

Approved July 16, 2021

THE UNIVERSITY OF WYOMING
SUMMARY MINUTES OF THE TRUSTEES

June 16, 2021
Public Session

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

**THE UNIVERSITY OF WYOMING
MINUTES OF THE BOARD OF TRUSTEES
Wednesday, June 16, 2021
Via Video Conference
Old Main Boardroom
Laramie, Wyoming**

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**THE UNIVERSITY OF WYOMING
MINUTES OF THE BOARD OF TRUSTEES
Wednesday, June 16, 2021
Conference Call Meeting
Old Main Boardroom
Laramie, Wyoming**

The University of Wyoming Board of Trustees held a conference call on Wednesday morning, June 16, 2021. Trustee Chairman Jeff Marsh called the meeting to order at 7:00 a.m. Deputy Secretary RoseMarie London took roll.

Trustees participating: Brad Bonner, Kermit Brown, David Fall, Elizabeth Greenwood, Brad LaCroix, Carol Linton, Jeff Marsh, John McKinley, Macey Moore, Laura Schmid-Pizzato, Michelle Sullivan, and Dave True. Ex-officio Trustees participating: UW President Ed Seidel, ASUW President Hunter Swilling, Executive Director of Wyoming Community College Commission Sandy Caldwell, and State Superintendent of Public Instruction Jillian Balow. Governor Mark Gordon was not in attendance.

AGENDA ITEM TITLE: Annual Operating Budgets for FY22, McKinley, Jewell

Trustee John McKinley provided update on the amendments to the President's proposed Operating Budget for FY22 as discussed during the Biennium Budget Committee meeting on June 9, 2021, and represented in the meeting materials presented to the Board.

Annual Operating Budget for the next fiscal year (per UW Regulation 7-1)

Approved 6-16-2021 @ 8:48 a.m.

Trustee John McKinley moved the Board approve the FY22 University of Wyoming Operating Budget as amended in the materials presented at the June 9, 2021 Budget Committee meeting. Trustee Kermit Brown seconded the motion. The motion carried with a unanimous decision.

AGENDA ITEM TITLE: Financial Aid Strategy 2022-23, Jewell

Trustee Michelle Sullivan moved the Board approve the recommendations for the 2022-23 financial aid strategy. Trustee Laura Schmid-Pizzato seconded the motion.

Trustee John McKinley stated the Biennium Budget Committee discussed a variety of out-of-state scholarship proposals and recommended Option 4 to increase current award amounts by \$500.00 and expand Test Optional GPA ranges; Trustee McKinley asked the motion be amended for clarity. Trustees Michelle Sullivan and Laura Schmid-Pizzato accepted the friendly amendment.

Financial Aid Strategy 2022-2023

Approved 6-16-2021 @ 8:54 a.m.

Trustee Michelle Sullivan moved the Board approve Option 4 of the 2022-23 financial aid strategy to increase current award amounts by \$500.00 and expand Test Optional GPA ranges. Trustee Laura Schmid-Pizzato seconded the motion. The motion carried with a unanimous decision.

AGENDA ITEM TITLE: Series 2021C Bond Resolution, Theobald, Jewell

Deputy Vice President for Finance David Jewell provided information on the Facilities Revenue Bonds Series 2021, and stated the Board is being asked to consider and approve the issuance of up to \$260 million in revenue bonds, designated as described in the proposed resolution. Jewell went on to state the Series 2021 Bonds shall mature no later than June 1, 2053, and shall bear interest at a rate or rates resulting in a true interest cost of not to exceed 5.000%. Jewell further stated the Resolution authorizes and designates the Pricing Committee to pursue a competitive or negotiated sale by means of a public offering, limited public offering or pursuant to a private or direct placement pursuant to the terms of a bond purchase agreement or a notice of sale. Jewell stated the Resolution includes the delegation and designation of a Pricing Committee. Such Pricing Committee will have the authority to implement the directives contained in the Resolution related to the issuance of the Series 2021 Bonds within the parameters set forth therein. Board Chairman Jeff Marsh appointed Trustees Kermit Brown, Carol Linton, John McKinley, and Macey Moore to the Pricing Committee.

Series 2021C Bond Resolution

Approved 6-16-2021 @ 8:58 a.m.

Trustee Macey Moore moved the Board authorize administration to approve and adopt:
A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$260,000,000 OF THE TRUSTEES OF THE UNIVERSITY OF WYOMING, FACILITIES REVENUE BONDS, SERIES 2021C, WITH ONE OR MORE ADDITIONAL SERIES AS MAY BE DETERMINED

BY THE PRICING COMMITTEE FOR THE PURPOSE OF THE CONSTRUCTION OF CERTAIN PROPERTY AND FACILITIES DESCRIBED HEREIN, PURSUANT TO W.S. 21-17-402 THROUGH 21-17-450, PRESCRIBING THE FORM, FIXING THE DETAILS AND PROVIDING FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH SERIES 2021 BONDS AND THE APPLICATION OF THE PROCEEDS THEREOF; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. Trustee Brad Bonner seconded the motion. The motion carried with a unanimous decision.

AGENDA ITEM TITLE: Approval of modifications to UW Regulation 2-5 (Establishment of a Flexible, Faculty-Approved Teacher Effectiveness Evaluating System), Brown, Evans

Vice President and General Counsel Tara Evans provided information on UW Regulation 2-5 that outlines the university's system for evaluating teaching effectiveness. In response to inquiry from Trustee Dave Fall, Evans provided information on the existing template for student evaluations of teaching. Senior Vice President for Academic Affairs and Provost Kevin Carman reported on the plans to standardize the evaluation process.

UW Regulation 2-5 (Establishment of a Flexible, Faculty-Approved Teacher Effectiveness Evaluating System)

Approved 6-16-2021 @ 9:03 a.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulation 2-5, as presented to the Board. Trustee Carol Linton seconded the motion. The motion carried with a unanimous decision.

AGENDA ITEM TITLE: Approval of modifications to UW Regulation 2-13 (Academic Program Reorganization, Consolidation, Reduction and Discontinuance), Brown, Evans

Vice President and General Counsel Tara Evans reported that during spring semester 2021, the President and the Provost recommended changes to this regulation to allow for flexibility in the comprehensive academic program review. Evans went on to discuss the regulation's timeline. President Ed Seidel reported that the regulation review process was thorough and included key stakeholders such as the President's Cabinet, Deans and Directors, Faculty Senate, Staff Senate, ASUW, and the Internal Auditor. President Seidel stated the responses converged well in the end.

UW Regulation 2-13 (Academic Program Reorganization, Consolidation, Reduction and Discontinuance)

Approved 6-16-2021 @ 9:06 a.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulation 2-13, as presented to the Board. Trustee Carol Linton seconded the motion. The motion carried with unanimous decision.

AGENDA ITEM TITLE: Approval of modifications to UW Regulations 1-4 (Shared Governance), 2-300 (Bylaws of the University Faculty), 2-301 (Faculty Senate Bylaws), 2-302 (Establishment of Faculty Senate Committees), 2-303 (Establishment of University Standing Advisory Committees) Brown, Evans

Vice President and General Counsel Tara Evans stated UW Regulation 1-4 is a proposed new regulation with language aimed at articulating and establishing the University of Wyoming's strong commitment to the principles and practices of Shared Governance. Evans further stated the President convened a working group to provide him with recommendations for the content of a

regulation informed by UW's Pythian Paper on Shared Governance and the March 2017 AGB White Paper on Charged Governance. This Committee included the following members: Trustee Michelle Sullivan, Interim Provost Anne Alexander, Director, School of Culture, Gender & Social Justice Jacquelyn Bridgeman, Associate Dean, College of Agriculture and Natural Resources Warrie Means, Department Head, Criminal Justice & Sociology, Faculty Senate Representative Adrienne Freng, Multicultural Affairs, Staff Senate Representative Melanie Vigil, and ASUW Vice President, ASUW Representative Courtney Titus.

Evans went on to discuss that Faculty Senate proposed modifications to UW Regulation 2-300 (University Faculty), and UW Regulation 2-301 (Faculty Senate), which provide for the basic organization of the Faculty Senate and how faculty authority is exercised at the university. Evans explained the Faculty Senate worked collaboratively with General Counsel, former UW President Laurie Nichols, former Acting President Neil Theobald, President Ed Seidel and the Trustee Regulation Committee; the collaboration resulted in the repeal of UW Regulation 2-302 (Establishment of Faculty Senate Committees), and UW Regulation 2-303 (Establishment of University Standing Advisory Committees).

UW Regulation 1-4 (Shared Governance); UW Regulation 2-300 (Bylaws of the University Faculty); UW Regulation 2-301 (Faculty Senate Bylaws); UW Regulation 2-302 (Establishment of Faculty Senate Committees); UW Regulation 2-303 (Establishment of University Standing Advisory Committees)

Approved 6-16-2021 @ 9:10 a.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulations 1-4, 2-300, 2-301, 2-302, and 2-303, as presented to the Board. Trustee Elizabeth Greenwood seconded the motion. The motion carried with a unanimous decision.

AGENDA ITEM TITLE: Approval of modifications to UW Regulation 6-4 (Use of University Buildings, Grounds and Services), Brown, Evans

Vice President and General Counsel Tara Evans discussed the edits incorporated in the modification of the regulation to clarify the use of signs, posters, banners, and fliers and the use of service animals.

UW Regulation 6-4 (Use of University Buildings, Grounds and Services)

Approved 6-16-2021 @ 9:11 a.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulation 6-4, as presented to the Board. Trustee Carol Linton seconded the motion. The motion carried with a unanimous decision.

AGENDA ITEM TITLE: Approval of modifications to UW Regulation 9-2 (Indirect Cost Policy), Brown, Evans

Vice President and General Counsel Tara Evans discussed the working group convened by President Ed Seidel and charged to provide recommendations for a proposed new distribution of indirect costs at the University of Wyoming.

UW Regulation 9-2 (Indirect Cost Policy)

Approved 6-16-2021 @ 9:15 a.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulation 9-2, as presented to the Board. Trustee David Fall seconded the motion. The motion carried with a unanimous decision.

AGENDA ITEM TITLE: UW Leadership Organization, Seidel

President Ed Seidel discussed the details to the proposed UW leadership organizational chart to include delegation of authority to the provost role, and the adjustments to reporting structure in support of student success, and in support of membership of the provost's cabinet. President Seidel described the two year appointment of Tom Peterson as strategic advisor to the president for science, technology, and engineering. President Seidel stated Vice President for Government Affairs Bill Mai will continue to oversee university operations until July 1, 2023, at which time a six month transition period of the oversight of university operations into the Office of Finance and Administration will commence.

UW Leadership Organization

Approved 6-16-2021 @ 9:21 a.m.

Trustee Brad Bonner moved the Board approve the UW leadership structure as presented to the Board. Trustee Laura Schmid-Pizzato seconded the motion. The motion carried with a unanimous decision.

OTHER ACTION TAKEN AT MEETING:

Approval of Minutes

Approved 6-16-2021 @ 8:46 a.m.

Trustee Carol Linton moved the approval of the May 12-14, 2021, UW Board of Trustees meeting minutes. Trustee David Fall seconded the motion. The motion carried with a unanimous decision.

Ivinson Parking Garage and Police Facility Delivery Method

Approved 6-16-2021 @ 9:24 a.m.

Trustee John McKinley moved the Board authorize administration to move forward with a design-bid-build traditional delivery method for the Ivinson Parking Garage and Police Facility should the University and the CMAR not arrive at an agreed-upon Guaranteed Maximum Price. Trustee Carol Linton seconded the motion. The motion carried with a unanimous decision.

Cooperating Agency Agreement with Western Research Institute, Inc.

Approved 6-16-2021 @ 9:25 a.m.

Trustee David Fall moved the Board authorize administration to sign the Cooperating Agency Agreement with Western Research Institute, Inc. Trustee Brad Bonner seconded the motion. The motion carried with a unanimous decision.

Agreement between Wyoming Business Council and University of Wyoming

Approved 6-16-2021 @ 9:28 a.m.

Trustee David Fall moved the Board authorize administration to sign the modified agreement between Wyoming Business Council and University of Wyoming. Trustee Brad Bonner seconded the motion. The motion carried with a unanimous decision.

***Seed and Plant Transfer Agreement between the USDA-Natural Resources Conservation Service Plant Materials Program and the University of Wyoming, Seed Certification Program
Approved 6-16-2021 @ 9:29 a.m.***

Trustee Macey Moore moved the Board authorize administration to sign the Seed and Plant Transfer Agreement between the University of Wyoming, Seed Certification Program and the USDA-Natural Resources Conservation Service Plant Materials Program as well as future agreements on the same template with other Plant Materials Centers. Trustee David Fall seconded the motion. The motion carried with a unanimous decision.

***Student Success Collaboration between EAB Global, Inc. and University of Wyoming
Approved 6-16-2021 @ 9:30 a.m.***

Trustee Macey Moore moved the Board authorize administration to sign the Program Order Form agreement between the University of Wyoming and EAB Global Inc. Trustee Carol Linton seconded the motion. The motion carried with a unanimous decision.

***Financial Assurances for CarbonSAFE Project
Approved 6-16-2021 @ 9:30 a.m.***

Trustee Dave True moved the Board authorize administration to sign any necessary documents to provide the required financial assurances to the Wyoming DEQ in relation to the two pending Class 1 permit applications filed by the University of Wyoming. Trustee David Fall seconded the motion. The motion carried with a unanimous decision.

Trustee John McKinley clarified the funding source for the future plugging and abandoning (P & A) of the wells, stating that per the terms of the grant, the Department of Energy (DOE) should be responsible for the costs.

Personnel Report

Approved 6-16-2021 @ 9:34 a.m.

Trustee Macey Moore moved the Board approve the personnel report as provided to the Board. Trustee Elizabeth Greenwood seconded the motion. The motion carried with a unanimous decision.

Date of Next Meeting

July 13-16, 2021 (Torrington, Wyoming)

Adjournment

Trustee Jeff Marsh adjourned the meeting at 9:43 a.m.

Executive Session Information

[The UW Board of Trustees met in Executive Session on Wednesday, June 16, 2021, in the Old Main Board room and via video conference.]

Executive Session

Wednesday, June 16, 2021

7:00 a.m.

Old Main Boardroom and video conference.

The University of Wyoming Board of Trustees called the meeting to order at 7:00 a.m. Trustee Michelle Sullivan moved the Board to enter into Executive Session:

- 1) To consider or receive any information classified as confidential by law (16-4-405(a)(ix));
- 2) To consider the appointment, employment, right to practice or dismissal of a public employee and to consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all negotiations (16-4-405(a)(ii) and 16-4-405(a)(x)); and
- 3) On matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party (16-4-405(a)(iii))

The executive session was attended by the 12 voting members of the UW Board of Trustees, ex-officio members, and UW administrators and staff as appropriate. Trustee Carol Linton seconded the motion. The motion carried. The Board entered into executive session at 7:04 a.m.

Trustees participating: Brad Bonner, Kermit Brown, David Fall, Elizabeth Greenwood, Carol Linton, Brad LaCroix, Jeff Marsh, John McKinley, Macey Moore, Laura Schmid-Pizzato, Michelle Sullivan, and Dave True. Ex-officio Trustees UW President Ed Seidel, ASUW President Hunter Swilling, Director of Wyoming Community College Commission Sandy Caldwell, and State Superintendent for Public Instruction were also in attendance. Governor Mark Gordon was not in attendance.

Vice President and General Counsel Tara Evans, Deputy General Counsel Paula Whaley, UW Board of Trustees Deputy Secretary RoseMarie London, and IT Specialist Lisa Stafford attended the entirety of the meeting. The following administrators were present during their respective topics:

- Vice President for Government Affairs Bill Mai
- Executive Director School of Energy Resources Holly Krutka
- Director School of Energy Resources Kipp Coddington
- UW Controller Tim Keller
- Outside Counsel Randall Reed
- College of Agriculture Dean Barbara Rasco
- Vice President for Research and Economic Development Ed Synakowski
- Associate Vice President for Research Diana Hulme
- Assistant Dean College of Business Steve Farkas
- Provost and Senior Vice President for Academic Affairs Kevin Carman
- Vice Provost Tami Benham-Deal

Respectfully submitted,



RoseMarie London
Deputy Secretary, UW Board of Trustees