

**THE UNIVERSITY OF WYOMING
MINUTES OF THE TRUSTEES**

January 11, 1978

**For the confidential information
of the Board of Trustee**

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January 11, 1978

A visitation meeting of the Trustees of The University of Wyoming was called to order by President Hines at 3:30 p.m. on January 11, 1978, in the Board Room of Old Main.

ROLL CALL

The following Trustees answered roll call: Bunning, Chapin, Hines, McCue, Nolan, Quealy, Smith, Thorpe, Wilson, and ex officio member Carlson. Mr. Stone was not present for roll call but he arrived later and is hereby recorded as being in attendance. Trustees Brodrick, Gillaspie, and ex officio members Herschler and Schrader were absent. Dr. E. B. Jakubauskas, Vice President for Academic Affairs; Elliott G. Hays, Vice President for Finance; and William C. Donaghy, Chairperson for the Faculty Senate; were also present.

APPROVAL OF MINUTES

President Hines asked if there were any corrections or additions to the minutes of the meeting of December 16, 1977. Mr. McCue moved approval of the minutes of December 16, 1977, as circulated. Mr. Wilson seconded the motion, and it carried.

ANNOUNCEMENTS

President Carlson announced that the hearings with the Appropriations Committee on the University budget will be held in Cheyenne on January 12 beginning at 1:00 p.m. and on January 13 beginning at 8:00 a.m. Trustees on the Budget Committee will be in attendance at this meeting and all other Trustees are asked to attend if possible.

President Hines called for consideration of items of business included in the President's Report and, on the basis of discussion which took place during the executive session, the following actions were taken.

APPOINTMENTS

Mr. Quealy moved approval of the following appointments as recommended by President Carlson. The motion was seconded by Dr. Thorpe, and it carried.

1. Thomas K. Schwartz as Supply Instructor in Pesticides and Extension Pest Management Specialist for the period January 1, 1978 through June 30, 1978.
2. Carol Tarantola as Supply Instructor in Communication for the 1978 Spring semester, effective January 11, 1978.
3. Virginia G. Clark as Supply Instructor in Curriculum and Instruction for the 1978 Spring semester, effective January 11, 1978.
4. Rita M. Darragh as Temporary Associate Professor of Nursing for the period January 1, 1978 through December 31, 1978.
5. Sandra L. Lovering as Temporary Assistant Professor of Pharmacology for the 1978 Spring semester, effective January 11, 1978.
6. Susan Gray Praeger as Instructor in Nursing for the 1978 Spring semester, effective January 11, 1978.
7. Roy D. Holland as University Extension Agent, Campbell County, for the 1977-78 fiscal year, effective February 1, 1978.
8. Dee L. Rankin as University Extension Agent, Weston County, for the 1977-78 fiscal year, effective February 1, 1978.

PART-TIME APPOINTMENTS

President Carlson announced that as a matter of information, the part-time faculty appointments had been included in the President's Report.

REAPPOINTMENTS

It was moved by Mr. Bunning, seconded by Dr. Thorpe, and carried that the following reappointments be approved as recommended by President Carlson for the periods indicated, subject to available funds.

<u>Name</u>	<u>Department</u>	<u>Academic Rank</u>
<u>COLLEGE OF AGRICULTURE</u>		
*Bourret, Larry J. (1/1/78-12/31/78)	Agricultural Extension	Lecturer
*Schuman, Gerald E. (7/1/78-6/30/79)	Plant Science	Lecturer
*Stoner, Adair (7/1/78-6/30/79)	Plant Science	Lecturer

COLLEGE OF ARTS AND SCIENCES

Mitchell, Glenn A. (1978 Spring semester)	Anthropology	Supply Instructor
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*Honorific appointment. Does not obligate the University to salary. Non-tenure leading.

LEAVES OF ABSENCE

It was moved by Mr. McCue, seconded by Mr. Bunning, and carried that the following leaves of absences be granted for the period and under the conditions cited, as recommended by President Carlson.

1. Robert B. Shelton, Associate Professor of Economics and Director of the Institute for Policy Research, a leave without pay for the period February 1, 1978 through December 31, 1978 to join the staff of the Center for Energy Policy Research in Washington, D. C.

2. Frank W. Henderson, University Extension Agent, Converse County, a leave without pay for the period February 22, 1978 through February 22, 1979, to pursue an advanced degree at The University of Wyoming.

RETIREMENTS

Mr. Smith moved that the following persons be granted retirement on the dates and under the conditions cited. The motion was seconded by Mr. Quealy, and it carried.

<u>Name</u>	<u>Position</u>	<u>Effective Date of Retirement</u>
Robert L. Lang*	Professor of Range Management	6/30/78 with designation as <u>Emeritus</u>
Willard D. Schutz*	Associate Professor of Agricultural Economics	6/30/78 with designation as <u>Emeritus</u>
E. Kenneth Faulkner*	Associate Professor of Animal Production and Extension Livestock Specialist	6/30/78 with designation as <u>Emeritus</u>
I. James Pikel, Jr.**	Professor of Economics	10/6/77 with designation as <u>Emeritus</u>

*Retirement approved in accordance with the Regulations of the Trustees.

**Permanent and total disability retirement granted as an exception to the Regulations of the Trustees.

Mr. McCue left the meeting and is hereby recorded as not being present for the remainder of the meeting.

RESIGNATIONS

It was moved by Mr. Bunning, seconded by Dr. Thorpe, and carried that the following resignations be accepted, to be effective on the dates indicated.

1. Stephen J. Barrett, Assistant Football Coach and Instructor in Intercollegiate Athletics, effective January 31, 1978.

2. Robert H. Frazier, Assistant Football Coach and Instructor in Intercollegiate Athletics, effective January 31, 1978.

REAPPOINTMENT OF ASSISTANT FOOTBALL COACHING STAFF

President Carlson advised of the policy established by the Trustees on January 15, 1971, whereby all appointments and reappointments to the assistant football

coaching staff will be for annual periods terminating on January 31 of each year, with notice of termination, reappointment, and salary adjustments to be given on or before January 1. Further, the policy states that the rank of Instructor in Intercollegiate Athletics will be continued for reappointments and granted for new appointments but without right to notice of reappointment or termination in the manner provided for faculty. The Trustees expressed concern that the appointing of football coaches at this time would perhaps adversely affect recruiting efforts. Dr. Carlson is to check with Coach William J. Lewis to find out how much the recruiting effort is affected by appointing coaches at this time. President Hines said the Executive Committee of the Trustees met by conference call on December 28, 1977, and approved the reappointment of the listed assistant football coaching staff. Mr. Chapin moved, Mr. Bunning seconded, and it carried to confirm the following reappointments for the 1977-78 fiscal year, effective February 1, 1978, with salary adjustments as recommended.

1. Sterling E. Brown as Assistant Football Coach and Instructor in Intercollegiate Athletics.

2. Frank C. Falks as Assistant Football Coach and Instructor in Intercollegiate Athletics.

3. Robert E. Gatling as Assistant Football Coach and Instructor in Intercollegiate Athletics.

4. James L. House as Assistant Football Coach and Instructor in Intercollegiate Athletics.

5. David E. Knaus, Jr. as Assistant Football Coach and Instructor in Intercollegiate Athletics.

6. Donald A. Murry, Jr. as Assistant Football Coach and Instructor in Intercollegiate Athletics.

PROPOSED FACULTY
GRIEVANCE PROCEDURE

Dr. E. B. Jakubauskas discussed the proposal for an orderly step-wise grievance procedure to handle faculty personnel problems. Currently, these problems tend to go directly to the central administration or do not get settled at all. Considerable input has been received from an ad hoc grievance procedure study committee, the Faculty Senate, department heads and deans. Dr. Jakubauskas advised that the proposed University Regulation, attached as Enclosure 1, is an effort to develop a workable faculty grievance system. If the Trustees are to be involved, the regulation will be modified to change Step 3 and to include the proposed Step 4, Trustees' Review. Dr. Donaghy said the Faculty Senate wants a grievance procedure and that the Faculty Senate will feel that the proposed UniReg is a sincere effort to have such a procedure. Both Dr. Donaghy and Dr. Jakubauskas noted that compromises were made by the various involved units so that such a procedure could be developed. After further discussion, Mr. Quealy moved that the attached proposed faculty grievance procedure be approved to include modification of Step 3 and inclusion of Step 4; and further that minor editorial changes would be permitted as long as the concept is not altered. Mr. Wilson seconded the motion, and it carried.

POWER OF ATTORNEY

Mr. Hays explained that the Department of Atmospheric Science had sent equipment back to the company in Switzerland to be repaired. The equipment was now repaired but it was being held by the Bureau of Customs in Salt Lake City. In order to release this equipment, Mr. Hays said that he would like to have power of attorney assigned to Brooks E. Martner, Research Meteorologist at

the University, and/or Scott Ogden of S. D. Ogden Associates of Salt Lake City, Utah. Mr. Nolan moved, Mr. Quealy seconded, and it carried that the following resolution assigning power of attorney so that this equipment can be released to the University be adopted.

KNOW ALL MEN BY THESE PRESENTS: That, The University of Wyoming, a corporation doing business under the laws of the State of Wyoming having an office and place of business at Laramie, Wyoming, hereby constitutes and appoints each of the following persons, Brooks E. Martner, Research Meteorologist, University of Wyoming, Laramie, Wyoming, and/or Scott Ogden, S. D. Ogden Associates, Salt Lake City, Utah, as a true and lawful agent and attorney of the grantor named above for and in the name, place, and stead of said grantor from this date and in Customs District 28, and in no other name, to make, endorse, sign, declare, or swear to any entry, withdrawal, declaration, certificate, bill of lading, or other document required by law or regulation in connection with the importation, transportation, or exportation of any merchandise shipped or consigned by or to said grantor; to perform any act or condition which may be required by law or regulation in connection with such merchandise; to receive any merchandise deliverable to said grantor;

To make endorsements on bills of lading conferring authority to make entry and collect drawback, and to make, sign, declare, or swear to any statement, supplemental statement, schedule, supplemental schedule, certificate of delivery, certificate of manufacture, certificate of manufacture and delivery, abstract of manufacturing records, declaration of proprietor on drawback entry, declaration of exporter on drawback entry, or any other affidavit or document which may be required by law or regulation for drawback purposes, regardless of whether such bill of lading, sworn statement, schedule, certificate, abstract, declaration, or other affidavit or document is intended for filing in said district or in any other customs district;

To sign, seal, and deliver for and as the act of said grantor any bond required by law or regulation in connection with the entry or withdrawal of imported merchandise or merchandise exported with or without benefit of drawback, or in connection with the entry, clearance, lading, unlading or navigation of any vessel or other means of conveyance owned or operated by said grantor, and any and all bonds which may be voluntarily given and accepted under applicable laws and regulations, consignee's and owner's declarations provided for in section 485, Tariff Act of 1930, as amended, or affidavits in connection with the entry of merchandise;

To sign and swear to any document and to perform any act that may be necessary or required by law or regulation in connection with the entering, clearing, lading, unlading, or operation of any vessel or other means of conveyance owned or operated by said grantor;

And generally to transact at the customhouses in said district any and all customs business, including making, signing, and filing of protests under section 514 of the Tariff Act of 1930, in which said grantor is or may be concerned or interested and which may properly be transacted or performed by an agent and attorney, giving to said agent and attorney full power and authority to do anything whatever requisite and necessary to be done in the premises as fully as said grantor could do if present and acting, hereby ratifying and confirming all that the said agent and attorney shall lawfully do by virtue of these presents; the foregoing power of attorney to remain in full force and effect until notice of revocation in writing is duly given to and received by the District Director of Customs of the district aforesaid. If the donor of this power of attorney is a partnership, the said power shall in no case have any force or effect after the expiration of 2 years from the date of its receipt in the office of the district director of customs of the said district.

IN WITNESS WHEREOF, the said Paul O. Hines, President of the Trustees of The University of Wyoming, has caused these presents to be sealed and signed.

FALSE FIRE ALARMS

Mr. Hays said that the University is having difficulties with false fire alarms on campus. There have been approximately 50 false fire alarms during Fall semester. As a result of recommendations of firefighting professionals, the University instituted on December 5, 1977, a policy of evacuation of residence halls upon the first sound of an alarm. Such a policy, though necessary with the current alarm system, causes the City to respond and in turn causes considerable inconvenience and cost to the City as well as the danger inherent in running emergency equipment. The University's present alarm system makes it difficult to discover exactly where a fire might be located in the facility. Mr. Hays requested authorization to ask for bids for installation of a supervised, zoned, annunciated alarm system in each

residence hall. The total cost would be between \$7,400-\$12,600 for equipment for all halls, plus a charge for installation. When there is a fire alarm, this system would identify at the hall main desk, the floor and the area where the alarm was turned in. It would greatly facilitate checking to see if a fire actually exists and the fire department would perhaps not need to be called as frequently. Such a fire alarm system appears quite likely to become a requirement under new State Fire Codes according to the State Fire Marshal's office. Mr. Chapin moved, Mr. Nolan seconded, and it carried that the University be authorized to seek bids for purchase of equipment for a zoned, supervised, annunciated fire alarm system for the residence halls.

ELLA E. SCHLOREDT ESTATE

Mr. Hays announced that he had received a letter from The First National Bank and Trust Company of Wyoming stating that The University of Wyoming was the beneficiary of the estate of Ella E. Schloredt. The estate is appraised at approximately \$460,000. The gift is to be used for the purpose of establishing a scholarship fund to be known as the "Ella E. Schloredt Fund" which shall be used for scholarships to be awarded to worthy and deserving country children who have shown an interest in 4-H work, the Future Farmers of America, forestry work, or other similar lines of endeavor. The Trustees of The University of Wyoming shall have the full power to invest and re-invest all of the money and property in said scholarship fund as they shall see fit in order that the income from said fund will best serve the indicated purpose of helping such worthy and deserving students in securing their education. Mr. Hays explained that it was necessary to notify the Executor whether the University wished to accept the gift in kind or in cash. Mr. Chapin moved

that Vice President Hays notify the First National Bank and Trust Company of Wyoming that the University desires to take the estate distribution of Ella E. Schloredt in kind. Mr. Quealy seconded the motion, and it carried.

ANNOUNCEMENTS

President Carlson announced that the Trustees would meet June 26-27, 1978 to visit the Jackson Hole Biological Research Station at Moran.

Mr. Wilson asked Mr. Stone for an explanation on the letter sent to the City Council by the ASUW Internal Auditor concerning the possible sale of beer in the stadium. Mr. Wilson noted that it was his feeling that the ASUW should take these matters through appropriate University channels and procedures. Mr. Stone is to review this situation.

ADJOURNMENT AND DATE
OF NEXT MEETING

There being no further business, upon a motion duly made by Mr. Wilson, seconded by Mr. Bunning, and carried, the meeting was adjourned at 4:45 p.m. The next meeting of the Trustees will be February 17-18, 1978. This will be a regular meeting.

Respectfully submitted,

Karleen Anderson
Karleen Anderson
Deputy Secretary

THE UNIVERSITY OF WYOMING
Laramie, Wyoming

UNIREG

UNIVERSITY REGULATION

Initiating Authority: President of the University

Subject: Faculty Grievance Procedure

Reference: (a) Regulations of the Trustees Part IV

1. Purpose. To establish a procedure for faculty members of the University which will provide for the prompt and efficient investigation and resolution of grievances. To amend University Regulation 801, Section 3 (March 15, 1973) by superseding the entire Section 3 and to amend University Regulation 702, Revision 2, (July 1, 1977) by deleting all references in Section 20(b) relating to involvement of the Faculty Academic Standards, Rights and Responsibility Committee in grievance procedures. The process hereinafter set forth shall be the sole method for the resolution of a grievance as defined.

2. Definitions:

a. Grievance: A dispute involving a faculty member and the University concerning:

(1) The interpretation, application or claimed violation of a specific term or provision of University Regulations or Policies; provided however, that the procedures contained in UNIREG 801 concerning the dismissal of tenured faculty members and the procedure contained in UNIREG 4 concerning CIVIL RIGHTS complaints shall be excluded; and with respect to matters involving reappointment, evaluation, promotion and the granting of tenure, the grievance shall be restricted to a claimed failure by the University to follow the procedural steps contained in UNIREG 803 Tenure and Promotion Procedures for University Faculty.

(2) Other disputes involving conditions of employment not covered by University Regulations or Policies, which affect the employment relationship of the Faculty member to the University.

b. University Officer: An employee of the University occupying an academic or administrative position within the University as defined in Part I, Section 1 of the Trustees regulations.

c. Faculty Member: An employee of the University appointed to and serving in a faculty position as defined in Part III section 1 of the Trustees regulations and not otherwise assigned duties as a University Officer.

- d. Grievant: A faculty member who files a grievance.
- e. Respondent: The Employment Practices Officer shall on the basis of the facts presented by the grievant identify those individuals who shall respond on behalf of the University.

3. Procedure:

- a. STEP 1 - Preliminary Proceedings. A grievant shall first attempt to resolve the grievance informally with the University officer(s) with the authority to resolve the grievance within the department, college or administrative unit where the grievance has occurred. If the attempt at informal resolution is not successful, a formal grievance may be filed with the Employment Practices Officer no later than thirty (30) calendar days following the act or omission giving rise to the grievance or within thirty (30) calendar days of the date on which the grievant first knew or reasonably should have known of such act or omission if that date is later. The Employment Practices Officer shall provide the grievant with an official University Grievance Form and assist as necessary in its preparation. The form shall provide for a written statement of the grievance, its date of occurrence, University Policies or Regulations violated if any, attempts at informal resolution, the respondent and the remedy sought. A copy of the grievance shall be forwarded to the respondent by the Employment Practices Officer. Within fourteen (14) calendar days from receipt of the written grievance, the respondent shall reply in writing. A copy of the response shall be given to the grievant and the Employment Practices Officer. If the response is acceptable to the grievant, the grievance shall be considered settled. However, if the STEP 1 response is not satisfactory to the grievant or no response is received within the prescribed time limit, an appeal may be made to the Faculty Grievance Committee.
- b. STEP 2 - Committee Review. A grievant may appeal by filing an appeal with the Employment Practices Officer no later than fourteen (14) calendar days after the STEP 1 response or expiration of the STEP 1 time limit whichever is sooner. The Employment Practices Officer shall follow the prescribed procedures for selecting a hearing panel of five (5) members from the full nine (9) member Faculty Grievance Committee within fourteen (14) calendar days of receipt of the appeal. After the hearing panel has been selected, the Employment Practices Officer in consultation with the chairperson of the hearing panel shall schedule a hearing at the earliest practicable date. The five (5) member panel shall hear the grievance, compile a grievance record and issue written recommendations within seven (7) calendar days after completion of the hearing. A copy of the findings and recommendations shall be forwarded to the Employment Practices Officer, cognate Vice President and the President.
- c. STEP 3 - Presidential Review. Within fourteen (14) calendar days from receipt of the findings and recommendations, the President or his designee shall provide a written statement to the chairperson

of the hearing panel concerning acceptance or non-acceptance of the panel recommendations and their implementation. If a majority of the panel members request a meeting with the President or his designee, such request to be made within seven (7) calendar days after receipt of the President's statement, then the President at his discretion may elect to schedule a meeting with the panel members. The President's final written decision with actions, if any, to be taken, shall be promptly transmitted to the grievant. The President shall direct the appropriate University officer(s) to take any necessary actions to implement his decision. The nature of the grievance and its final disposition shall be reported to The Trustees of the University of Wyoming.

4. Committee Proceedings: The hearing will be private unless both grievant and respondent mutually agree that it shall be public. If private the meeting shall be restricted to members of the panel; the Employment Practices Officer; the grievant and his representative, if any; principals; and witnesses who shall be called and excused as required. The panel chairperson shall conduct the hearings in a manner best suited to facilitate the gathering of facts; it shall not be a formal legal proceeding but one of inquiry and fact finding by the panel. After the issues have been thoroughly discussed and the necessary information gathered, a written statement of facts shall be prepared by the panel followed by conclusions and recommendations. The panel shall base its findings on the evidence presented at the hearings, and shall refer to the evidence relied upon. In matters which call for the exercise of judgment by a University officer, or duly appointed body, the panel shall not substitute its judgment for that of the University official or body making the decision but shall confine itself to whether or not a violation of University regulations or policies has occurred and/or if procedural steps have been followed. The final recommendation(s) of the panel shall be determined by majority vote, signed by the majority voting panel members and distributed according to the STEP 2 grievance procedure. Any written minority opinions shall be attached to the panel recommendations and signed by the minority voting panel members.

The Employment Practices Officer shall prepare a Hearing Procedure which will be used for all Faculty Grievance Committee Hearings. This procedure shall provide for an equitable and orderly hearing. It will specify the order of proceedings, and other procedural questions in adequate detail to guide the chairperson in conduct of the hearing. This Hearing Procedure shall be provided to the Grievant or his representative along with notice of the date, place and time of the hearing.

5. Composition of the Faculty Grievance Committee: The Faculty Grievance Committee shall consist of nine (9) members appointed for three (3) year terms as follows: Ten (10) regular faculty members and six (6) alternate faculty members nominated by and recommended for appointment by the Faculty Senate, from which the President shall appoint five (5) regular and three (3) alternate faculty members. In addition the President shall appoint four (4) regular and two (2) alternate members who are classified as Academic Officers at a level lower than Vice President.

Each submitted grievance shall be heard by a panel of five (5) committee members which shall be selected by having both respondent and grievant

alternately strike off names from the original nine (9). The panel shall elect one of its members to serve as chairperson. When the grievant is from the same department or division as a regular committee member, or when a committee member requests disqualification for personal bias an alternate member shall be chosen by lot to serve on the regular committee. The Employment Practices Officer shall conduct the strike off procedures and arrange for the selection of alternate committee members.

6. Time Limits: If a Grievant fails to observe the time limits required for the submission of a grievance, the grievance shall be deemed to be settled. However the Faculty Grievance Committee may, at its discretion, extend the time limits under unusual circumstances or when such extensions are deemed to be in the best interest of the University and the Grievant.
7. Representation: At each step of the Grievance Procedure, the Grievant may choose to represent himself, may choose to be represented by another University employee or may elect to secure outside legal representation. The University shall be entitled to utilize the University's legal resources during the grievance process. Administrative costs for processing the grievance shall be borne by the University. Any cost incurred by the Grievant in preparing his case or securing representation shall be borne by the Grievant.
8. Reprisals: No person shall suffer reprisal, harassment or discrimination as a consequence of filing a grievance, appearing on behalf of, representing a grievant, or appearing as a witness.

Approved:

William D. Carlson
President

Procedure if Trustees are involved. STEP 1 and 2 remain the same, STEP 3 is modified, STEP 4 is added.

- c. STEP 3 - Presidential Review. Within fourteen (14) calendar days from receipt of the findings and recommendations, the President or his designee shall provide a written statement to the chairperson of the hearing panel concerning acceptance or non-acceptance of the panel recommendations and their implementation. If a majority of the panel members request a meeting with the President or his designee, such request to be made within seven (7) calendar days after receipt of the President's statement, then the President at his discretion may elect to schedule a meeting with the panel members. The President's final written decision with actions, if any, to be taken, shall be promptly transmitted to the grievant. The President's decision is final subject only to review by the Trustees of the University of Wyoming. The nature of the grievance and its final disposition shall be reported to the Trustees of the University of Wyoming.

- d. STEP 4 - Trustees Review: If a grievant decides to appeal the President's decision to the Trustees of the University of Wyoming he may do so by filing an appeal with the Employment Practices Officer no later than seven (7) calendar days from receipt of the President's decision. The President of the University of Wyoming shall forward the appeal to the President of the Trustees of the University of Wyoming. The Trustees of the University of Wyoming shall decide as soon as possible whether or not to review the grievance. If a decision not to review is made by the Trustees of the University of Wyoming, the President's decision shall be final. If a decision to review is made, the grievance record shall be forwarded to the Trustees of the University of Wyoming by the President of the University of Wyoming. The Trustees of the University of Wyoming, acting as a whole or in committee, whether in open or executive session, shall review the grievance record. The Secretary of the Trustees of the University of Wyoming shall transmit the official decision of the Trustees of the University of Wyoming to the President of the University of Wyoming. The President of the University of Wyoming shall implement the final decision of the Trustees of the University of Wyoming and shall advise the grievant in writing of the final decision.