

Resolution in Support of Modifications to University Regulations 2-206, 3-1, 4-1, and 4-5

WHEREAS, during the 2024 Wyoming Legislative budget session, lawmakers adopted Footnote 12 to section 0.67 HB0001 House Enrolled Act 50, prohibiting funds from this appropriation to be expended on the office of diversity, equity, and inclusion at the University of Wyoming and any diversity, equity, or inclusion programs, activities, or functions; and

WHEREAS, On March 22, 2024, Gov. Gordon line-item vetoed the “programs, activities, or functions” portion of the footnote, stating the following:

Diversity, equity and inclusion have emerged as critical topics being discussed during this legislative session, highlighting their importance. I recognize the will of the Legislature on this topic and do not seek to undermine it. Nevertheless, I also believe that without this targeted veto, the legislature will have inadvertently put millions of dollars of federal grants that regularly flow to the University at risk. These grants are vital to research and other core purposes of the University, but with the condition that the recipients extend opportunities to participate in to underrepresented and underserved populations, including veterans, people with disabilities, Native Americans, and others. These grant-required inclusion efforts are much broader than LBGTQ+ or others that our Legislature may believe are the only populations for which inclusion efforts are intended. Clearly Wyoming need not pursue any “woke” agenda and I have encouraged the University to drop such nonsense.

and

WHEREAS, following the implementation of this legislation, President Seidel created a working group with members from Faculty Senate, Staff Senate, ASUW, deans, and administrators to provide suggestions on which programs, activities, and functions should be continued, modified, or discontinued and how essential student success and institutional excellence programs, activities, and functions could be organized and funded within the University to make them most effective. In its Final Report to the President, the working group provided a recommended definition of diversity, equity, and inclusion. And

WHEREAS, the University Board of Trustees adopted the definition on May 10, 2024, and voted to close the Office of Diversity, Equity, and Inclusion, effective July 1, 2024, consistent with the legislation. This included defining prohibited efforts as advocating, promoting, or funding a program, activity, or function that:

1. Advantages or disadvantages, or attempts to advantage or disadvantage, an individual or group on the basis of race, color, sex, national origin, gender identity, or sexual orientation, to equalize or increase outcomes, participation or representation as compared to other individuals or groups; or
2. Promotes the position that the action of a group or an individual is inherently, unconsciously, or implicitly biased, privileged or inherently superior or inferior on the basis of color, sex, national origin, gender identity, or sexual orientation.

The statement carves out protections for classroom instruction, research, accreditation, state and federally required equal opportunity policies and non-discrimination training, requirements for access programs (military veterans, Pell Grant recipients, first-generation college students, nontraditional and transfer students, low-income students, individuals with disabilities), private scholarships, student-led organizations, constitutionally protected speech, and *de minimus* administrative activities.

WHEREAS, the closure of the DEI office and the updated guidance on prohibited efforts require modifications of certain University regulations as given below

THEREFORE, BE IT RESOLVED by the Faculty Senate of the University of Wyoming that Faculty Senate supports the adoption of the following regulations, as proposed by the General Counsel

Regulation 2-206 (Superior Student in Education Scholarship Program)

Regulation 3-1 (Administration and Oversight of Athletics)

Regulation 4-1 (Equal Education and Employment Opportunity)

Regulation 4-5 (Standard Administrative Policies and Procedures – Equal Opportunity)

AUTHENTICATION: The foregoing Faculty Senate Resolution 471, as amended, duly adopted by the Faculty Senate of the University of Wyoming under date of October 21, 2024, is hereby transmitted to the President of the University of Wyoming for review in accordance with UW Regulations.

A handwritten signature in blue ink, reading "Treva E Sprout Ahrenholtz". The signature is written in a cursive, flowing style.

Treva E Sprout Ahrenholtz
Secretary, Faculty Senate
Dated: October 23, 2024