

THE UNIVERSITY OF WYOMING
Minutes of
BOARD OF TRUSTEES
July 16, 1970

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FEB 26 27 1971
AUGUST 7, 1970
MARCH 18, 1971
SEPT. 2-3, 1970
OCT. 16-17, 1970
24, 1970
8, 1970
DEC. 4-5, 1970
JANUARY 15, 1971

A regular meeting of the Trustees of The University of Wyoming was convened on July 16, 1970, in the Board Room of Old Main. President Hollon called the meeting to order at 9:05 a.m.

The following members answered the roll call: Brodrick, Hines, Hollon, Jones, McBride, Pence, Quealy, Sullivan, and ex officio member Governor Hathaway. Mr. Ostlund joined the meeting shortly thereafter; Governor Hathaway was present as indicated during the afternoon session. Executive staff present were: James Ranz, Vice President for Academic Affairs; Elliott Hays, Vice President for Finance; Joseph Geraud, Vice President for Student Affairs; and Dr. William R. Steckel representing the Faculty Senate.

It was moved, seconded, and carried that the minutes of the meeting of June 1-2, 1970, be approved as circulated.

It was moved, seconded, and carried that the appointment of Gordon Westhoff as Assistant Basketball Coach and Instructor in Intercollegiate Athletics be approved as recommended by the President, effective September 1, 1970. In approving this appointment it was understood that the position filled by Mr. Westhoff would be budgeted entirely to Intercollegiate Athletics and that the position of Instructor in Health, Physical Education and Recreation, and Varsity Gymnastics Coach, now held by Gerald Zamboni, would be budgeted entirely to the Department of Health, Physical Education and Recreation, effective July 1, 1970.

It was moved, seconded, and carried that the appointment of Hugh McFadden as Vice President for University Extension and Professor of Psychology be approved as recommended by the President,

ROLL CALL

APPROVAL OF MINUTES

APPOINTMENT

Westhoff

VICE PRESIDENT FOR EXTENSION

McFadden

effective September 1, 1970. Dr. McFadden will continue to serve as Dean of the Summer School until his replacement is retained.

It was moved, seconded, and carried that the recommendation to close the Knight Hall Food Service be approved, effective Fall semester 1970. President Carlson advised that Knight Hall would continue to act as a catering service to the Faculty/Staff dining room and for banquets.

The report of the North Central Association review team was discussed, copies having been furnished to the Trustees in advance of the meeting. President Carlson reported that he and Vice President Ranz would be meeting with a committee of the Commission on Colleges and Universities of the North Central Association of Colleges and Secondary Schools, on July 21, 1970, in Chicago, Illinois. After the meeting the Association will take appropriate action on the accreditation status of the University. Dr. Carlson mentioned that he would send copies of the Association's report to members of the Wyoming Higher Education Council.

President Carlson asked Vice President Geraud to comment on the bequest of Thelma J. Sweatt to the University. Dr. Geraud pointed out that the proceeds from the gift were to be used for loans to protestant students, the loans to be repaid within a ten year period. Dr. Geraud stated that he and Vice President Hays were of the opinion that the University Foundation should be authorized to administer the proceeds from this bequest. Dr. Geraud then read the following resolution, which is intended to institute that recommendation:

KNIGHT HALL
FOOD AND SERVICE
DORMITORY

RESOLUTION RE
THELMA J. SWEATT
ESTATE

RESOLUTION RE
THELMA J. SWEATT ESTATE

WHEREAS Thelma J. Sweatt, deceased, designated the University of Wyoming as the residuary beneficiary of her Last Will and Testament duly admitted for probate in the Superior Court of the State of California for the County of Los Angeles (No. NCP 2983 B), Burbank, California, and

WHEREAS the University of Wyoming Foundation, a non-profit corporation under the laws of the State of Wyoming, is organized to assist and extend financial support to the University of Wyoming and to serve as agent for the University of Wyoming in the management and investment of property of any kind acquired by the University of Wyoming by gift or devise,

NOW THEREFORE be it resolved that:

1. The Trustees of the University of Wyoming, as the lawful governing board of the University of Wyoming, do hereby transfer to the University of Wyoming Foundation all property given to the University of Wyoming by virtue of the Last Will and Testament of Thelma J. Sweatt, deceased, as probated in the Superior Court of the State of California for the County of Los Angeles (No. NCP 2983 B). Such Foundation shall serve as agent of the University of Wyoming in the management and investment of such property and it shall pay over to the University of Wyoming the principal and income therefrom for use in accordance with the directions of the testatrix.

2. By authenticated copy of this resolution, upon distribution of said estate the Executor of the Estate of Thelma J. Sweatt is requested to cause the transfer of title to all property given to the University of Wyoming to "The University of Wyoming Foundation," Old Main, University of Wyoming, Laramie, Wyoming 82070.

3. In accordance therewith, the Treasurer of the University of Wyoming Foundation, Mr. Elliott G. Hays, is duly authorized to execute any receipt or other act in behalf of the University of Wyoming Foundation or the University of Wyoming incident to the final distribution of said estate.

It was moved, seconded, and carried that the resolution be adopted.

The meeting then went into Executive Session with executive staff invited to remain. Governor Hathaway joined the meeting at 2:10 p.m. for the duration of the meeting.

Upon reconvening in open session, the following actions were taken:

It was moved, seconded, and carried that the written report of the ad hoc committee appointed to draw up a policy statement on student conduct be accepted as considered and modified during the meeting. The report as adopted is appended to these minutes as Attachment 1 and made a part hereof.

It was moved, seconded, and carried that the recommendation of the Joint Trustee-Faculty Honorary Degree Committee for the award of one additional Doctor of Laws degree at the Summer Commencement be approved with the degree recipient to be reaffirmed and recorded when degrees are approved for the summer commencement exercises. President Carlson pointed out that only one honorary degree will be awarded since one of those chosen was unable to be present and, as a result, the awarding of that degree would be held in abeyance.

Chairman Brodrick reported for the Committee on the meeting held on July 16, 1970, and the following actions were taken:

Golf Course Sprinkler System. It was moved, seconded, and carried that the recommendation of the Committee be adopted to accept the low bid in the amount of \$136,660 from Lou Hammer, Inc., of Denver, Colorado, for the installation of a sprinkler system for an 18-hole golf course and one practice putting green (\$131,980) and the installation of a sprinkler system for one practice driving range (Alternate Bid No. 1, \$4,680).

Fieldhouse and Stadium Improvements. It was moved, seconded, and carried with three negative votes being cast (Hines, Jones, Quealy) to accept the recommendation of the Committee that

STUDENT
CONDUCT

HONORARY
DEGREE COM-
MITTEE REPORT

PHYSICAL PLANT
AND EQUIPMENT
COMMITTEE
REPORT
Golf Course
Sprinkler System

Fieldhouse and
Stadium Improve-
ments

expenditures of \$18,250 for Tartan covering of the bench areas on the football field and the approach ramp, and \$25,275 to replace one-half of the present fieldhouse arena lighting be authorized.

Old Main Remodeling. It was moved, seconded, and carried that the Trustees accept the recommendation from the Committee for an expenditure of approximately \$12,000 for the remodeling, furnishing, and carpeting of the office of the Vice President for Student Affairs.

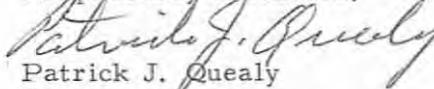
Stadium Expansion. Mr. Brodrick reported that the stadium expansion program is approximately one week ahead of schedule in spite of a two day delay in June caused by a snow storm.

Fine Arts Center. Chairman Brodrick reported that word has been received that a final recommendation has been forwarded to Washington, D. C., from the Office of Education office in Denver and that approval is expected from Washington by the first of next week, which would permit advertising for bids in July so they might be received in time for consideration by the Trustees at their September 2-3, 1970, meeting.

Governor Hathaway expressed his concern that it would be a hard year for education in the Legislature, and suggested the University might need to increase the registration fee for non-resident students in order to meet some of its needs.

There being no further business, the meeting was adjourned at 5:00 p. m., to meet again in regular session on August 7, 1970.

Respectfully submitted,


Patrick J. Quealy
Secretary

Old Main
Remodeling

Stadium
Expansion

Fine Arts
Center

1971 LEGISLATURE

ADJOURNMENT
AND DATE OF
NEXT MEETING

RESOLUTION OF THE TRUSTEES OF THE UNIVERSITY OF WYOMING ADOPTED JULY 16, 1970

Recitals

1. The Constitution of the State of Wyoming provides:

"The legislature shall provide by law for the management of the university, its lands and other property by a board of trustees, consisting of not less than seven members, to be appointed by the governor by and with the advice and consent of the senate, and the president of the university, and the superintendent of public instruction, as members ex officio, as such having the right to speak, but not to vote. The duties and powers of the trustees shall be prescribed by law."

2. Section 21-352 Wyoming Statutes 1957 provides as follows:

"The board of trustees and their successors in office shall constitute a body corporate by the name of 'the trustees of the University of Wyoming.' They shall possess all the powers necessary or convenient to accomplish the objects and perform the duties prescribed by law, . . ."

3. Section 21-338 Wyoming Statutes 1957 provides as follows:

"The president and professors of the university shall be styled 'the faculty,' and shall have power as such body to enforce the rules and regulations adopted by the trustees for the government of students, to reward and censure students as they may deserve, and generally to exercise such discipline, in harmony with the said regulations, as shall be necessary for the good order of the institution; . . ."

4. Section 31-336 Wyoming Statutes 1957 provides as follows:

"The objects of such university shall be to provide an efficient means of imparting to young men and young women, without regard to color, on equal terms, a liberal education, together with a thorough knowledge of the various branches connected with the scientific, industrial and professional pursuits . . ."

5. Section 21-353 Wyoming Statutes 1957 provides as follows:

"The board of trustees shall prescribe rules for the government of the university and all its branches, . . ."

Section 4 of Part VIII of the Regulations of the Board of Trustees provides as follows:

Dismissal of students for academic reasons shall be governed by the regulations of the University faculty and the regulations of the various colleges and the Graduate School. Individual cases shall be determined, in accordance with the criteria established by such regulations, by the dean and faculty of the particular college or the Graduate School in the manner set forth in such regulations.

Dismissal from the University for misconduct shall be effected by order of the Vice President for Student Affairs with the prior approval of the President of the University. Before recommending the dismissal of a student for such reasons, the student shall be advised of the proposed action. If the student so requests, a hearing shall be held at which time the student shall be afforded the opportunity to hear the evidence in support of the proposed action, to cross-examine witnesses, and to present evidence in his own behalf. The student may be represented in such hearing by counsel of his choice. A summary of the evidence presented at such hearing shall accompany the recommendation for dismissal. The Vice President for Student Affairs shall adopt regulations further defining the causes for dismissal and specifying the procedure to be followed in the conduct of the hearings provided for herein. "

Page 42 of the 1970-71 University of Wyoming Bulletin provides as follows:

The University expects students to conform to recognized standards of order, morality, good conduct and satisfactory citizenship in general; that they will give serious attention to their University work and that they will not be absent unnecessarily from any class or exercise in which their attendance is required.

Students who are idle, dissipated, disorderly in conduct or persistently negligent in their work are subject to disciplinary action and may be dropped from the University. "

In accordance with the statutory law of the State of Wyoming it becomes the duty of the trustees of the University to promulgate rules and regulations for the government of students, and it becomes the power and duty of the President and Faculty of the University to enforce the rules through the exercise of discipline in harmony with regulations so adopted by the Board of Trustees.

BE IT RESOLVED,

That pursuant to the recitals hereof, the rules and regulations of the Board of Trustees for the government of students at the University of Wyoming be and they are hereby amended, enlarged and supplemented to the extent necessary to embody the provisions hereof.

1. The Board of Trustees reaffirms that the mission, objects and responsibilities of the University of Wyoming are those set forth in the recital hereof.

2. The Board of Trustees, as the governing body of the University, is charged with the statutory duty and authority to make all rules and regulations necessary for the government of students. This includes the administrative responsibility to regulate and control whatever conduct and behavior of the members of the University community impedes, obstructs, or threatens the achievement of the educational goals and mission of the University.

In turn, all members of the University family share a common and heavy responsibility to refrain from conduct which obstructs the work of the University, interferes with the lawful exercise of rights by other persons, endangers the safety or security of other persons or their property, prevents the proper use of the facilities of the University, or impairs the maintenance of that kind of an academic environment which is essential to the operation of an institution of higher learning.

3. The Board of Trustees requests that the President of the University take appropriate steps, including consultation with Faculty and representatives of the student body, leading to the revision of the University Code dealing with all regulations affecting students.

4. The Board of Trustees hereby reaffirms and clarifies the following policies, rules and regulations which will remain in effect until further action by the Board.

A. Misconduct for which students are subject to dismissal, suspension or expulsion from the University falls in the following categories:

- (1) Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities or of other authorized activities on University premises. Such obstruction or disruption, whether resulting from individual or group conduct in the form of

demonstrations or otherwise, and whether taking the form of force, trespass, seizure, occupation or obstruction of buildings, facilities or property, or of other conduct having such obstructive or disruptive effects, or the inciting of others to any conduct having such effects, is directly opposed to the accomplishment of the objects of the University. Consequently, any student found guilty, under hearing procedures now or hereafter prescribed or approved, of violation of this subsection, will be subject to a minimum sanction of suspension for the remainder of the semester (or summer session) during which the offense occurred, and for the next full academic semester (and any intervening summer session) thereafter, and to any additional sanction which may be imposed in a particular case by the appropriate tribunal under the hearing procedure. Demonstrations are not of themselves misconduct. Demonstrations which do not involve conduct beyond the scope of constitutionally-protected rights of free speech and assembly are, of course, permissible. Conduct which is otherwise improper cannot be justified merely because it occurs in the context of a demonstration.

- (2) Physical abuse of any person on University-owned or controlled property, or on the property of fraternities, sororities, or cooperative houses or at University sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any such person.
- (3) Theft of or damage to property of the University or of a member of the University community or campus visitor.
- (4) Unauthorized entry to or use or occupancy of University facilities.
- (5) Violation of University policies, rules or regulations concerning student organizations, the use of University facilities, or the time, place, and manner of meetings or demonstrations on University-owned or controlled property.
- (6) Use, possession, or distribution of narcotic or dangerous drugs except as expressly permitted by law.
- (7) Violation of University regulations governing students who live in University-owned or controlled property, or in fraternities, sororities, and cooperative houses.

- (8) Disorderly conduct or lewd, indecent, or obscene conduct or expression on University-owned or controlled property, or on the property of fraternities, sororities, and cooperative houses, or at University sponsored or supervised functions.
 - (9) Failure to comply with directions of University officials acting in the performance of their duties.
 - (10) Misconduct in connection with "demonstrations." A demonstration for purposes of this regulation is defined as individual or group activity or conduct, apparently intended to call attention to the participants' point of view on some issue. Demonstrations which involve violation of other subsections of this regulation (such as, for example, disorderly conduct, physical abuse of any person, conduct which obstructs or disrupts authorized activities of others upon the campus, conduct which involves misuse or abuse of University facilities, or failure to comply with directions of University officials), or conduct which otherwise goes beyond constitutionally-protected rights and is violation of any law, ordinance, or University rule, regulation or policy, will not be permitted. Students will be charged with misconduct for any individual misconduct committed by them in the course of a demonstration.
 - (11) Dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the University.
 - (12) Forgery, alteration, or misuse of University documents, records or identification.
- B. Investigation, hearing and appeal procedure shall be in accordance with those promulgated by the University Administration, and the dismissal, suspension or expulsion of any student from the University for violation of these rules and regulations shall be when and only when he has been afforded all rights accorded thereby; provided, however, that the right to hearing or appeal shall not be afforded as to any factual determinations in cases in which a student has plead guilty or who has been convicted in any civil court of the commission of unlawful acts which also constitute misconduct as provided herein, in that all his legal rights will be considered to have been fully afforded and protected in the civil court proceeding.

C. During periods of campus emergency to be determined by the President of the University, he shall place into immediate effect any emergency regulations, procedures, or other measures deemed necessary or appropriate to meet the emergency, safeguard persons and property, and maintain educational activities to include interim suspension without hearing. A campus emergency is a time when disruptive activity on the campus, or within one mile thereof if the disruption there is closely associated with the well being of the campus, is of a serious nature which requires immediate, extraordinary measures.

5. This Resolution shall be published and distributed to each student at or before his enrollment in the University of Wyoming. When the student subscribes to the receipt of a copy or when he enrolls in the University such act or acts shall amount to an agreement by the student with the University that he will adhere to and be bound by the rules and regulations of the University.