

FACULTY SENATE
UNIVERSITY OF WYOMING
Laramie, Wyoming

Minutes of the Meeting
of
May 10, 2021

A regular meeting of the University of Wyoming Faculty Senate (FS) was called to order by Chair Rudi Michalak at 3:30 p.m., on May 10, 2021, via Zoom due to social distancing in place because of the COVID-19 pandemic.

The roll was called by Senator and Secretary Treva Sprout Ahrenholtz, with the following senators not in attendance and not represented by official alternate or by proxy: Barker, Borowczak, Bowman, Cain, Crawford, Creel, Guzzo, Harkin, Hodza, Lake, Lebo, Miller, S., Moran, Najadmalayeri, Reiser, Skiba, Stanescu, Tahmasebi, Todd, Urynowicz.

Chair Michalak called for a motion to approve the agenda; motion made, seconded, and carried.

Chair Michalak called for a motion to approve the minutes of May 3, 2021; motion made, seconded, and carried.

Chair Michalak reported on the status of the vaccination effort and budget meetings with President Seidel and the Board of Trustees.

Chair Michalak called for questions on the standing committee annual reports for the following committees: Academic Information Technology; Academic Planning, Budget Planning; Committee on Committees; Faculty Academic Standards, Rights and Responsibilities; Faculty Recognition and Development; Graduate Council; Library Council; Research Advisory; University Course Review; University Reappointment, Tenure and Promotion; and Faculty Athletics Committee (not a standing committee).

Chair Michalak called for ratification of the nominations of standing committee chairs for the next academic year. Ratification seconded and carried.

Chair Michalak called for ratification of the nominations of standing committee members for the given term. Ratification seconded and carried.

Chair Michalak brought to the floor for discussion Senate Resolution 392, "Resolution in Support of General Counsel Proposed UW Regulation 2-13, *Academic Program Reorganization, Consolidation, Reduction and Discontinuance.*" Following discussion, Senate Resolution 392 passed.

Chair Michalak brought to the floor for discussion Senate Resolution 393, "Resolution in Support of Proposed SAPP Accompanying UW Regulation 2-13, *Academic Program Reorganization, Consolidation, Reduction, and Discontinuance.*" Senator Roger Coupal moved, and it was seconded, to add at line 129, "9. The creation of an Office of Student Advocate position within ASUW that is independent of both the respective college and administration so that the student can have effective representation." Following

discussion, the amendment carried. Senator Coupal moved, and it was seconded, at line 145 at the end of the paragraph, "The Provost will provide any necessary resources to fulfill the teach-out process without causing undue time or resource hardships to any other academic units in the respective college or the rest of the university." Following discussion, the amendment carried. Senator Treva Sprout Ahrenholtz moved, and it was seconded, at line 79, to strike "teaching" from the sentence. Following discussion the amendment carried. Senate Resolution 393, as amended, passed.

Chair Michalak brought to the floor for discussion Senate Resolution 390, "Resolution in Support of General Counsel Proposed UW Regulation 9-1, *University Intellectual Property*." Senator Freng moved, and it was seconded, at line 105 and 106 to amend to read "Subject to limited exceptions as described within this Regulation" and to strike "Notwithstanding the provisions below." Following discussion, the amendment passed. Senator Freng moved, and it was seconded, at line 111, to delete "Policies regarding the income distribution related to University Intellectual Property do not apply to works for hire." Following discussion, the amendment passed. Senator Freng moved, and it was seconded, to revise lines 334-340 to read, "All copyrights in Works of Authorship, whose Creators are University personnel, except for software and patentable Intellectual Property, remain with their Creators. The University hereby transfers any copyrights it may own in Works of Authorship to University personnel who prepared the Works of Authorship." Senator Freng moved, and it was seconded, to delete from line 345 "works for hire"; following discussion, amendment passed. Senator Freng moved, and it was seconded, to revise lines 362-370 to read, "The University makes no claim to copyright ownership for noncommissioned academic course materials initiated and completed by academic personnel. The University hereby transfers any copyrights it may own in Academic Course Materials to academic personnel who prepared the Academic Course Materials, except for those prepared with significant University resources and facilities. However, for those created within the employee's scope of duties, the University will claim a nonexclusive, worldwide, royalty-free license for two years after cessation of employment to use the Academic Course Materials for any of the University's teaching and educational purposes as well as for administrative purposes for accreditation." Friendly amendment provided by Senator Nathan Clements. Following discussion, the amendment passed. Senator Freng moved, and it was seconded, to add to line 468, "patentable" before "Intellectual Property" and to revise lines 476-478 to read, "Intellectual Property may be patentable. Certainty about patentability is not required before a disclosure is made. Prior to any verbal or other disclosure of patentable Intellectual Property, whether formal or informal . . ." Following discussion, amendment passed. Senator David Bell moved, and it was seconded, to strike from line 224, "So long as the cumulative net income (i.e., the net income from all years) is less than or equal to five million U. S. dollars (\$5,000,000), then"; and to strike lines 232-255. Following discussion, amendment passed. Senator Todd Cornish moved, and it was seconded, to revise at line 178 to read, "After consultation with the Creator, the University will, at the request of the Creator"; following discussion, the amendment passed. Senator Coupal moved to strike from lines 24-25, "Research done primarily in anticipation of profit is incompatible with the aims of the University. However . . ."; following discussion, amendment passed. Senate Resolution 390, as amended, passed unanimously.

Chair Michalak brought to the floor for discussion, Senate Resolution 391, "Resolution in Support of General Counsel Proposed UW Regulation 9-2, *Indirect Cost Rates and Distribution*." There being no discussion, Senate Resolution 391 passed.

Chair Michalak brought to the floor for discussion, Senate Resolution 394, "Resolution in Support of General Counsel Proposed UW Regulation 1-4, *Shared Governance*." Senator Freng moved for the following amendments: Line 27, add "senior" before "administration"; line 46, strike "This model of"; Line 51, add "The University community supports a Shared Governance model reflecting **Aligning Priorities**. In this model, University constituents align and share priorities through a collaborative and consultative process, which keeps the academic mission of the University at the forefront."; lines 76-80, strike through "Consultation and"; lines 117-119, add "Coming to a shared understanding of these principles, including timely response, will be imperative to the success of Shared Governance on campus." Following discussion, Senator Gregg Cawley moved, and it was seconded, to vote on all these amendments as a group. Carried. Amendments passed. Senate Resolution 394, as amended, passed.

It was moved and seconded to table to the first meeting in September, Senate Resolution 395, "Resolution in Support of Proposed SAPP Accompanying UW Regulation 2-5, *Procedures for Assessing Effective Teaching*." Motion carried.

Chair-Elect Freng thanked Chair Rudi Michalak for his service to the faculty during his tenure as chair of the Faculty Senate; and Chair Michalak thanked Amy Kopp for her service and presented her with a memento from previous Faculty Senate chairs as a retirement gift from the Senate and them.

It was moved, seconded, and carried to adjourn to Executive Session at 6:08 p.m.



Treva Sprout Ahrenholtz, Secretary

Dated: September 3, 2021