid. Any LESSOR approved sublease or co-location agreement shall be subject to an increased rental, if approved.

16. SUBORDINATION:

This agreement is subordinate to the Lease Agreement dated 1 April 2005 between Eastern Wyoming College and the University of Wyoming as amended and extended. The requirements of the agreement between Eastern Wyoming College and the University of Wyoming as amended and extended shall apply to NE Colorado Cellular, Inc. d/b/a Viaero Wireless as sub-lessee to the University of Wyoming including but not limited to any insurance requirements. In the event of any conflicts between this Sub-Lease and the Lease Agreement as amended and extended, the Lease Agreement provisions control.

17. FUTURE EQUIPMENT INSTALLATIONS:

A. Lessee shall submit to Lessor a written plan for any proposed alterations, additions, or improvements to the Premises including any plans, specifications, or drawings as may be requested by Lessor. Such plans, specifications, and drawings shall be submitted with contact information to Lessor at least thirty (30) working days prior to proposed alterations, additions, and improvements. Lessor shall be notified upon the completion of any alterations, additions, or improvements and allowed to perform a post-construction site inspection. Any deficiencies from the plans, specifications, or drawings identified by Lessor shall be immediately remedied by Lessee. Any proposed alterations, additions, or improvements which increase the number of antennas or require additional space shall be subject to an increased rental, if approved.

23. EQUAL EMPLOYMENT OPPORTUNITY:

Both parties shall fully adhere to all applicable local, state and federal law, including equal employment opportunity and including but not limited to compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and the American with Disabilities Act of 1990. The University is committed to equal opportunity for all persons in all facets of the University's operations and is an Equal Opportunity/Affirmative Action employer. The University will provide all applicants for admissions, employment and all University employees with equal opportunity without regard to race, gender, religion, color, national origin, disability, age, protected veteran status, sexual orientation, genetic information, gender identity, creed, ancestry, political belief, any other applicable protected category, or participation in any protected activity. The University ensures non-discriminatory practices in all matters relating to its education programs and activities and extends the same non-discriminatory practices to recruiting, hiring, training, compensation, benefits, promotions, demotions, transfers, and all other terms and conditions of employment.

Contractors are notified that they may be subject to the provisions of 41 CFR Section 60-300.5(a); 41 CFR Section 60-741.5(a); 41 CFR Section 60-1.4(a) and (c); 41 CFR Section 60-

**AMENDMENT NO. 1
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1.7(a); 48 CFR Section 52.222-54(d); and 29 CFR Part 471, Appendix A to Subpart A with respect to affirmative action and posting requirements. If applicable, **this contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a). This regulation prohibits discrimination against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans. If applicable, this contractor and subcontractor shall abide by the requirements of 41 CFR 60-741.5(a). This regulation prohibits discrimination against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans.**

INCORPORATION OF ADDENDUM INTO ORIGINAL LEASE

The signing of this Amendment shall incorporate this Amendment into the LEASE. All other terms and conditions of the original lease and its amendments remain in effect. It is further intended that in the event of any inconsistency between the LEASE and its other attachments and this Amendment, that the terms of this Amendment be constructed as final and binding.

IN WITNESS WHEREOF, the Parties hereto have set their hands and affixed their respective seals the day and year first above written.

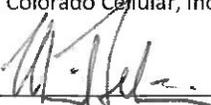
LESSOR:

University of Wyoming

Neil Theobald
Senior Vice President for
Finance and Administration

LESSEE:

NE Colorado Cellular, Inc. d/b/a Viaero Wireless



Mike Felicissimo
President

TOWER SUB-LEASE AGREEMENT

THIS AGREEMENT, made and entered into the **January 1st, of 2016** by and between University of Wyoming, Real Estate Operation, with its principal offices at 127 Bureau of Mines, 1000 E. University Avenue, Laramie, Wyoming 82071 (herein called "Lessor"), and NE Colorado Cellular, Inc., d/b/a Viaero Wireless, with its principal offices at , 1224 West Platte Avenue, Ft. Morgan, Colorado, 80701 (herein called "Lessee").

WITNESSETH:

WHEREAS, Lessor is the operator of a transmit facility on the following described land ("Site"):
Eastern Wyoming College Campus, 3200 W C St, Torrington, WY
Site specific: 42.076498, -104.191775

WHEREAS the Lessor, as a Lessee, has an agreement with the property owner, Eastern Wyoming College, that grants Lessor the right to have and maintain the existing tower or a replacement tower and related facilities on the site, including the rights of access and the provision of utilities and the right to sublease space and facilities on the site to third parties, including but not limited to Lessee; and

WHEREAS Lessee desires to install a cellular antenna system on said radio tower and to install certain communications equipment within the adjacent building and thereafter to operate and maintain said cellular antenna and equipment upon and subject to the terms and special conditions, if any herein; and

WHEREAS the parties hereto desire to cooperate on the site and to operate and maintain the communications tower and facility subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreement hereinafter set forth, to be paid, kept, and performed, it is agreed as follows:

1. GRANT OF INTEREST IN SITE:

- A.** Lessor hereby grants to Lessee, subject to the subsequent provisions hereof, and at Lessee's sole risk, cost and expense, the right to install, operate, and maintain the equipment described below in Lessor's building and shown on **Exhibit "B"**:

6 ea Amphenol BXA-171063-12CF PCS Antenna at 70' CL
6 ea Huawei RRU at 60'
1 ea Commscope VHLP4-11W 4' 11 GHz Microwave antennae at 50' CL
1 run of LMR400 (aka RG8U) to the MW antennae at 50'
6 runs of DC cable and fiber to 60'

Lessee will provide a Professional Engineer's stamped tower analysis as to wind load and structural capabilities on Lessor's tower with above equipment installed, indicating by Lessee supplied drawings that the installation of Lessee's antenna system will not cause any structural failure in Lessee's tower with wind conditions conducive to the location of the tower. Said analysis will be provided as **Exhibit "C"**.

- B.** For such purposes, Lessor, to the extent it has the right to do so, grants to Lessee the right to ingress and egress to and from said premises twenty-four (24) hours per day, seven (7) days per week over the access road and the right of accesses to the utility runs and all areas on the site necessary to the Lessee's installation, operation and maintenance of the equipment and facilities shown on **Exhibit "A"**.

- C.** Lessee's access, to the extent Lessor has the right to grant it, includes access by personnel, cable or equipment from the nearest public right-of-way and utilities from the nearest points of service. Lessee shall provide written notice regarding access to the communications tower and facility as follows:

- i.** For non-emergency access to the communications tower and facility, for repair, maintenance, etc. Lessee must provide Lessor with twenty-four (24) hours advance notice of required access;

ii. For emergency access to the communications tower and facility, Lessee must provide Lessor reasonable notice of required access before Lessee's arrival on the Premises or immediately thereafter if unable to give advanced notice.

D. Only authorized engineers, employees, or properly authorized contractors, subcontractors, and agents of Lessee, FCC inspectors, or persons under their direct supervision, are permitted to enter the Premises.

2. COMPATIBILITY OF OPERATIONS:

A. All operations of Lessee hereunder shall be conducted in such manner as not to interfere with the communication facilities serving the activities of Lessor or prior Lessees and with a reasonable duty of care.

B. Should the communication facilities of a subsequent licensee or licensees occupying Lessor's premises interfere in any manner with Lessee's said activities, Lessor shall, upon ten (10) days written notice from Lessee, promptly remove the cause of such interference.

C. Upon the failure of either party to take corrective action pursuant to paragraphs 2 a. or 2 b., the injured party may at its option, terminate this agreement by giving thirty (30) days written notice to the other party, in which event Lessee shall promptly cease its operations hereunder and remove all facilities from said premises.

3. ENVIRONMENTAL:

Lessee shall strictly comply with all federal, state and local environmental laws. Lessee shall not cause, or allow any guest, invitee, employee or agent of Lessee to cause, any hazardous substances to be used, generated, stored, disrupted or disposed of on, under or about the Premises, except such as may be acquired, used or sold by Lessee in its business in compliance with the Law, without the prior written consent of Lessor, which consent may be withheld in the sole discretion of Lessor, and which consent may be revoked at any time. Lessor hereby consents to Lessor's placement of batteries in the Equipment Space for back-up power usage in the event of a power outage.

4. UNLAWFUL OR DANGEROUS ACTIVITY:

Lessee shall neither use nor occupy the Building and Property or any part thereof for an unlawful or disreputable business purpose, nor operate or conduct business in a manner constituting a nuisance of any kind, nor handle any material in a reckless or unsafe manner. Lessee shall immediately, on discovery of any such activity, take immediate action to halt such activity and report such activity to Lessor. In the event that such activity continues, Lessor may terminate the Lease.

5. EQUIPMENT OF LESSEE:

Lessor shall provide Lessee the space for the equipment listed in Section 1. a. of this agreement. Equipment must be installed in a standard equipment rack taking approximately 1.5 sq. ft. of floor space within Lessor's building. Appropriate linear tower space will be provided for Lessee's antenna equipment as specified in Exhibit "B".

6. EQUIPMENT OF LESSOR:

Section 1. a. shall not limit Lessor from future equipment installations to the extent such installations do not interfere with Lessee's operations.

7. INDEMNIFICATION:

Lessee agrees to defend, indemnify and hold harmless the University and its public employees from any and all claims arising from the operations under this Agreement or related to this Agreement.

8. INSURANCE:

Lessee shall carry liability insurance including property damage and bodily injury with minimum limits of not less than \$1,000,000 occurrence and \$2,000,000 aggregate. If Lessee will use automobiles in performance of operations, Lessee must carry automobile liability insurance covering all owned, non-owned and hired autos with

minimum limits of \$500,000 combined single limit. Lessee must carry any workers' compensation coverage and employer's stop gap liability coverage required by law. Insurance shall be placed with insurers licensed to do business in Wyoming. Policies other than workers' compensation and employer's liability must name the University, its trustees, officers, and employees as additional insureds. Certificates must be on file with University Risk Management prior to any work and must be kept current throughout the term of the Agreement.

9. LIABILITY:

Except for indemnification pursuant to Paragraph 6, neither Party shall be liable to the other, or any of their respective agents, representatives, employees for any lost revenue, lost profits, loss of technology, rights or services, incidental, punitive, indirect, special or consequential damages, loss of data, or interruption or loss of use of service, even if advised of the possibility of such damages, whether under theory of contract, tort (including negligence), strict liability or otherwise. Notwithstanding, nothing in this section shall preclude or limit recovery under the insurance clause set forth in section 7.

10. TERM OF AGREEMENT:

- A. Initial Term. This Agreement shall be for an initial term of five (5) years commencing on 1 January 2016 and ending at 12:00 A.M. on 1 January 2021.

- B. Renewal Term. LESSOR grants to LESSEE an option to extend this lease for two (2) additional five (5) year terms. LESSEE may exercise this option by providing written notice to LESSOR at least ninety (90) days prior to expiration of the current five (5) year term. An Addendum to this lease shall be executed upon each five (5) year extension.

11. LEASE PAYMENTS:

- A. Rents shall be paid annually within thirty (30) days of the Commencement Date (as designated in Item 10. A.), in the amount of One Thousand Eight Hundred Dollars (\$1,800.00) per year for the term, payable to:

UW Real Estate Operations
Dept. 4308, 127 Bureau of Mines
1000 E. University Avenue
Laramie, WY 82071

- B. Lessor retains the option to renegotiate this agreement on a term basis at which time this agreement shall be amended to reflect alterations. The initial term is designated in Item 10. A.

12. TERMINATION:

LESSOR or LESSEE may terminate this lease after the initial term or during any renewal term hereof, by providing One Hundred and Eighty (180) days prior written notice of termination to the other party. Upon termination of this Agreement, the Premises must be returned to Lessor in a clean and orderly condition to the satisfaction of Lessor and in the condition as existed prior to installation of communication facilities and equipment by Lessee, reasonable wear and tear excepted, with no changes or alterations except those mutually agreed upon in writing by the Parties hereto.

13. GOVERNMENTAL PERMITS AND CONFORMANCE WITH LAWS:

Lessor shall satisfy any subdivision covenants and/or zoning requirements applicable to the site. All operations and activities of the parties hereunder shall be conducted in accordance with all applicable laws and with the rules, regulations, and orders of any governmental agency having jurisdiction, including but not limited to the Federal Communications Commission (FCC) and the Federal Aviation Administration (FAA).

14. NOTICE:

- A. All notices to be given under the terms hereof shall be sent by certified mail, addressed to the respective parties at the following addresses:

LESSOR:
University of Wyoming, Real Estate Operations
Dept. 4308, 127 Bureau of Mines

LESSEE:
Viaero Wireless Corporate Office
1224 West Platte Avenue,

1000 E. University Avenue
Laramie, WY 82071
PH: 307.766.2936
E-Mail: REO@uwyo.edu

Fort Morgan, CO 80701
PH: 877-842-3764
E-Mail: Henry.Jacobsen@viaero.com

- B. The deposit in the mail of any letter, so addressed and sent with postage prepaid, shall be considered as notice to the addressee of the contents thereof.

15. ASSIGNMENT AND SUBLEASING:

- A. Lessee shall not have the right to assign or sublease its rights hereunder without Lessor's written consent, and any such attempted assignment or sublease by the Lessee shall be invalid.
- B. Lessor shall retain the right to assign or sublease its interest in the site to a third party or the Lessee but Lessor agrees that such assignment shall only be effective no less than thirty (30) days after the Lessor provides the Lessee with written notice of any such assignment or sublease.
- C. This agreement shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the respective parties hereto. Lessor shall retain the authority to sublease antenna space on the tower to its other tenants. All installations, maintenance, or removal of third parties' antenna system and related equipment located on the tower shall be performed by the Lessor or Lessee hereunder at the expense of the party requesting such work.

16. SUBORDINATION:

This agreement is subordinate to the Lease Agreement dated 1, January 2016 between Viaero Wireless and the University of Wyoming. Therefore, the requirements of the agreement between Viaero Wireless and the University of Wyoming shall apply to Viaero Wireless as sub-Lessee to the University of Wyoming including but not limited to any insurance requirements. In the event of any conflicts between this Sublease and the Lease Agreement, the Lease Agreement provisions control.

17. FUTURE EQUIPMENT INSTALLATIONS:

- A. Lessee shall submit to Lessor a written plan for any proposed alterations, additions, or improvements to the Premises including any plans, specifications, or drawings as may be requested by Lessor. Such plans, specifications, and drawings shall be submitted with contact information to Lessor at least thirty (30) working days prior to proposed alterations, additions, and improvements. Lessor shall be notified upon the completion of any alterations, additions, or improvements and allowed to perform a post-construction site inspection. Any deficiencies from the plans, specifications, or drawings identified by Lessor shall be immediately remedied by Lessee.
- B. Future antennas and tower loadings not listed on Exhibit A of this Agreement shall be reviewed and, if found acceptable, approved by Lessor with advance written notice of at least thirty (30) days being given by Lessee.

18. OPERATIONS AND MAINTENANCE RESPONSIBILITIES:

Both parties agree that frequency and intermod studies will be conducted by the party seeking to install television equipment on the site before that equipment is installed on the tower.

- A. Lessee will furnish to Lessor:
- i. A list of frequencies used by Lessee to transmit and receive.
 - ii. Notification whenever it discovers an abnormal condition or defect on the tower or related facilities.
- B. Lessor will furnish to Lessee a list of frequencies used by Lessor and by its other tenants, to both transmit and receive.
- C. Lessor will be responsible for ensuring that the tower is in proper physical and mechanical condition.

19. TITLE TO AND REMOVAL OF EQUIPMENT:

The tower shall be and remain the property of Lessor. Lessee shall, upon expiration of the Term, or within ninety (90) days after any earlier termination of the Agreement, remove its building(s), antenna structure(s)

(except footings), equipment, conduits, fixtures and all personal property and restore the Premises to its original condition, reasonable wear and tear and casualty damage excepted. Lessor agrees and acknowledges that all of the equipment, conduits, fixtures and personal property of Lessee shall remain the personal property of Lessee and Lessee shall have the right to remove the same at any time during the Term, whether or not said items are considered fixtures and attachments to real property under applicable Laws. If such time for removal causes Lessee to remain on the Premises after termination of this Agreement, Lessee shall pay rent at the then existing monthly rate or on the existing monthly pro-rata basis if based upon a longer payment term, until such time as the removal of the building, fixtures, and all personal property are completed. Lessee shall be responsible to damage caused by removal of personal property and/or fixtures.

20. SOVEREIGN IMMUNITY:

The Lessor does not waive their sovereign immunity and or their governmental immunity by entering into this Agreement and fully retains all immunities and defenses provided by law with regard to any action based on this Agreement.

21. GOVERNMENTAL CLAIMS:

Any actions or claims against the Lessor under this Agreement must be in accordance with and are controlled by the Wyoming Governmental Claims Act, W.S. 1-39-101 et seq. (1977) as amended.

22. INTERPRETATION:

The parties hereto agree that (i) the laws of Wyoming shall govern this Agreement, (ii) any questions arising hereunder shall be construed according to such laws, and (iii) this Agreement has been negotiated and executed in the State of Wyoming and is enforceable in the courts of Wyoming.

23. EQUAL EMPLOYMENT OPPORTUNITY:

Both parties shall fully adhere to all applicable local, state and federal law, including equal employment opportunity and including but not limited to compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and the American with Disabilities Act of 1990. The University is committed to equal opportunity for all persons in all facets of the University's operations and is an Equal Opportunity/Affirmative Action employer. The University will provide all applicants for admissions, employment and all University employees with equal opportunity without regard to race, gender, religion, color, national origin, disability, age, protected veteran status, sexual orientation, genetic information, gender identity, creed, ancestry, political belief, any other applicable protected category, or participation in any protected activity. The University ensures non-discriminatory practices in all matters relating to its education programs and activities and extends the same non-discriminatory practices to recruiting, hiring, training, compensation, benefits, promotions, demotions, transfers, and all other terms and conditions of employment.

Contractors are notified that they may be subject to the provisions of 41 CFR Section 60-300.5(a); 41 CFR Section 60-741.5(a); 41 CFR Section 60-1.4(a) and (c); 41 CFR Section 60-1.7(a); 48 CFR Section 52.222-54(d); and 29 CFR Part 471, Appendix A to Subpart A with respect to affirmative action and posting requirements. If applicable, this contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a). This regulation prohibits discrimination against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans. If applicable, this contractor and subcontractor shall abide by the requirements of 41 CFR 60-741.5(a). This regulation prohibits discrimination against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans.

24. ENTIRE AGREEMENT:

This lease constitutes the entire agreement of the parties with respect to the leased premises to LESSEE and all prior agreements (oral or in writing) with respect to the leased premises are merged herein. This lease may not be modified, waived, or cancelled except by written instrument subscribed by all of the parties hereto.

IN WITNESS HEREOF, this instrument is duly executed as of the day and year first above written.

LESSOR:

University of Wyoming

William Mai

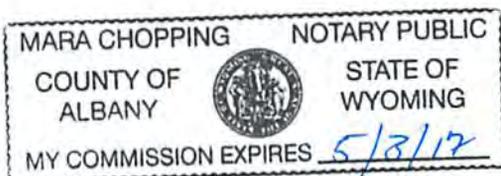
William Mai
Vice President for Administration
Deputy Treasurer, Board of Trustees

ACKNOWLEDGEMENT

STATE OF WYOMING)
) SS
COUNTY OF ALBANY)

The foregoing instrument was acknowledged before me by William Mai this
8th day of January 2016
~~20XX.~~

Witness my hand and official seal.



Mara Chopping
Notary Public

My Commission expires: 5/3/2017

LESSEE:

NE Colorado Cellular, Inc. d/b/a Viaero Wireless

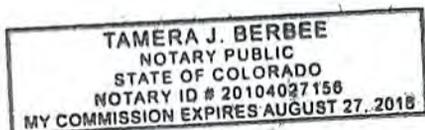
By: *Mike Felicissimo*
Name: Mike Felicissimo
Title: Executive Vice President and CFO

ACKNOWLEDGEMENT

STATE OF WYOMING)
) SS
COUNTY OF XXXX)

The foregoing instrument was acknowledged before me by Mike Felicissimo, EVP/CFO this
8th day of December 2015
~~20XX.~~

Witness my hand and official seal.



Tamera J. Berbee
Notary Public

My Commission expires: 8/27/2018

College Drive

EASTERN WYOMING COLLEGE

UNIVERSITY
OF WYOMING

LOCATION:
TORRENTON QUADRANGLE
SECTION 4, T5 24N R6W
GOSHEN COUNTY, WYOMING

TITLE:
EASTERN WYOMING COLLEGE
WYOMING PUBLIC RADIO
TRANSMISSION TOWER MAP
APRIL 2005

PREPARED BY:
REAL ESTATE OPERATIONS
DPT 184, 202 OUI MAH
1000 E UNIVERSITY AVENUE
LARAMIE, WY 82071
307.766.2986/2937

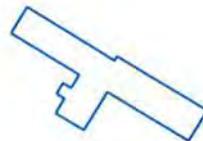
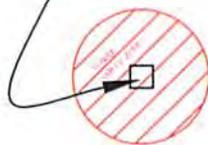
EXHIBIT A

DISCLAIMER:
THIS DRAWING IS INTENDED AS A VISUAL AID
ONLY AND ITS ACCURACY IS NOT
GUARANTEED. ANY DISCREPANCY OF THE
DOCUMENT IS NOT NECESSARILY
THEIR WILL BE CORRECTED.

Wyoming State Highway 159 / West C Street



WYOMING PUBLIC RADIO TRANSMISSION TOWER
LATITUDE 42° 04' 35" N, LONGITUDE 104° 11' 28" W



AGENDA ITEM TITLE: Approval of modifications to UW Regulation 2-200 (Students), approval to rescind UW Regulations 2-203 (Registration Fees for Academic Credit) and 5-4 (Tuition Privileges of UW Employees), and approval of new UW Regulation 7-11 (Tuition, Fees, Scholarships, and Financial Aid), Brown/Evans

SESSION TYPE:

- Work Session
 Education Session
 Information Item
 Other:
[Committee of the Whole – Items for Approval]

APPLIES TO STRATEGIC PLAN:

- Yes (select below):
 Driving Excellence
 Inspiring Students
 Impacting Communities
 High-Performing University
 No [Regular Business]

Attachments are provided with the narrative.

EXECUTIVE SUMMARY:

At the September 2016 Board of Trustees meeting, the Board approved review by UW Administration of UW’s current regulatory structure, to include the following:

- 1) Phasing out presidential directives;
- 2) Defining regulation versus policy/procedure;
- 3) Creating a new “look” and format for the regulations; and
- 4) Updating the substance of the regulations, policies, and procedures as needed, including determining whether there are any substantive gaps.

At the January 2017 Board of Trustees meeting, the University proposed 12 sections for the new *Governing Regulations and Standard Administrative Policies and Procedures website*.

Section 1: Governance and Structure

Section 2: Academic Affairs

Section 3: Athletics

Section 4: Diversity and Equal Opportunity

Section 5: Employment and Ethics

Section 6: Facilities

Section 7: Finance and Business

Section 8: Information Technology

Section 9: Research and Economic Development

Section 10: Safety and Security

Section 11: Student Affairs

Section 12: University Relations

The new structure will involve three levels of policies:

- 1) Governing Regulations (Level A)
- 2) Standard Administrative Policies and Procedures (Level B)
- 3) Department/Unit Administrative Policies and Procedures (Level C)

Attached are the following Section 2 Enrollment Management regulations, a Section 5 Employment and Ethics regulation, and a Section 7 Finance and Business regulation. These four regulations are similar in content and relate to a holistic review of tuition and fees at the University; therefore, they are packaged together for review.

- **UW Regulation 2-200 (Student Classification for In-State and Non-Resident Tuition).** Modifications to streamline the process by deleting a complicated calculation of financial independence. Added veterans language required by a change in law effective July 1, 2020. [NOTE: Included is a redline and clean version for ease of reading.]
- **UW Regulation 2-203 (Registration Fees for Academic Credit).** Sunset. New UW Regulation 7-11 (see below) clarifies that tuition and fees are established by the Trustees and published in the Fee Book. The rest of the content in 2-203 is informational and will be placed in the Fee Book or the University Catalogue.
- **UW Regulation 5-4 (Tuition Privileges of University Employees and Other Eligible Personnel).** Sunset. A simplified version of the content in this regulation has been added to new UW Regulation 7-11 (see below).
- **NEW UW Regulation 7-11 (Tuition, Fees, Scholarships and Financial Aid).** New regulation that addresses tuition, fees, scholarships and financial aid. Added a simple statement on tuition and fees, preserved the reduced tuition (150%) action, and added a catch-all section stating that the Trustees will approve any financial aid programs established by the University annually. Streamlined the sections on tuition privileges for employees and other eligible personnel. [NOTE: Included is a redline and clean version for ease of reading.]

Per the routing process for UW Regulations, the proposed modifications to the regulations were provided to the Cabinet, Deans and Directors, Faculty Senate, Staff Senate, ASUW, and the Internal Auditor.

The Trustees Regulation Committee will discuss this item at the December 2020 Board of Trustees conference call and recommend full Board action, if appropriate.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

None.

WHY THIS ITEM IS BEFORE THE BOARD:

UW Regulation 1-101 requires that the Board approve modifications to UW Regulations.

ACTION REQUIRED AT THIS BOARD MEETING:

Board approval, modification, or disapproval of the recommended modifications to the Regulations.

PROPOSED MOTION:

“I move to authorize modifications to UW Regulation 2-200, rescinding UW Regulations 2-203 and 5-4, and approval of new UW Regulation 7-11, as presented to the Board”

PRESIDENT’S RECOMMENDATION:

Drafted by Enrollment Management and Financial Affairs 10-27-20



UNIVERSITY OF WYOMING REGULATIONS

Subject: Student Classification for In-State and Non-Resident Tuition
Number: UW Regulation 2-200

I. PURPOSE

To provide policies and procedures for determining whether a student qualifies for in-state or non-resident tuition.

II. DEFINITIONS

Domicile: A person's fixed, permanent, and principal home for legal purposes for a period of at least twelve (12) consecutive months preceding the term of enrollment.

Eligibility for domicile requires all of the following to be completed at least twelve (12) consecutive months before making an appeal for residency tuition:

- A. Wyoming vehicle registration;
- B. A valid Wyoming driver's license; and
- C. Gainful Employment.

In addition, a student must have a Wyoming address on their most recent federal income tax return and a Wyoming voter registration.

Gainful Employment: Documented employment or self-employment within the state of Wyoming of at least twenty (20) hours per week continuously for a period of at least twelve (12) months or the equivalent number of work hours over the same period. Employment and monies derived dependent upon a status as a student does not qualify for consideration as gainful employment.

III. STUDENT CLASSIFICATION FOR TUITION AND FEE PURPOSES

Individuals who qualify as Wyoming Residents shall pay the in-state tuition rate, as established by the Board of Trustees. All other students will be classified as non-resident for tuition purposes and shall pay the out-of-state tuition rate, as established by the Board

Drafted by Enrollment Management and Financial Affairs 10-27-20

of Trustees. For the purposes of determining qualification for in-state or non-resident tuition, the following apply:

- A.** Students residing in Wyoming primarily as a student are not eligible for resident status for tuition purposes.
- B.** Students who can provide sufficient documentation of the following, will be considered a resident for tuition purposes:
 - 1.** Any person whose Domicile is in Wyoming.
 - 2.** Graduates of a Wyoming high school.
 - 3.** Active Wyoming National Guard members and U.S. Armed Forces members stationed in Wyoming, and their dependents.
 - 4.** Graduate students for the duration of a University-funded or externally sponsored fellowship.
 - 5.** Wyoming residents temporarily absent from the State due to military service, attendance at an educational institution, or other type of documented temporary absence.
 - 6.** Individuals who have received an associate's degree from a Wyoming Community College, have been awarded resident tuition status by the Community College, and who subsequently attend the University within one year of leaving the Wyoming Community College.
 - 7.** A financial dependent who is under the age of 24 or the spouse of an individual who is determined to be a Wyoming resident pursuant to this Regulation.
 - 8.** An applicant for resident tuition who is a veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2), shall qualify as a resident for purposes of tuition at the University of Wyoming if the applicant provides:
 - a.** A certificate or other evidence of the veteran's or uniformed service member's qualifying service in the uniformed services of the United States;
 - b.** Documented evidence before or at the time of enrollment at the University of Wyoming that:

Drafted by Enrollment Management and Financial Affairs 10-27-20

The applicant for resident tuition intends to live in Wyoming during the term of enrollment;

The veteran was discharged or released from a qualifying period of service in the active military, naval or air service before the date of enrollment or the uniformed service member is currently on active duty;

The applicant is a veteran, eligible individual or covered individual as described in 38 U.S.C. 3679(c)(2).

- c. A person who has qualified for resident tuition pursuant to the above requirements of this section, shall remain qualified in subsequent years if the person pursues one (1) or more courses of education while remaining continuously enrolled other than during regularly scheduled breaks, lives in the state during the term of enrollment; and, if the person is eligible through a transfer of eligibility pursuant to 38 U.S.C. 3319, the transfer has not been validly revoked. A spouse or child of a veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2) who is eligible for resident tuition under paragraph 8 at the time of admittance to the University of Wyoming shall not lose eligibility for resident tuition before the time of enrollment at the University because the veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2) is transferred on military orders outside of this state.

- C. Individuals who are not U.S. citizens or permanent residents are considered non-residents except as provided by Section B2 above.

IV. PETITIONING AND APPEALING TUITION DETERMINATIONS

A student may petition for classification as a resident by submitting to the University Registrar or designee all accompanying documentation on or before the first day of classes for the semester the student wants the tuition classification to be reconsidered.

A student may appeal the Registrar's decision to the Residency Classification Committee, within ten (10) calendar days of the date of the Registrar's or designee's decision. The members of the Residency Classification Committee shall be appointed by the President or designee.

Drafted by Enrollment Management and Financial Affairs 10-27-20

The Residency Classification Committee will review the written decision of the Registrar along with the student's original application and accompanying documentation which were submitted to the Registrar prior to the submission deadline for that semester and make a written finding to affirm or reverse the classification decision of the Registrar. The student has the burden of proof to show that the Registrar committed error in making the original decision regarding classification. The decision of the Residency Classification Committee is final.

Individuals may be reclassified when facts indicate that a change in residency has occurred since the time of original residence classification or since their most recent appeal. Such reclassification will remain in effect so long as the individual is continuously enrolled at the University. Reclassification as an in-state student will not be applied retroactively to previous terms.

Responsible Division/Unit: Office of the Provost and Vice President for Academic Affairs

Source: Wyoming Statute § 21-17-105; 38 U.S.C. § 3679(c)(2); 38 U.S.C. § 3311(b)(9); 38 U.S.C. § 3319

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: University of Wyoming Fee Book

History:

Trustee Regulation VIII; UW Regulation 8-1 adopted 7/17/2008 Board of Trustees meeting
Revisions adopted 11/18/2010 Board of Trustees meeting
Revisions adopted 11/12/2014 Board of Trustees meeting
Revisions adopted 1/15/2015 Board of Trustees meeting
Revisions adopted 4/13/2015 Board of Trustees meeting
Revisions adopted 11/20/2015 Board of Trustees meeting
Revisions adopted 7/13/2016 Board of Trustees meeting
Revisions adopted 3/23/2017 Board of Trustees meeting
Reformatted 7/1/2018: previously UW Regulation 8-1, now UW Regulation 2-200
Revisions adopted 7/12/2018 Board of Trustees meeting

Drafted by Enrollment Management and Financial Affairs 10-27-20



UNIVERSITY OF WYOMING REGULATIONS

Subject: Students

Subject: Student Classification for In-State and Non-Resident Tuition

Number: UW Regulation 2-200

I. PURPOSE

To provide policies and procedures for determining whether a student qualifies for in-state or non-resident tuition.

II. DEFINITIONS

Domicile: A person's fixed, permanent, and principal home for legal purposes for a period of at least twelve (12) consecutive months preceding the term of enrollment.

Eligibility for domicile requires all of the following to be completed at least twelve (12) consecutive months before making an appeal for residency tuition:

A. Wyoming vehicle registration;

B. _____

~~I. A valid Wyoming driver's license~~ **ADMISSION**

~~Admission and programs of the University of Wyoming are offered to all eligible people without regard to race, gender, religion, color, national origin, disability, age, protected veteran status, sexual orientation, gender identity, genetic information, creed, ancestry, political belief, or any other applicable protected category. Requirements for admission to the University shall be established by regulations of the University. The Director of Admissions, through the Provost and Vice President for Academic Affairs, is responsible for the admission of students. Admission of graduate students must also be approved by the faculty of an applicable graduate program.~~

~~II. FEES~~

Drafted by Enrollment Management and Financial Affairs 10-27-20

~~Student tuition fees, and charges (Fees) shall be established by the Trustees, and shall be published by the University. All Fees are payable in advance, and no student shall be admitted to classes until Fees have been paid or a deferred payment plan has been established. Payment must be received by the University before any transcripts will be released. In accordance with the University refund policy, if a student formally withdraws from the University, the University shall refund tuition, minus any late fees.~~

~~C. III.; and~~

~~D. Gainful Employment.~~

~~In addition, a student must have a Wyoming address on their most recent federal income tax return and a Wyoming voter registration.~~

~~**Gainful Employment:** Documented employment or self-employment within the state of Wyoming of at least twenty (20) hours per week continuously for a period of at least twelve (12) months or the equivalent number of work hours over the same period. Employment and monies derived dependent upon a status as a student does not qualify for consideration as gainful employment.~~

III. STUDENT CLASSIFICATION FOR TUITION AND FEE PURPOSES

Individuals who qualify as Wyoming Residents shall pay the in-state tuition rate, as established by the Board of Trustees. All other students will be classified as non-resident for tuition ~~classification~~ purposes and shall pay the out-of-state tuition rate, as established by the Board of Trustees. For the purposes of determining ~~whether a student qualifies~~qualification for in-state or non-resident tuition, the following apply:

- ~~A. For students who are originally classified as a non-resident,~~Students residing in Wyoming primarily as a student ~~will~~are not ~~support a claim~~eligible for resident status for tuition purposes.
- ~~B. Graduate or professional students who move to Wyoming primarily to enroll at the University of Wyoming~~Students who can provide sufficient documentation of the following, will be considered a ~~non~~ resident for tuition purposes ~~for the duration of his or her attendance except for those students who have met the criteria for sections C1, C2, C3, C4, or C5 below.;~~
- ~~C. If the student provides sufficient documentation of the following, the student will be considered a resident for tuition purposes:~~

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- ~~A. Any person who lives in Wyoming, including the spouse and any child (including a financial dependent who is under the age of 24) of that person if that person:~~
- ~~a. Has his or her principal employment located within Wyoming and the income from his or her employment is the principal source of income for his or her family; and~~
 - ~~b. The individual pays Wyoming taxes as required by law; and~~
 - ~~c. He or she has been employed within Wyoming for at least a majority of the twelve (12) consecutive months immediately preceding the student's application for resident tuition.~~

1. Any person whose Domicile is in Wyoming.

1.2. Graduates of a Wyoming high school.

2.3. Active Wyoming National Guard members and U.S. Armed Forces members stationed in Wyoming, and their dependents.

3.4. Graduate students for the duration of a University-funded or externally sponsored fellowship.

4.5. Wyoming residents temporarily absent from the State due to military service, attendance at an educational institution, or other type of documented temporary absence.

5.6. Individuals who have received an associate's degree from a Wyoming Community College, have been awarded resident tuition status by the Community College, and who subsequently attend the University within one year of leaving the Wyoming Community College. ~~A legal dependent under the age of 24 of a Wyoming Community College graduate shall qualify for tuition at the 150% of resident tuition rate at the University. Aside from the above, attending the University of Wyoming and a Wyoming Community College simultaneously or not being enrolled on a full-time basis at a Wyoming Community College does not qualify a student for resident status for tuition purposes at the University.~~

6.7. ~~The spouse of~~ A financial dependent who is under the age of 24 or the spouse of an individual who is determined to be a Wyoming resident pursuant to this Regulation.

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~~B. Individuals with a permanent home in Wyoming. To determine if a permanent Wyoming home has been established, a variety of factors are considered, including evidence and supporting documentation of the following:~~

~~a. The student must be financially independent and have no reliance on resources outside the state of Wyoming for financial support for at least one year preceding the filing of the petition. If this criterion is not met, the student will be classified as a non-resident for tuition purposes.~~

~~(1) Financially Dependent students are defined as individuals who are financially reliant or are claimed on their parents' or legal guardian's most recent federal or state tax returns or rely on financial resources provided by individuals outside of the State of Wyoming.~~

~~(2) Financially Independent students are defined as individuals who are not financially reliant and are not claimed on their parents' or legal guardian's most recent federal or state tax returns and rely on financial resources that they generate or financial resources in the student's name (such as savings, grants and loans). The burden of proof for meeting this definition will be on the students.~~

~~(3) To prove financial independence, students must show they financially covered their total expenses for at least the twelve (12) months immediately preceding the date of submitting an application for resident status. See the application form requesting financial information specific to the applicant for various categories of expenses.~~

~~(4) Student's financial revenue may be generated from a variety of sources including but not limited to their employment earnings, financial aid, loans, non-University of Wyoming scholarships, savings accounts and grants.~~

~~(5) Student must document employment or self-employment for at least 20 hours per week continuously for at least the past year or the equivalent number of work hours over the past year. Work study that is part of a UW financial aid package does not fulfill this requirement.~~

~~(6) Loans from institutions, such as banks and governmental entities, are not considered out-of-state resources. Financial~~

Drafted by Enrollment Management and Financial Affairs 10-27-20

~~sources must show the student as the sole account holder. Any loans with a co-signer or a guarantor, except federal or state student loan program loans, shall not be used for purposes of proving financial independence. Funds provided by a family member, relative, a trust established or controlled by a family member or relative, or a friend, whether placed into a savings account or other financial holding or account, will indicate that a student is not financially independent.~~

~~b. The student must additionally meet four of the following criteria:~~

~~(1) Any former home has been abandoned and the individual has cut all ties with their former state for at least one year immediately preceding filing for residency tuition.~~

~~(2) If a home is owned in Wyoming, it shall be the owner's primary residence, the individual shall have over 50% ownership interest, and ownership must be dated at least one year immediately preceding filing for residency tuition.~~

~~One full year of continual presence in Wyoming immediately preceding the filing for residency tuition.~~

~~(3) Wyoming vehicle registration at least one year immediately preceding filing for residency tuition.~~

~~Wyoming address on most recent federal income tax return for at least one year immediately preceding filing for residency tuition.~~

~~(4) A valid Wyoming driver's license for at least one year immediately preceding filing for residency tuition.~~

~~(5) Wyoming voter registration for at least one year immediately preceding filing for residency tuition.~~

7.8. An applicant for resident tuition who is a veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2), shall qualify as a resident for purposes of tuition at the University of Wyoming if the applicant provides:

a. A certificate or other evidence of the veteran's or uniformed service member's qualifying service in the uniformed services of the United States;

b. Documented evidence before or at the time of enrollment at the University of Wyoming that:

Drafted by Enrollment Management and Financial Affairs 10-27-20

The applicant for resident tuition intends to live in Wyoming during the term of enrollment;

The veteran was discharged or released from a qualifying period of service in the active military, naval or air service before the date of enrollment or the uniformed service member is currently on active duty;

The applicant is a veteran, eligible individual or covered individual as described in 38 U.S.C. 3679(c)(2).

- c. A person who has qualified for resident tuition pursuant to the above requirements of this section, shall remain qualified in subsequent years if the person pursues one (1) or more courses of education while remaining continuously enrolled; other than during regularly scheduled breaks; lives in the state during the term of enrollment; and, if the person is eligible through a transfer of eligibility pursuant to 38 U.S.C. 3319, the transfer has not been validly revoked. A spouse or child of a veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2) who is eligible for resident tuition under paragraph 8 at the time of admittance to the University of Wyoming shall not lose eligibility for resident tuition before the time of enrollment at the University because the veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2) is transferred on military orders outside of this state.

D.C. Individuals who are not U.S. citizens or permanent residents are considered non-residents except as provided by Section ~~E2B2~~ above.

IV. ~~IV.~~ PETITIONING AND APPEALING TUITION DETERMINATIONS

Students

~~A student may appeal their petitions for~~ classification as a resident ~~or a non-resident through the following process:~~

~~A student assigned a non-resident classification may submit an application for residency for tuition purposes by submitting~~ to the University Registrar or designee. ~~The student must submit the application and all~~ accompanying documentation on or before the first day of classes for the semester the student wants the tuition classification to be reconsidered.

~~If the Registrar or designee does not grant reclassification, the~~ A student may appeal ~~on a form prescribed by the Registrar that~~ the Registrar's decision to the Residency

Drafted by Enrollment Management and Financial Affairs 10-27-20

Classification Committee ~~for review~~, within ten (10) calendar days of the date of the Registrar's or designee's decision. The members of the Residency Classification Committee shall be appointed by the President or designee.

The Residency Classification Committee will review the written decision of the Registrar along with the student's original application and accompanying documentation which were submitted to the Registrar prior to the submission deadline for that semester and make a written finding to affirm or reverse the classification decision of the Registrar. The student has the burden of proof to show that the Registrar committed error in making the original decision regarding classification. The decision of the Residency Classification Committee is final.

Individuals may be reclassified ~~for the following term~~ when facts indicate that a change in residency has occurred since the time of original residence classification or since their most recent appeal. Such reclassification will remain in effect so long as the individual is continuously enrolled at the University. Reclassification as an in-state student will not be applied retroactively to previous terms.

~~V. REDUCED TUITION~~

~~The following non-resident individuals shall receive reduced tuition rates calculated at one hundred fifty percent (150%) of resident tuition:~~

~~A. Graduates of the University;~~

~~B. Spouses of graduates of the University; and~~

~~C. Children of graduates of the University.~~

~~D. Other tuition discount programs established by the University.~~

~~VI. SCHOLARSHIPS~~

~~Scholarships, other than those from external sources, are established by the Trustees or by Statute. A listing of such scholarships shall be published on the University Student Financial Aid website.~~

~~VII. DISMISSAL~~

~~Dismissal of students shall be governed by UW Regulation 11-1 and/or UW Regulation 11-3.~~

Drafted by Enrollment Management and Financial Affairs 10-27-20

~~VIII.—STUDENT EMPLOYMENT~~

~~The University may provide work opportunities for students to assist in meeting costs associated with progress toward their educational objectives and educational benefits. See the University Employee Handbook for rules, policies, and procedures governing student employees.~~

~~IX.—STUDENT ORGANIZATIONS~~

~~The Associated Students of the University of Wyoming (ASUW) is hereby recognized as an official organization of the University (see UW Regulation 11-5). All other campus student organizations must apply annually for official University recognition in accordance with the policies and procedures outlined in UW Regulation 11-4.~~

~~X.—STUDENT PUBLICATIONS~~

~~All student publications supported by University facilities or funds shall be approved by, and subject to the direction of, the University Student Media Board. The Board shall report to the President of the University (see UW Regulation 11-6).~~

Responsible Division/Unit: Office of the Provost and Vice President for Academic Affairs

Source: Wyoming Statute § 21-17-105; 38 U.S.C. § 3679(c)(2); 38 U.S.C. § 3311(b)(9); 38 U.S.C. § 3319

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: University of Wyoming Fee Book

History:

Trustee Regulation VIII; UW Regulation 8-1 adopted 7/17/2008 Board of Trustees meeting
Revisions adopted 11/18/2010 Board of Trustees meeting
Revisions adopted 11/12/2014 Board of Trustees meeting
Revisions adopted 1/15/2015 Board of Trustees meeting
Revisions adopted 4/13/2015 Board of Trustees meeting
Revisions adopted 11/20/2015 Board of Trustees meeting
Revisions adopted 7/13/2016 Board of Trustees meeting
Revisions adopted 3/23/2017 Board of Trustees meeting
Reformatted 7/1/2018: previously UW Regulation 8-1, now UW Regulation 2-200

Drafted by Enrollment Management and Financial Affairs 10-27-20

Revisions adopted 7/12/2018 Board of Trustees meeting

UNIVERSITY OF WYOMING REGULATIONS

Subject: Registration Fees for Academic Credit

Number: UW Regulation 2-203



I. REGISTRATION FEES

All publications containing statements of tuition and fees shall conform to the schedules set forth in the University of Wyoming Fee Book ("Fee Book"). All tuition and fees for academic semesters and summer session set forth in the Fee Book shall be assessed by the Financial Services Business Office, or designee, and collected by the University Cashier's Office. No student shall be permitted to attend class until his or her registration has been completed. Courses with insufficient registration may be cancelled by the University and the full fees will be refunded to students enrolled in such courses.

Commented [TE1]: Information will be placed in the fee book and/or catalogue

II. LATE REGISTRATION FEE

Students are permitted to register as late registrants during the first ten (10) days of University scheduled classes for a regular semester or within the late period designated and announced for the summer term. Students who register late shall be assessed a late registration fee as set forth within the Fee Book. The fee shall be assessed by the Registrar, or designee; however, the Registrar, or designee, may waive the late registration fee if it is determined that the late registration was due to factors under the control of, or for the convenience of, the University.

III. LATE PAYMENT FEE

Students who initiate their registration during the regular registration period are expected to pay assessed tuition and fees according to the schedule and deadlines established by the Financial Services Business Office and approved by the University of Wyoming Trustees. Students who fail to pay registration tuition and fees during such period, shall be subject to assessment of a late payment fee as set forth in the Fee Book. The late payment fee shall be assessed by the Financial Services Business Office, except that the Financial Services Business Office may waive the late payment fee if it determines that the late payment was due to factors under the control of, or for the convenience of, the University.

IV. FULL-TIME STUDENTS

Students enrolled for twelve (12) or more credited hours (9 or more for graduate students) during academic semesters are classified as full-time students. Students enrolled for fewer than 12 hours (9 for graduate students) are classified as part-time students. Certain University services and privileges are afforded to full-time students: free or reduced-cost admission to cultural affairs, University theatre productions and intercollegiate athletic contests; access to

~~the Student Health Service; participation in the University Student Loan program; and membership in the Associated Students of the University of Wyoming. Part-time students enrolled in six (6) or more hours and certain graduate students may elect the services and privileges afforded full-time students as outlined in the Optional Student Fee Package section in the Fee Book. The distinction between full and part-time students is not made during the summer session, except for the purpose of satisfying veterans' administration or student financial aid regulations.~~

~~V. CHANGE FROM FULL-TIME TO PART-TIME STATUS~~

~~Any student who registers as a full-time student and subsequently drops from full-time to part-time, and who receives a partial refund according to the refund schedule, forfeits access to full-time student services.~~

~~Any student who registers as a full-time student and pays full-time student fees and subsequently drops below full-time student status, but does not receive a refund by virtue of reducing the academic load subsequent to the refund period, will continue to be eligible for full-time student services.~~

Responsible Division/Unit: Office of the Provost and Vice President for Academic Affairs

Source: None

Links: http://www.uwyo.edu/regs_policies

Associated Regulations, Policies, and Forms: University of Wyoming Fee Book

History:

University Regulation 244, Revision 6; adopted 7/17/2008 Board of Trustees meeting
Revisions adopted 11/14/2014 Board of Trustees meeting
Revisions adopted 3/23/2017 Board of Trustees meeting
Reformatted 7/1/2018: previously UW Regulation 8-244, now UW Regulation 2-203

UNIVERSITY OF WYOMING REGULATIONS

Subject: ~~Tuition Privileges of University Employees and Other Eligible Personnel~~

Number: ~~UW Regulation 5-4~~



Commented [TE1]: Transferred to new UW Regulation 7-11 (Tuition, Fees, Scholarships, and Financial Aid)

~~I. PURPOSE~~

~~To establish the policy relating to University tuition privileges of University employees, spouses of University employees, other persons with teaching roles, certain full-time state and federal employees, and other eligible individuals as determined by the Vice President for Administration.~~

~~II. POLICY~~

~~A. For eligible individuals, the University will waive tuition and mandatory student fees for one course of up to six (6) semester hours of University enrollment in college credit courses during each regular semester and regular summer session. Eligible individuals shall pay applicable student and course fees. Eligible individuals include:~~

- ~~1. Benefited University employees who are employed on at least a half-time (0.5 full-time equivalent) basis during the semester or summer session during which the course is offered.~~
- ~~2. Full-time employees of state and federal government agencies rendering significant educational services to the University, as determined by the President of the University.~~
- ~~3. Professional persons, other than University employees, rendering teaching or research services in University-approved credit programs when recommended by an appropriate Appointing Authority or University Officer and approved by the Vice President for Administration.~~
- ~~4. Employees of cooperating agencies when approved by the Vice President for Administration.~~

~~B. The University shall waive:~~

- ~~1. One-half the tuition (exclusive of any student fees and course fees) for college credit courses, each regular semester and summer session for a spouse or domestic partner of a full-time benefited University employee, when the spouse or domestic partner is enrolled as a part-time or full-time University student.~~

~~2. One fourth of the tuition (exclusive of any student fees and course fees) for college credit courses, each regular semester and summer session for the spouse or domestic partner of a part-time benefited employee, when the spouse or domestic partner is enrolled as a part-time or full-time University student and has met the residency requirements for in-state tuition (eligible for only one-half of the above tuition benefit).~~

~~C. The definition of "domestic partner" can be found in the University's Domestic Partner Health Insurance Benefit Policy, which is available on the Department of Human Resources' website.~~

~~D. Except as provided in Section III, a University employee eligible for the tuition and fee waiver under this Regulation shall be released from assigned duties for actual attendance at classes of up to a maximum of six (6) semester hours of University enrollment during a regular semester and summer session in order to attend classes that meet during regular duty hours.~~

~~III. ADMINISTRATION~~

~~Eligible employees applying for a tuition waiver under this Regulation shall submit an application through their Appointing Authority to the Director of Human Resources on forms provided by the Human Resources Department. The Vice President or the Director of Interecollegiate Athletics may disapprove an application under this section if the Vice President or the Director of Interecollegiate Athletics, in consultation with the Appointing Authority, finds the Employee's absence during work hours would significantly impair the unit's ability to accomplish its mission. If a Vice President or the Director of Interecollegiate Athletics makes such a determination, the Vice President or the Director of Interecollegiate Athletics shall take action to ensure the employee is able to take the desired course during work hours as soon as practicable at a subsequent semester or summer session.~~

~~**Responsible Division/Unit:** Division of Administration~~

~~**Source:** None~~

~~**Links:** http://www.uwyo.edu/regs_policies~~

~~**Associated Regulations, Policies, and Forms:** None~~

~~**History:**~~

~~University Regulation 175, Revision 2; adopted 7/17/2008 Board of Trustees meeting
Revisions adopted 9/12/2014 Board of Trustees meeting
Revisions adopted 4/13/2015 Board of Trustees meeting
Revisions adopted 3/23/2017 Board of Trustees meeting
Reformatted 7/1/2018; previously UW Regulation 4-175, now UW Regulation 5-4~~

Drafted by Enrollment Management and Financial Affairs 10-27-20



UNIVERSITY OF WYOMING REGULATIONS

Subject: Tuition, Fees, Scholarships and Financial Aid

Number: UW Regulation 7-11

I. PURPOSE

To establish policies and procedures for determining tuition, fees, scholarships and financial aid for students, employees, and other eligible personnel.

II. DEFINITIONS

Cooperating Entity: May include state and government agencies rendering teaching, research, or other services to the University or other organizations when defined by formal cooperating agreements. All cooperating entity status and agreements must be approved by the Vice President of Finance and Administration.

Full-Time Student: Enrolled for 12 or more credited hours (9 or more for graduate students) during academic semesters.

Part-time Student: Enrolled for fewer than 12 credited hours (9 for graduate students) during academic semesters.

III. TUITION AND FEES

Student tuition, fees, and charges (“Fees”) and related policies and procedures shall be established by the Board of Trustees in the University Fee Book. The President, through the Office of Financial Affairs, shall maintain and publish the Fee Book.

IV. SCHOLARSHIPS AND FINANCIAL AID

A. The following non-resident individuals shall receive reduced tuition rates calculated at one hundred fifty percent (150%) of resident tuition:

1. Graduates of the University;
2. Spouses of graduates of the University; and
3. Children of graduates of the University.

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- B.** Any other scholarship or financial aid programs (including merit-based and need-based aid) established by the University shall be approved by the Board of Trustees annually.

V. TUITION PRIVILEGES OF UNIVERSITY EMPLOYEES

- A.** Benefited University employees who are employed on at least a half-time (0.5 full time equivalent) basis during the session during which the course is offered, may enroll in one course of up to six (6) semester hours of credit during each fall semester, spring semester (or J winter term) and summer session free of charge for tuition and applicable mandatory and program fees. Employees shall pay all other applicable student and other fees as outlined in the University Fee Book.
- B.** For full-time benefited University employees, the University will provide the following tuition benefit for the employee's spouse:
 - 1.** A spouse who is enrolled as a part-time or full-time University student may enroll in one course of up to six (6) semester hours of credit during each fall semester, spring semester (or J winter term) and summer session at one half the tuition rate as outlined in the University Fee Book.

The University reserves the right to give priority registration and space to students not receiving the benefits outlined in this section.

VI. TUITION PRIVILEGES OF OTHER ELIGIBLE PERSONNEL

Eligible individuals may enroll in one course of up to six (6) semester hours of credit during each fall semester, spring semester (or J winter term) and summer session free of charge for tuition. Eligible individuals shall pay applicable student and other fees as outlined in the University Fee Book. Eligible individuals include:

- A.** Cooperating Entities;
- B.** Wyoming senior citizens, age 65 and over;
- C.** Board retirees as defined in UW Regulation 5-2; and
- D.** Members of the Board of Trustees and their spouses.

The University reserves the right to give priority registration and space to students not receiving the benefits outlined in this section.

Drafted by Enrollment Management and Financial Affairs 10-27-20

Responsible Division/Unit: Financial Affairs

Source:

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms:

History:

Drafted by Enrollment Management and Financial Affairs 10-27-20



UNIVERSITY OF WYOMING REGULATIONS

Subject: Tuition, Fees, Scholarships and Financial Aid
Number: UW Regulation 7-11

I. PURPOSE

To establish policies and procedures for determining tuition, fees, scholarships and financial aid for students, employees, and other eligible personnel.

II. DEFINITIONS

Cooperating Entity: May include state and government agencies rendering teaching, research, or other services to the University or other organizations when defined by formal cooperating agreements. All cooperating entity status and agreements must be approved by the Vice President of Finance and Administration.

Full-Time Student: Enrolled for 12 or more credited hours (9 or more for graduate students) during academic semesters.

Part-time Student: Enrolled for fewer than 12 credited hours (9 for graduate students) during academic semesters.

Commented [TE1]: Transferred definitions from UW Regulation 2-203

III. TUITION AND FEES

Student tuition, fees, and charges (“Fees”) and related policies and procedures shall be established by the Board of Trustees, and shall be published by the University in the University Fee Book. The President, through the Office of Financial Affairs, shall maintain and publish the Fee Book. All Fees are payable in advance, and no student shall be admitted to classes until Fees have been paid or a deferred payment plan has been established. Payment must be received by the University before any transcripts will be released. In accordance with the University refund policy, if a student formally withdraws from the University, the University shall refund tuition, minus any late fees.

Commented [TE3]: Will be placed in the fee book and/or catalogue

IV. ~~REDUCED TUITION~~ SCHOLARSHIPS AND FINANCIAL AID

Commented [TE4]: Transferred from UW Regulation 2-200

A. The following non-resident individuals shall receive reduced tuition rates calculated at one hundred fifty percent (150%) of resident tuition:

1. Graduates of the University;

Drafted by Enrollment Management and Financial Affairs 10-27-20

2. Spouses of graduates of the University; and
3. Children of graduates of the University; ~~and~~

~~4.1. Other tuition discount programs established by the University upon approval by the Board of Trustees.~~

- B. Other Any other scholarship tuition discount or financial aid programs (including merit-based and need-based aid) established by the University upon approval by the Board of Trustees shall be approved by the Board of Trustees annually.

~~VI. SCHOLARSHIPS~~

~~Scholarships, other than those from external sources, are established by the Trustees or by Statute. A listing of such scholarships shall be published on the University Student Financial Aid website.~~

~~VII. TUITION PRIVILEGES OF UNIVERSITY EMPLOYEES~~

Commented [TE5]: Transferred from UW Regulation 5-4

- A. ~~For b~~Benefited University employees who are employed on at least a half-time (0.5 full time equivalent) basis during the session during which the course is offered, ~~the University will waive tuition and mandatory student fees for~~ may enroll in one course of up to six (6) semester hours of credit during each fall semester, spring semester (or J winter term) and summer session free of charge for tuition and applicable mandatory and program fees. Employees shall pay all other applicable student and other fees as outlined in the University Fee Book.
- B. For full-time benefited University employees, the University will provide the following tuition benefit for the employee's spouse:
 1. One half the tuition (exclusive of any student fees and course fees) for college credit courses, each regular semester, and summer session for a spouse or domestic partner of a full-time benefited University employee, wWhen the A spouse or domestic partner who is enrolled as a part-time or full-time University student may enroll in one course of up to six (6) semester hours of credit during each fall semester, spring semester (or J winter term) and summer session at one half the tuition rate as outlined in the University Fee Book.
 2. ~~One fourth of the tuition (exclusive of any student fees and course) for college credit courses, each regular semester and summer session for the spouse or domestic partner of a part-time benefited employee, when the spouse or~~

Drafted by Enrollment Management and Financial Affairs 10-27-20

~~domestic partner is enrolled as a part time or full-time University student and has met the residency requirements for in-state tuition (eligible for only one-half of the above tuition benefit).~~

~~Eligible employees applying for a tuition waiver under this Regulation shall submit an application through their Appointing Authority to Human Resources. A University employee eligible for the tuition and fee waiver under this Regulation shall be released from assigned duties for actual attendance at classes. The Vice President or the Director of Interscholastic Athletics may disapprove an application under this section if the Vice President or the Director of Interscholastic Athletics, in consultation with the Appointing Authority, finds the Employee's absence during work hours would significantly impair the unit's ability to accomplish its mission. If a Vice President or the Director of Interscholastic Athletics makes such a determination, the Vice President or the Director of Interscholastic Athletics shall take action to ensure the employee is able to take the desired course during work hours as soon as practicable at a subsequent semester or summer session.~~

Commented [TE6]: This will be transferred to the Employee Handbook

~~The University reserves the right to give priority registration and space to students not receiving the benefits outlined in this section.~~

VIII. TUITION PRIVILEGES OF OTHER ELIGIBLE PERSONNEL

Commented [TE7]: Transferred from UW Regulation 5-4

~~For eligible individuals, the University will waive tuition and mandatory student fees for one course of up to six (6) semester hours of University enrollment in college credit courses during each semester, summer session, may enroll in one course of up to six (6) semester hours of credit during each fall semester, spring semester (or J winter term) and summer session free of charge for tuition. Eligible individuals shall pay applicable student and other fees as outlined in the University Fee Book. Eligible individuals include:~~

- ~~A. Cooperating Entities: Full-time employees of state and federal government agencies rendering significant educational services to the University, as determined by the President of the University.~~
- ~~B. Professional persons, other than University employees, rendering teaching or research services in University approved credit programs when recommended by an appropriate Appointing Authority or University Officer and approved by the Vice President for Administration.~~
- ~~C. Employees of cooperating agencies when approved by the Vice President for Administration.~~
- B. Wyoming senior citizens, age 65 and over;
- C. Board retirees as defined in UW Regulation 5-2; and
- D. Members of the Board of Trustees and their spouses.

Commented [TE8]: The University already provides this to senior citizens and Board members; it is just not codified in a regulation.

Drafted by Enrollment Management and Financial Affairs 10-27-20

The University reserves the right to give priority registration and space to students not receiving the benefits outlined in this section.

Responsible Division/Unit: Financial Affairs

Source:

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms:

History:

AGENDA ITEM TITLE: Approval of modifications to UW Regulation 6-7 (Space Assignment and Management), Brown/Evans

SESSION TYPE:

- Work Session
 Education Session
 Information Item
 Other:

[Committee of the Whole – Items for Approval]

Attachments are provided with the narrative.

APPLIES TO STRATEGIC PLAN:

- Yes (select below):
 Driving Excellence
 Inspiring Students
 Impacting Communities
 High-Performing University
 No [Regular Business]

EXECUTIVE SUMMARY:

At the September 2016 Board of Trustees meeting, the Board approved review by UW Administration of UW’s current regulatory structure, to include the following:

- 1) Phasing out presidential directives;
- 2) Defining regulation versus policy/procedure;
- 3) Creating a new “look” and format for the regulations; and
- 4) Updating the substance of the regulations, policies, and procedures as needed, including determining whether there are any substantive gaps.

At the January 2017 Board of Trustees meeting, the University proposed 12 sections for the new ***Governing Regulations and Standard Administrative Policies and Procedures website.***

Section 1: Governance and Structure

Section 2: Academic Affairs

Section 3: Athletics

Section 4: Diversity and Equal Opportunity

Section 5: Employment and Ethics

Section 6: Facilities

Section 7: Finance and Business

Section 8: Information Technology

Section 9: Research and Economic Development

Section 10: Safety and Security

Section 11: Student Affairs

Section 12: University Relations

The new structure will involve three levels of policies:

- 1) Governing Regulations (Level A)
- 2) Standard Administrative Policies and Procedures (Level B)
- 3) Department/Unit Administrative Policies and Procedures (Level C)

Attached is the following Section 6 Facilities regulation:

- **UW Regulation 6-7 (Space Assignment and Management)** – Modifications to streamline the process, incorporate long-term space requests in the annual budget process, and attend to emergency situations.

Per the routing process for UW Regulations, the proposed modifications to the regulations were provided to the Leadership Team, Deans and Directors, Faculty Senate, Staff Senate, ASUW, and the Internal Auditor.

The Trustees Regulation Committee will discuss this item at the December 2020 Board of Trustees conference call and recommend full Board action, if appropriate.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

None.

WHY THIS ITEM IS BEFORE THE BOARD:

UW Regulation 1-101 requires that the Board approve modifications to UW Regulations.

ACTION REQUIRED AT THIS BOARD MEETING:

Board approval, modification, or disapproval of the recommended modifications to the Regulations.

PROPOSED MOTION:

“I move to authorize modifications to UW Regulation 6-7, as presented to the Board”

PRESIDENT’S RECOMMENDATION:

Draft 11-25-20

UNIVERSITY OF WYOMING REGULATIONS

Subject: Space Assignment and Management
Number: UW Regulation 6-7



I. POLICY

All University facilities, whether owned or leased, belong to the University as a whole and are considered to be an allocable resource to be utilized in the best interests of the institution. Accordingly, the proprietary interests of individual organizational units shall not exclusively define the allocation and use of campus space, especially when larger institutional interests are thereby sacrificed.

~~The University seeks to utilize its finite facilities resources efficiently. Physical space can be a limiting resource in the development, advancement and effectively. Thus, the improvement of the University's academic and research programs; therefore, effective utilization of all facilities are this valuable resource is essential to the success of the University, its faculty and its students. Space is a critical University-owned resource and is subject to periodic allocation, evaluation and reassignment reallocation to meet changing institutional the overall needs. and priorities of the University. Stewardship of space resources is a joint effort between all University staff, faculty and student and relies upon everyone to ensure that space is used to support student success, foster collaborative research and promote positive work environments~~

The President has overall responsibility and authority for facilities planning and management; and space allocation. This responsibility and authority have been delegated by the President to the Vice President for Finance and Administration who, in consultation with the President, makes ~~major~~ allocations of space to each of the ~~eight~~ administrative divisions. Space assigned to these administrators may be further delegated as deemed appropriate.

~~II. FACILITIES INVENTORY AND CLASSIFICATION~~

~~Responsibility for the maintenance of the University's Facility Inventory and building floor plans is assigned to the Facilities Planning Office (FPO). The inventory database is maintained to provide current statistical data required for effective management of University facilities and provides a master inventory of all space including an identification of the spaces and the unit to whom it is currently assigned (including split and multiple assignments), room classifications and any use restrictions. All spaces are classified in accordance with the most recent edition of the "Postsecondary Education Facilities Inventory and Classification Manual" published by the National Center for Educational~~

Draft 11-25-20

~~Statistics. All space assignments are recorded on the inventory database to the lowest identified departmental level (e.g. Academic Affairs, College of Business, Accounting Department.)~~

~~It is the responsibility of each administrator with delegated responsibility for space management to ensure that changes in assignment, classification, and function are reported to the FPO.~~

~~The FPO periodically verifies space assignments and usage with administrators to whom space is assigned to update the facilities inventory.~~

III.II. LONG-TERM SPACE REQUESTS

~~Requests for Divisions/Units shall submit all ongoing additional or alternative space beyond the control of a vice president should be resolved whenever possible between vice-presidential units. If a solution cannot be found, then space strategic space needs with the Division's proposed annual budget pursuant to UW Regulation 7-1 (Operating Budget). These requests shall be referred presented to the Space Allocation Committee for a mutually acceptable resolution to all parties. The FPO is available to provide an evaluation of space options and should be utilized for resolution of space requests, as designated by the President, for final action.~~

The Vice President for Finance and Administration, as Chair of the Space Allocation Committee, shall refer ~~unresolved~~ all space requests that involve expenditure of funds or repurposing of space to the President's Cabinet for advice. ~~The President, acting upon the recommendations of the Vice President for Administration and the Cabinet, who~~ shall make the final decision.

~~GUIDELINES FOR~~ If Divisions/Units request additional space outside of the annual budget process, the Space Allocation Committee, in consultation with the President, shall meet as needed to determine whether the request is warranted (i.e., critical or time-sensitive). If warranted, the Space Allocation Committee shall take final action, or refer to the President as outlined above. All space requests approved outside of the annual budget process shall be reported to the Board of Trustees during the next budget cycle.

IV.III. ASSIGNMENT AND USE OF TEMPORARY SCHEDULED SPACES

~~Scheduled~~ Temporary or short-term scheduled spaces consist of all facilities not assigned long term (e.g., all instructional spaces, conference rooms, auditoria, performance rooms, University grounds, and gymnasiums available for use by the entire University community). ~~These spaces are classified in one of four categories:~~ Similar to long-term space assignments, priorities for temporary scheduled spaces shall be in accordance with University needs, not the needs of a single department, school or college.
These spaces are classified in three categories:

Draft 11-25-20

- A. Spaces centrally scheduled through ~~the office of Central Scheduling~~UW Operations;
- B. Spaces scheduled through the administrative office with the delegated authority for the assigned space (e.g., Wyoming Union, Intercollegiate Athletic facilities), Residence Life facilities; and
- C. Spaces where a unit is permitted scheduling priority but that can be scheduled by Central SchedulingUW Operations after considering the needs of the priority unit. These spaces are scheduled through ~~Central Scheduling~~; and UW Operations.
- ~~D. Restricted classrooms and similar spaces in which a department has made a significant investment of its funds (either University or donor) for the purpose of refurbishing, modifying, or equipping a space for its needs. These spaces may be scheduled for approved activities with the permission of the administrative office to which the space was delegated.~~

~~A departmental request to control or restrict scheduled spaces requires the approval of the vice president with administrative authority for the unit.~~

~~It is the goal of the University to maintain and preserve its high-quality instructional spaces. Requests to convert any instructional space to another use requires a space analysis performed by the FPO to determine if there is a better alternative to the conversion of a classroom to meet the needs of the unit making the request, and requires the approval of the Cabinet.~~

~~V. ANNUAL REVIEW OF SPACE ASSIGNMENT AND UTILIZATION~~

~~At least annually, the Vice President for Administration shall convene the Cabinet to review existing space assignments and utilization, with particular attention to the use of scheduled spaces and the availability of classroom space for instructional purposes. Based upon that analysis and Cabinet recommendations, the Vice President for Administration may recommend to the President changes in the allocation, assignment, function, or scheduling authority of assigned or scheduled space.~~

~~VI. SPACE PLANNING AND ASSIGNMENT GUIDELINES~~

~~To the extent possible, planning for and assignment of space to provide for the broad range of University programs and activities will be made in accordance with guidelines approved by the Cabinet. The FPO, which is responsible for maintaining these guidelines, is available to assist University departments with their efforts to plan for changing or expanded space requirements. The FPO should be consulted for guidelines and standards~~

Draft 11-25-20

~~defining space allocations for different uses, life and fire safety code considerations, and the suitability of various University facilities for specific uses.~~

~~**VII. ADMINISTRATION**~~

~~The Vice President for Administration shall be responsible for the implementation of this Regulation and the maintenance of the Facility Inventory through the FPO.~~

IV. EMERGENCY SITUATION

In an emergency situation, the University's space needs, including both long-term and short-term spaces, will take priority over the needs of departments, schools or colleges.

Responsible Division/Unit: Division of Administration

Source: None

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: None

History:

University Regulation 181; adopted 7/17/2008 Board of Trustees meeting

Revisions adopted 9/12/2014 Board of Trustees meeting

Reformatted 7/1/2018: previously UW Regulation 2-181, now UW Regulation 6-7

AGENDA ITEM TITLE: Graduate Medical Education Annual Report, Alexander, Jones, Robitaille

SESSION TYPE:

- Work Session
 Education Session
 Information Item
 Other:

[Committee of the Whole – Items for Approval]

Attachments are provided with the narrative.

APPLIES TO STRATEGIC PLAN:

- Yes (select below):
 Driving Excellence
 Inspiring Students
 Impacting Communities
 High-Performing University
 No [Regular Business]

EXECUTIVE SUMMARY:

The American Council for Graduate Medical Education (ACGME) requires that the Board of Trustees receive and review the Summary of the Annual Institutional Report of the University's Graduate Medical Education (GME) program. The attached report provides background information and a status report regarding the GME programs at the Casper and Cheyenne Family Medicine Residency Programs (FMRP). Highlights of the report include the following:

- The ACGME recognizes that the FMRP continues to show improvements in its culture and educational environment.
- The FMRP produced the first board-certified Geriatrician trained in Wyoming.
- The first Rural Training Track resident physician--a Wyoming native and WWAMI graduate--began her residency in June 2020.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

NA

WHY THIS ITEM IS BEFORE THE BOARD:

The ACGME requires that the BOT receive the Summary of the Annual Institutional Report on the UW's GME programs.

ACTION REQUIRED AT THIS BOARD MEETING:

NA

PROPOSED MOTION:

NA

PRESIDENT'S RECOMMENDATION:

NA

UNIVERSITY OF WYOMING
ANNUAL INSTITUTIONAL REVIEW SUMMARY
2019-20

Institution: The University of Wyoming received a follow-up Institutional Site Visit in October 2019 that demonstrated that our efforts to develop GMEC infrastructure at our institution are successful. We have been able to educate and engage the University's Board of Trustees with the presentation of the AIR Summary as well as the Board of our clinical entity, the Educational Health Center of Wyoming. A CLER (Clinical Learning Environment Review) visit was conducted by the ACGME in January 2020 at our Casper site and went well. Although there is still much work to be done, we are moving our culture and educational environment in the right direction. Ten of the eleven ACGME citations have been resolved. The remaining citation asks the institution to improve its oversight of the resident/fellow clinical and educational work hours in an independent manner, separate from the programs' monitoring processes. Therefore, the plan moving forward will be to conduct an independent, anonymous annual survey to all the residents and fellows regarding work hour compliance.

The COVID-19 pandemic has been challenging for us like everyone else. As a rural state with a population of just over 500,000, we have not had the large caseloads like more urban areas. We transitioned to virtual/telehealth quickly in our clinics. The residencies/fellowship collaborated with the hospitals and other community organizations to meet the care needs of the community. Although there was some disruption of several educational activities that were located in private community physician offices, the vast majority of educational experiences have been able to return to pre-COVID status.

Cheyenne: The Cheyenne Family Medicine program has had a challenging year but has continued annual accreditation with the ACMGE with resolution of the all previous citations except one (pediatric visit requirement) and only one area of improvement (faculty scholarly activity). There were planned departures of two faculty members in the summer of 2019 for relocation and retirement that left the program slightly short-handed. A third faculty member going on indefinite administrative leave for health reasons last fall exacerbated the shortage situation. Efforts for retention and recruitment of faculty were implemented with financial compensation and recruitment of locum and visiting attending assistance. Another faculty member relocated in August of 2020 and thus faculty shortage remains a significant issue. The program has successfully recruited one new faculty member, which will keep the program in compliance with the ACGME-required faculty/resident ratio, and there are several other interested and qualified candidates. In efforts to help with recruitment and retention of faculty, the EHCW Board is providing supplemental compensation to our Cheyenne faculty out of clinical reserves, as base salary raises were not feasible in light of state funding cuts. Of note, the average timeframe to fill a Family Medicine faculty vacancy is 2-3 years, leaving remaining faculty to cover all academic faculty duties, all faculty clinical duties at the clinic, and the 24/7 coverage of the hospital.

The program performed their Self-Study visit in February 2020; the report is still pending. The site visit focused on resident survey elements and faculty shortage. After two years of poor results with the ACGME Resident Survey, the 2018-19 Resident Survey demonstrated significant improvement in all previous areas of concern. The 2019-20 Resident Survey maintained these results, which are within the range consistent with other Family Medicine programs across the country. This is no small feat in light of the faculty shortage, on-site clinic leadership transitions, and pandemic stressors. However, in conversations with the program's residents, they appropriately expressed concern regarding faculty shortages, clinical leadership changes, and new financial challenges in the wake of COVID in addition to previous clinical income shortfalls. The program also struggled with the Match for new residents, going unmatched with two positions that were subsequently filled successfully via the scramble process. The

program has remained on Special Review status with ongoing efforts to stabilize and support the program from the GMEC.

Casper: The Casper Family Medicine program demonstrated significant improvement in the 2018-19 Resident Survey and maintained those results with the 2019-20 ACGME Resident survey. Dr. Brian Veauthier was able to fill all faculty vacancies with the hiring of Dr. Blaine Levy (FM with surgical OB) and Dr. Genomary Krigbaum (psychologist, faculty behaviorist). The main hospital for inpatient educational experiences, Wyoming Medical Center, has been purchased by the Banner Health system. The program received continued ACGME accreditation with resolution of the one previous citation.

Osteopathic Recognition Track - Casper: The Osteopathic Recognition Track had its initial ACGME site visit in December 2018 and received continued annual recognition with resolution of all previous citations, which were mainly clerical. One new clerical citation has already been addressed. Osteopathic medicine and manipulation services are mainstays of the educational and clinical experience at the Casper program.

Geriatric Fellowship - Casper: The first 0.5 FTE Geriatric fellow, Dr. Thrasher, started in October 2018 and will complete her fellowship in October 2020. The two-year, part-time fellowship structure continues to go well and will likely remain as the ongoing format of the fellowship. Dr. Thrasher plans to take her geriatric boards this fall and then will step into the role as the permanent Geriatric Fellowship director. We are excited to produce the first board-certified Geriatrician trained in Wyoming. Recruitment of the next fellow will begin this fall. All citations were resolved with continued annual accreditation.

Thermopolis Rural Training Track (RTT) - Casper: The RTT matched its first resident in March 2020 and she started her intern year in Casper in June. A Wyoming native and Wyoming WWAMI graduate, she is the perfect example of the pipeline to build a primary care physician workforce for our state. We received a \$2.1 million 5 year PCTE-RTPC federal grant to fund and enrich this inaugural Rural Training Track in the state of Wyoming. Ongoing work to complete preparation of the curriculum, evaluations, faculty development, and overall logistics at the rural site will be the focus of our RTT team over the next year in preparation for the first RTT resident to start at the rural site in July 2021.

Summary: Wyoming's Graduate Medical Education has managed to grow and improve over the past year despite the challenges of the COVID-19 pandemic. The training programs and clinics adapted quickly to the need for modified and creative educational experiences and delivery of healthcare. Exceptional teamwork and professionalism enabled this to occur and remain ongoing. The wellness and safety of our faculty, residents and staff continue as priorities, but like many healthcare workers, fatigue is setting in. The additional stressors of state funding cuts, on top of prior cuts just a few years ago, provide ongoing challenges to maintaining quality Graduate Medical Education. Pandemic-related decrease in clinical income adds to this further (most notably due to telehealth's lower reimbursement rates in comparison to in-person encounters), creating a challenging balance between safety and income.

Future of GME in Wyoming: The GME Committee concurs that the future of graduation medical education in Wyoming is at a crossroads. Despite the improvement that has been made both educationally and clinically, the residency programs are not sustainable without adequate financial support from the sponsoring institution. State funding continues to be decreased, and there is

increased reliance on clinical income to cover the state funding shortfalls, resulting in productivity vs. service conflict. Although our clinical partner, the Educational Health Center of Wyoming, has been generous in its support of the residencies, they are obligated to run a business that meets budget. Hosting the residency programs results in expensive overhead that could be avoided with a smaller group of experienced, efficient providers. The GME Committee leadership concludes that if the sponsoring institution is not willing or able to invest more in the residencies, then it may be advisable to consider closing one or both of the programs or seek out an alternative model of GME in Wyoming.

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