

**THE UNIVERSITY OF WYOMING**  
**BOARD OF TRUSTEES' REPORT**  
**MARCH 3-5, 2011**

**The Final Report can be found on the University of Wyoming Board of Trustees website at  
<http://uwadmweb.uwyo.edu/trustees>**

## **University of Wyoming Mission Statement (March 2009)**

The University of Wyoming aspires to be one of the nation's finest public land-grant research universities. We serve as a statewide resource for accessible and affordable higher education of the highest quality; rigorous scholarship; technology transfer; economic and community development; and responsible stewardship of our cultural, historical, and natural resources.

In the exercise of our primary mission to promote learning, we seek to provide academic and co-curricular opportunities that will:

- Expose students to the frontiers of scholarship and creative activity and the complexities of an interdependent world;
- Ensure individual interactions among students, faculty, and staff;
- Nurture an environment that values and manifests diversity, free expression, academic freedom, personal integrity, and mutual respect; and
- Promote opportunities for personal growth, physical health, athletic competition, and leadership development for all members of the University community.

As Wyoming's only university, we are committed to outreach and service that extend our human talent and technological capacity to serve the people in our communities, our state, the nation, and the world.

The primary vehicles for identifying the specific actions and resource allocations needed to accomplish this complex mission are the University's strategic plans, revised periodically.

**TRUSTEES OF THE UNIVERSITY OF WYOMING AGENDA**  
**March 3-5, 2011**

**WORK SESSIONS**

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**BUSINESS MEETING**

**Roll Call**

**Approval of Board of Trustees Meeting Minutes**

January 20-22, 2011

**Approval of Executive Session Meeting Minutes**

January 20-22, 2011

**Reports**

ASUW  
Staff Senate  
Faculty Senate

**Public Testimony**

**Committee of the Whole**

REGULAR BUSINESS

1. Board Committee Reports
  - A. Academics and Research (Allen) – Trustee Palmerlee, Committee Chair ..... 10
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Trustee Rochelle, Committee Chair .....

CONSENT AGENDA

1. Approval of Contracts and Grants, Gern .....
2. Personnel, Allen.....
3. Approval of Revisions to UW Regulations:
  - a. Approval of Revisions to UW Reg 4-2 §E, “Conflict of Interest/Conflict of Commitment”, and Deletion of UW Reg 4-172, “Conflicts of Commitment”, Weidel/Frost.....
  - b. Approval of Revisions to UW Reg 8-254, “Degree Revocation”, Allen.....

4. Approval of Reappointment of External Audit Firm, Lowe.....	57
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**New Business**

**Date of Next Meeting** – May 4-6, 2011; Laramie Wyoming

**Adjournment**

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**Information Only Items (see tab):**

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4. State Matching Funds for Endowments, Buchanan .....	106
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**AGENDA ITEM TITLE: Proposed FY 2012 Fee Increase, Vinzant**

CHECK THE APPROPRIATE BOX(ES):

- Work Session  
 Education Session  
 Information Item  
 Other           Specify: Committee of the Whole (Consent Agenda)

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

The Trustees of the University of Wyoming, a constitutional body, are responsible for the “management of the university” (Wyoming Constitution, Article 7, 17). UW Regulation 8-1 stipulates that “all student fees, charges, refunds and deposits shall be fixed by resolution of the Trustees and shall be published in the appropriate university publications.”

The Board adopted a two-year program of fees for FY 2011 and FY 2012 at the January 2010 Board of Trustees meeting. Subsequent to the Board’s approval of the 2 year fee program, the legislature adopted benefit program changes that increased expenditures in both Section I and Section II budgets. The Section I increases will be covered by supplemental appropriations. Section II budgets supported by fees must be adjusted as well.

This item (together with the associated Fee Book publication) presents recommended increases for all Mandatory and Non-Mandatory Fees for the University of Wyoming for FY 2012. Actual numbers for the proposed new fees will be distributed ahead of the March meeting.

**Mandatory Fees**

The mandatory fees assessed on all students on the Laramie campus support a variety of self-sustaining programs. The proposed increases for FY 2012 will be used to fund operating cost increases (e.g., employer contribution for health insurance premiums and retirement).

**Non-Mandatory Fees**

Non-Mandatory Fees are charged to cover the cost of providing services to individuals who choose (but are **not** required) to purchase these services from the University.

**Other Non-Mandatory Fees**

All other non-mandatory fee changes are outlined in the Fee Book publication.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

- January 2010 – Board approved fee changes for FY 2011 and FY 2012
- November 2010 – Board approved FY 2011-2012 Biennium Supplemental Budget Request for Section I insurance cost increases
- January 2011 – Board briefed on need for fee increase to cover Section II insurance cost increases

**WHY THIS ITEM IS BEFORE THE BOARD:**

The Board of Trustees authorizes all University fees and charges.

**ARGUMENTS IN SUPPORT:**

The proposed increases support necessary cost increases (e.g., group health insurance and retirement contributions that are consistent with those of employees funded through the Section I Budget). ASUW has been briefed regarding the need for the proposed increases.

**ARGUMENTS AGAINST:**

None

**ACTION REQUIRED AT THIS BOARD MEETING:**

Approval of the Mandatory and Non-Mandatory Fees for FY 2012 as presented in this item and the Fee Book.

**PRESIDENT'S RECOMMENDATION:**

The President recommends that the Trustees of the University of Wyoming approve the Mandatory and Non-Mandatory Fees for FY 2012 as presented in this item and the Fee Book.

**AGENDA ITEM TITLE: FY 2012 Operating Budget Update, Vinzant**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other            Specify: Committee of the Whole (Consent Agenda)

Vice President for Administration Douglas Vinzant will provide the Board with an update on the operating budget for Fiscal Year 2012. Materials will be distributed at the meeting.

**AGENDA ITEM TITLE: Campus Safety, Axelson/Collins**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other            Specify:

Vice President for Student Affairs Sara Axelson and Associate Vice President for Operations Mark Collins will provide the Board with an update on practices and programs enhancing the safety of our university community.

**AGENDA ITEM TITLE: Legislative Update, Richards**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other            Specify:

Don Richards, Director of Governmental and Community Affairs, will provide an update to the Board of Trustees. Materials may be distributed at the meeting. The 2011 Legislative Session commenced Tuesday, January 11, 2011, and is scheduled to conclude Thursday, March 3, 2011.

**AGENDA ITEM TITLE: Tenure and Promotion Overview, Allen**

**CHECK THE APPROPRIATE BOX(ES):**

- Work Session  
 Education Session  
 Information Item  
 Other           Specify:

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

The Office of Academic Affairs will review the University of Wyoming's policies and practices associated with reappointment, tenure, promotion, and extended terms for faculty members and academic professionals.

UW's system of tenure-track and tenured contracts is similar to systems in place at nearly every public research university in the United States:

- UW fills faculty positions through national and international searches for people who hold the terminal degree (typically the Ph.D.) in their fields.
- Faculty members undergo a probationary period of annual reappointment reviews. The standard probationary period is six years, and the reviews consist of department-, college-, and university-level reviews of faculty members' performance in teaching, research, and other job duties by both peers and administrators. Each review can result in reappointment or a terminal contract.
- At the end of the probationary period, a faculty member who has sustained positive reappointment decisions can apply for tenure. Tenure is a contract without an ending date that can be terminated only for reasons enumerated in UW's regulations.
- A positive tenure decision requires strong positive performance reviews at the department, college, and university level, as well as strong supporting letters from recognized, accomplished peers in the faculty member's discipline.
- Certain academic professionals and some categories of faculty members (librarians and archivists) undergo analogous review processes and have similar promotion ladders but are eligible to apply for extended-term contracts with ending dates (typically six years in length) instead of tenured contracts.

Each March, the Board considers a slate of positive first-year reappointment recommendations forwarded by the Office of Academic Affairs. Each May, the Board considers a slate of (1) other positive reappointment recommendations, (2) positive tenure and extended term recommendations, and positive promotion recommendations forwarded by Academic Affairs. In addition, in May the Board receives a confidential briefing on cases not advanced for positive consideration.

**ACTION REQUIRED AT THIS BOARD MEETING:**

This topic requires no action at this meeting.



**AGENDA ITEM TITLE:**

**Construction Contracts – War Memorial Stadium Improvements, Vinzant**

**CHECK THE APPROPRIATE BOX(ES):**

- Work Session  
 Education Session  
 Information Item  
 Other           Specify: Committee of the Whole (Consent Agenda)

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

The improvements to the War Memorial Stadium will be further enhanced with repairs and improvements to the parking area east of the stadium. The construction documents have been prepared, and the project has been put out to bid. The project is a design-bid-build delivery method with preference given to Wyoming contractors.

The project includes creating a paved parking lot with 660 parking spaces ranging from standard vehicle parking to spaces for larger vehicles such as recreational vehicles. Accessible or handicapped parking spaces and bicycle racks are included in the design. In addition to the paving, the lot will include curb and gutter, sidewalks, landscaping and lighting to meet requirements of the City of Laramie. The pedestrian and bicycle path along the south border is also retained.

Paving the lot will increase the surface water runoff. Tailgate Park and the practice field will be regraded to provide an overflow detention pond that will hold excess surface water during the heavy rains that will drain into the Laramie storm sewer as conceived by the 1985 East Campus Drainage Plan.

The regrading, resodding, and creation of the detention pond and surface water drainage system constitute Phase I of the project. Phase II is comprised of the paving, concrete curbs and walks, and landscaping. The project will begin in early spring with Phase I. Phase II will be complete prior to the first home football game in Fall 2011.

The bidding was publicly advertised with bids to be received by February 22, 2011. The recommended contractor for each phase of the work will be presented at the March meeting of the Board of Trustees.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

None

**WHY THIS ITEM IS BEFORE THE BOARD:**

Authorization is required from the Board of Trustees to contract for the construction of the War Memorial Stadium Parking Lot and related drainage system improvements.

**ARGUMENTS IN SUPPORT:**

The funding is available through internal allocations of funds by the Athletics Department and the Vice President for Administration.

**ARGUMENTS AGAINST:**

None

**ACTION REQUIRED AT THIS BOARD MEETING:**

Authorization to contract with the recommended contractor or contractors for the construction of Phase I and Phase II of the War Memorial Stadium Parking Lot.

**PRESIDENT'S RECOMMENDATION:**

The President recommends that the Board of Trustees of the University of Wyoming authorize the contracting with the recommended contractor or contractors for Phase I and Phase II of War Memorial Stadium Parking Lot.

**AGENDA ITEM TITLE: Construction Management, Vinzant**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

Vice President for Administration Douglas Vinzant will provide the Board with information regarding the Board of Trustees' role in construction management at the University of Wyoming. Materials will be distributed at the meeting.

**AGENDA ITEM TITLE: Housing Update, Vinzant**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

Vice President for Administration Douglas Vinzant will provide the Board with an update on the student housing situation at the University of Wyoming.

**AGENDA ITEM TITLE: Capital Facilities Plan Briefing, Vinzant**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

Vice President for Administration Douglas Vinzant will brief the Board regarding the University of Wyoming's Capital Facilities Plan.

**AGENDA ITEM TITLE: Casper College/UW Joint Facility, Vinzant/Weidel**

**CHECK THE APPROPRIATE BOX(ES):**

- Work Session  
 Education Session  
 Information Item  
 Other           Specify: Committee of the Whole (Consent Agenda)

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

The University of Wyoming (UW) and Casper College (CC) have agreed to construct a joint facility on the Casper College campus in Casper. The \$32 million dollar facility will be funded equally by UW and CC. UW will make a \$16 million contribution through a \$6 million cash contribution generated from historic federal mineral royalty payments and from a \$10 million dollar issuance of revenue bonds authorized by Legislature. CC will make a \$16 million contribution based on the general obligation (G.O.) bonds that were approved by the voters in Natrona County. The Lease Agreement is in final form and was approved by the Casper College Board of Trustees in late February. The UW Trustees are being asked to approve the Lease Agreement at this Board meeting. It is anticipated that CC President Walt Nolte and a member of his Board will attend the UW Board meeting to discuss the joint facility with the Trustees.

The terms of the Lease Agreement include:

1. UW will have exclusive use of 2 floors of the proposed 4-story building. UW's space will be used primarily for offices and classrooms.
2. UW will have access to shared space in the facility (student union, bookstore) and may allow CC use of UW's exclusive classroom space based on the scheduling needs of both parties.
3. Casper College will grant UW a 50-year lease for UW's \$16 million contribution. The Lease also includes two 5-year extensions at the conclusion of the 50 year lease at terms to be negotiated by the parties.
4. Both UW and CC must agree on the project design specifications and the cost. If either party requires special changes, that party will be responsible for the additional costs unless the parties agree that a 50/50 cost share is appropriate.
5. Casper College will have primary responsibility for all elements of the construction with input and collaboration from UW.
6. UW will have the opportunity to approve all furnishings, fixtures, and equipment (FFE) for both UW space and shared space.
7. UW and CC will agree to on-going, shared operating and maintenance costs in a separate agreement.
8. No fault termination provisions (from year 1 to year 50) will require a schedule of cost reimbursements from CC based on UW's contributions to the project.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

- December 2010 – Friday update to the Board on the proposed facility;
- January 2010 – Discussion of Joint Facility and Bond Financing;
- July 2009 – Discussion of UW budget request for funding of joint facility;
- January 2009 – Discussion regarding the UW/Casper College joint facility and future budget request.

**WHY THIS ITEM IS BEFORE THE BOARD:**

Board approval of the Lease Agreement is necessary to authorize UW and Casper College to move the project forward.

**ARGUMENTS IN SUPPORT:**

- The joint UW/CC facility will provide new and better space for UW classes and students and will forge a stronger bond between UW and CC for many years to come.
- UW has outgrown the Poplar Street facility and will sell the facility once the new structure is complete.

**ARGUMENTS AGAINST:**

None

**ACTION REQUIRED AT THIS BOARD MEETING:**

Approval of the Lease Agreement between UW and Casper College.

**PRESIDENT'S RECOMMENDATION:**

The President recommends approval of the Lease Agreement.

**1. Committee of the Whole: REGULAR BUSINESS**  
**Board of Trustees Committee Reports**

CHECK THE APPROPRIATE BOX(ES):

- Work Session  
 Education Session  
 Information Item  
 Other      Specify: Committee of the Whole (Regular Business)

**A. Academics and Research Committee (Allen)**

Trustee Palmerlee, Committee Chair

**B. Fiscal and Legal Affairs Committee (Vinzant)**

Trustee Haynes, Committee Chair

**C. Student Affairs/Athletics/Administration/Information Technology Committee (Axelson)**

Trustee Rochelle, Committee Chair

**1. Committee of the Whole- CONSENT AGENDA**  
**Approval of Contracts and Grants, Gern**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other            Specify: Committee of the Whole (Consent Agenda)

**Sponsored Programs**

The following sponsored programs are accepted subject to compliance with the University's policies on classified information and protection of human subjects. This report covers December 2010 and January 2011.

**December 2010**

<b>Sponsor</b>	<b>Amount</b>	<b>Principal Investigator (PI)</b>	<b>Co-PI</b>	<b>Dept</b>	<b>Description</b>
Calgary, Univ of	\$80,000	Schatzl, Hermann		Veterinary Sciences	Prions and peripheral nervous system
Charles F. Kettering Foundation	\$5,000	Porter, Christine		Physical/Health Ed	Community Poliltics and leadership in Community Health
CO, Univ of	\$10,000	Cooper, Christa M	Clark, Suzanne & Schatz, Mona S. & Krueger, Kem P.	Social Work	WY Occupational Hwy Fatalities & EMS Accessibility
Cold Spring Harbor	\$446,061	Sylvester, Anne		Molecular Biology	Protein Markers/Maize Cell
Corporation Public Broadcasting	\$71,047	Schwartz,Jon		Wyoming Public Radio	Station Grant 2011
General Electric	\$40,000	Ackerman, John F		Chemical/Petroleum Engr	Magnetohydrodynamic (MHD) of engine afterburners
MN, Univ of	\$8,333	Pierre, John W.		Electrical Engineering	Electric Power Education Consortium
MT State Univ	\$31,250	Lake, Scott	Moss, Gary	Animal Sciences	Alternatives to traditional confinement and concentrate feeding programs that benefit both the rumin
NE, Univ of	\$29,930	Smutko, Leonard		Institute of Environmental & Natural Resources	Public Deliberation CoP
St. Louis Zoological Park	\$9,993	Goheen, Jacob		Zoology	Consequences of landscape change and potential solutions for improvement of hirola and lesser kudu range in Eastern Keyna.
US Dept Ag ARS	\$89,063	Johnson, Patrick A		Chemical/Petroleum Engr	Development of Biosensors for the Detection of Arboviruses
US Dept Ag NIFA	\$279,200	Andrews, Gerard		Veterinary Sciences	Biomedical countermeasures against brucellosis in wild and domestic hosts
US Dept Ed	\$18,484,107	Aagard, Tammy L.		Student Financial Aid	Direct Student Loan 10-11
US Dept Ed	\$500	Aagard, Tammy L.		Student Financial Aid	Teacher Ed Assistance/College
US Dept Ed	\$146	Aagard, Tammy L.		Student Financial Aid	Academic Competitive Grant
US Dept Ed	\$7,709	Aagard, Tammy L.		Student Financial Aid	Pell Grant 10-11
US Dept Energy	\$12,699	Frost, Carol		Geology	Carbon Sequestration



<b>Sponsor</b>	<b>Amount</b>	<b>Principal Investigator (PI)</b>	<b>Co-PI</b>	<b>Dept</b>	<b>Description</b>
US Dept Health & Human Services HRSA	\$73,552	Hart, Ann Marie		Nursing	Advanced Education Nursing Grants
US Dept Health & Human Services NIH	\$278,921	Woodbury, Charles		Zoology	Nociceptor Maturat-Rspn Injury
US Dept Health & Human Services NIH Gen Med Sci	\$282,560	Fay, David		Molecular Biology	Rb family proteins
US Dept Health & Human Services SAM	\$13,671	Wambeam, Rodney		WY Survey & Analysis Center	Lifesavers Initiative
US Nat'l Aeronautics & Space Admin	\$113,272	Wang, Zhien		Atmospheric Science	Study mixed-phase clouds with the A-train data
US Small Business Administration	\$676,723	Wolverton, Diane		Small Business Development Center	Small Business Development Center
Various Sponsors	\$314	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	Fee Book Income
Various Sponsors	\$224	Parker, Sylvia D.		Science & Mathematics Teaching Ctr	Support
Various Sponsors	\$1,613	Redder, Alan		WY Natural Diversity Database	Database Management
Various Sponsors	\$21,700	Mesbah, Abdelouhab		Plant Sciences	Crop-weed Research
Various Sponsors	\$150	Krall, James		Plant Sciences	Sustainable Crop Research
WY Arts Council	\$10,000	Moldenhauer, Susan		Art Museum	Sculpture: A Wyoming Invitational, Public Art in Laramie
Wy Dept Family Services	\$408,025	Wardlaw, Mary		Family/Consumer Sci	Wyoming 3-Year SNAP-Ed Plan
WY Dept Health	\$21,375	Costello, Humphrey John	Jenniges, Reese	WY Survey & Analysis Center	Wyoming Quit Tobacco Program Evaluation

<b>Sponsor</b>	<b>Amount</b>	<b>Principal Investigator (PI)</b>	<b>Co-PI</b>	<b>Dept</b>	<b>Description</b>
WY Dept Health	\$55,000	Martin, Linda Gore	Woods, Tonja Marie	Pharmacy	Improving health literacy through medication management in older adults
WY Dept Health	\$80,000	Beshkov, Hristiyan		WY Survey & Analysis Center	Support for the Third Iteration of the WYCST System
WY Dept Health	\$84,439	Anastasia, Trena		WY Survey & Analysis Center	Wyoming Youth Suicide Prevention Initiative Evaluation FY 2011
WY Dept Insurance	\$294,000	Gantenbein, Rex		Center for Rural Health Research & Ed	Health Insurance Exchange Feasibility Study
WY Dept Transportation	\$22,500	Ksaibati, Khaled		Civil Engineering	Wyoming LTAP (Local Technical Assistance Program) Center
WY Dept Transportation	\$218,750	Ksaibati ,Khaled		Civil Engineering	Wyoming Technology Transfer Center
WY Game & Fish	\$10,000	Berendsen, Margo Elizabeth		WY Geographic Info Sci Ctr	Continued enhancements to WER-GIS (DSS) and HAEP-DSS
WY Humanities Council	\$8,760	Connolly, Catherine R.		Woman's Studies	10 Year Follow Up on Afghan Women's Project
WY Victims Services	\$88,800	Beshkov, Hristiyan		WY Survey & Analysis Center	WyoSafe Enhancement 2011

**Sponsored Programs**

**TOTAL 12/2010** \$22,369,386

**Total From 7/2010** \$9,673,576

**Total From 8/2010** \$8,024,448

**Total From 9/2010** \$12,394,036

**Total From 10/2010** \$18,894,822

**Total From 11/2010** \$4,536,961

**Total Year to Date** **7/2010-12/2010** **\$75,893,228**

**INSTITUTIONAL AWARDS WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY FISCAL YEAR 2011**

Gern, William & Ballard, Robert	VP Research	High Plains Gasification	WY Dept Environmental Quality	\$5,000,000.00
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Northam, Mark A.	School of Energy Resources	Advancement of Energy Resources	WY Dept Environmental Quality	\$15,400,000.00
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Ballenger, Nicole Susan	Provost	ARRA Academic Purposes Fund SFSF	WY, State of	\$5,200,000.00
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Northam, Mark A.	School of Energy Resources	Clean Coal Technology	WY, State of	\$677,519.00
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			<b>TOTAL Inst 12/2010</b>	<u><u>\$26,277,519</u></u>
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			<b>GRAND TOTAL</b>	<b>\$102,170,747</b>
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**January 2011**

<b>Sponsor</b>	<b>Amount</b>	<b>Principal Investigator (PI)</b>	<b>Co-PI</b>	<b>Dept</b>	<b>Description</b>
Academy of Applied Science	\$7,800	Lyford, Mark		Botany	Wyoming-Eastern Colorado Junior Science & Humanities Symposium 2011
Ahlstrom Filtration	\$20,653	Brant, Jonathan		Civil Engineering	Performance Evaluation of the NanoCeram-PTM Series Filter for Removing Nanoparticle Foulants from Microfiltration (MF) Filtrate: Quantifying Improvements to MF Process Efficiency.
Amer Society of Plant Taxonomists	\$9,500	Brown, Gregory		Botany	Operational Support
America View	\$25,000	Sivanpillai, Ramesh		WY Geographic Info Sci Ctr	WyomingView - 2008-09
American Diabetes Assoc	\$22,500	Ren, Jun		Pharmacy	Diabetic Cardiomyopathy
CAMECO (Power Resources)	\$2,998	Taylor, David T.	Foulke, Thomas K. & Coupal, Roger H.	Ag & Applied Economics	Economic Impact Analysis for Cameco Resources
DuPont	\$30,000	Mealor, Brian		Plant Sciences	Weed Management Strategies for Reclamation
Foundation for Informed Med Decision Making	\$8,652	Anastasia, Trena		WY Survey & Analysis Center	Focus Groups for Medical Decision Making Aids
NASA	\$230,000	Johnson, Paul E.		Physics	Wyoming NASA Space Grant Consortium 2010 Proposal
National Institute of Neurology	\$248,299	Flynn, Francis		Zoology	Neuropeptide Regulation of Neurohypophyseal function
Northeastern Univ	\$17,294	Whitman, David	Hamann, Jerry C.	Electrical Engineering	Self-Efficacy and Retention in Engineering
OR, State of	\$180,000	Butler, Steven		WY Survey & Analysis Center	Oregon Healthy Teen (OHT) Survey

<b>Sponsor</b>	<b>Amount</b>	<b>Principal Investigator (PI)</b>	<b>Co-PI</b>	<b>Dept</b>	<b>Description</b>
Project Orianne	\$3,000	Keinath, Douglas		WY Natural Diversity Database	Investigating the Status of the Midget Faded Rattlesnake in Wyoming.
TD Williamson	\$2,000	Walrath, David	Perry III, Marvin C.	Mechanical Engineering	Creep Rupture Tests
US Dept Ed	\$16,500	Aagard, Tammy L.		Student Financial Aid	Teacher Ed Assistance/College
US Dept Ed	\$78,965	Aagard, Tammy L.		Student Financial Aid	Academic Competitive Grant
US Dept Ed	\$2,000	Aagard, Tammy L.		Student Financial Aid	Ntl Science/Math Access
US Dept Ed	\$4,607,035	Aagard, Tammy L.		Student Financial Aid	Pell Grant 10-11
US Dept Energy	\$1,057	Pereira, Luis F	Frost, Carol D. & Myers, James D. & Sharma, Shikha & Campbell-Stone, Erin Aubrey & Snoke, Arthur W. & Kaszuba, John P. & Piri, Mohammad & Mallick, Subhashis & Zhang, Ye	Mathematics	Carbon Sequestration
US Dept Interior USGS	\$71,870	Chen, Po		Geology	Full-3D waveform tomography for Northern California
US Dept of Defense Air Force ROTC	\$84,993	Aagard, Tammy L.		Student Financial Aid	Air Force ROTC Scholarship
US Dept of Defense Army ROTC	\$90,690	Aagard, Tammy L.		Student Financial Aid	Army ROTC Scholarship 09-10
US Dept of Defense ONR	\$6,869	Legleiter, Carl		Geography	Remote sensing of rivers
US Dept of Defense ONR	\$41,831	Wang, Liqiang		Computer Science	Continuously Monitoring and Checking Software in the Era of Multicore Systems
Various Sponsors	\$8,259	Wolverton, Diane		Small Business Development Center	Program Income for PTAC Gro-Biz for Proposal number 1000740
Various Sponsors	\$1,659	Wolverton, Diane		Small Business Development Center	Program Income for SBDC and match to 1000148

<b>Sponsor</b>	<b>Amount</b>	<b>Principal Investigator (PI)</b>	<b>Co-PI</b>	<b>Dept</b>	<b>Description</b>
Various Sponsors	\$1,277	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	Fee Book Income
Various Sponsors	\$638	Ford, Stephen		Animal Science	Fetal Programming
Various Sponsors	\$24,939	Lake, Scott		Animal Science	Research Laboratory Expenses
Various Sponsors	\$227	MacLean, William		Wyoming Institute for Disabilities	UAP Core Projects
Various Sponsors	\$4,250	MacLean, William		Wyoming Institute for Disabilities	UAP Training
Various Sponsors	\$150	Clarke, Pamela		Nursing	Various Nursing Schools Program Development
Various Sponsors	\$225	Redder, Alan		WY Natural Diversity Database	Database Management
Various Sponsors	\$200	Hamerlinck, Jeffrey		WY Geographic Info Sci Ctr	Spatial Data & Visualization Center
Various Sponsors	\$2,000	McDonald, David		Zoology	Microsatellite DNA Analysis of Black Bears
WA, Univ of	\$261	McEchron, Matthew	Hubbell, Colleen	WWAMI	WY Area Health Ed Center (AHEC) Model States
WY Dept Agriculture	\$12,060	Edwards, Jeffrey		Cooperative Extension Services	High Tunnel Construction and use for specialty food production
WY Dept Agriculture	\$34,339	Mesbah, Abdelouhab		Plant Sciences	High Tunnels Vegetable Production
WY Dept Environmental Quality	\$985,000	Clennan, Edward		Chemistry	Acquisition of a 600MHz High Field Nuclear Magnetic Resonance (NMR) Instrument
WY Dept Health	\$100,000	Westlake, Laura Lea		Wyoming Institute for Disabilities	Early Childhood Vision Screening
WY Dept Transportation	\$271,592	Ksaibati, Khaled		Civil Engineering	Comparing Crash Trends and Severity in the Northern Rocky Mountain Region
WY Victims Services	\$44,300	Worley, Trisha Lynn		WY Survey & Analysis Center	DVS Needs Assessment
Wyoming Children's Action Alliance	\$2,160	Kline, Jill		Small Business Development Center	Instructional services pertaining to the Pathway Program
Wyoming Humanities Council	\$7,500	Garrison, Jean		International Studies	General Support for speaker series and graduate assistant

**TOTAL 1/2011**                      \$7,310,542

**Total From 7/2010**                \$9,673,576

**Total From 8/2010**                \$8,024,448

**Total From 9/2010**                \$12,394,036

**Total From 10/2010**               \$18,894,822

**Total From 11/2010**               \$4,536,961

**Total From 12/2010**               \$22,369,386

**Total Year to Date**            7/2010-1/2011                      \$83,203,770

**INSTITUTIONAL AWARDS WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY FISCAL YEAR 2011**

Gern, William & Ballard, Robert	VP Research School of Energy Resources	High Plains Gasification Advancement of Energy Resources	WY Dept Environmental Quality	\$5,000,000
Northam, Mark A. Ballenger, Nicole Susan	Provost	ARRA Academic Purposes Fund SFSF	WY, State of Quality	\$15,400,000.00
Galey, Francis	Ag Dean School of Energy Resources (SER)	Wyoming Reclamation and Restoration Center Clean Coal Technology	WY, State of WY Dept Environmental Quality	\$5,200,000.00
Northam, Mark A.	School of Energy Resources	WY-CUSP	WY, State of WY Dept Environmental Quality	\$666,000.00
Northam, Mark A.	School of Energy Resources	Clean Coal Technology 2010 (FY11)	WY Dept Environmental Quality	\$677,519.00
Northam, Mark A.	School of Energy Resources		WY Dept Environmental Quality	\$45,000,000.00
				\$2,883,103.00

**TOTAL Inst 1/2011**                      \$74,826,622

**GRAND TOTAL**            \$158,030,392

## 2. Committee of the Whole- CONSENT AGENDA

### Personnel, Allen

CHECK THE APPROPRIATE BOX(ES):

- Work Session  
 Education Session  
 Information Item  
 Other           Specify: Committee of the Whole (Consent Agenda)

### A. Items for Action Recommended by the President

#### APPOINTMENTS

##### 1. Faculty

It is recommended to the Trustees of the University of Wyoming that the following faculty appointments be approved as indicated.

#### College of Health Sciences

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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##### *Family Medicine Residency Program - Casper*

<b>Cornelius, Maria Anne</b>	Clinical Assistant Professor	\$151,008/FY	12/30/2010 to 06/30/2011
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Maria Cornelius received a B.S. (1993) in Biology and Environmental Management from South Dakota State University, an M.S. (2003) in Basic Biomedical Sciences from The University of South Dakota, and an M.D. (2007) from Ben Gurion University of the Negev, Beer Sheva, Israel. Dr. Cornelius completed her residency at the Family Medicine Residency Program in Casper.

##### 2. Academic Professionals

It is recommended to the Trustees of the University of Wyoming that the following extended-term-track academic professional appointments be approved as indicated.

#### College of Agriculture and Natural Resources

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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##### *Cooperative Extension Service*

<b>Stewart, Whitney C.</b>	Assistant Extension Educator	\$47,016/FY	01/10/2011 to 06/30/2011
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Whitney Stewart received a B.S. (2008) in Agricultural Education Composite from Brigham Young University-Idaho and an M.S. in Animal Science (2010) from Oregon State University. Mr. Stewart has been a graduate research assistant on the USDA selenium project since 2009.

#### College of Health Sciences

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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##### *Division of Social Work*

<b>Theobald, Joanne T.</b>	Assistant Lecturer	\$48,180/FY	01/10/2011 to 06/30/2011
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Joanne Theobald received a B.A. (1984) in Social Work from Colorado State University, and an M.S.W. (2001) from the University of Wyoming. Ms. Theobald has been a counselor at Casper College since 2003.



## FIRST-YEAR TENURE-TRACK REAPPOINTMENTS

### 1. Faculty

It is recommended to the Trustees of the University of Wyoming that the reappointments for the following first-year tenure-track faculty be approved as indicated. Consistent with Trustees' Regulation V.D and University Regulation 803.3.e.ii, the reappointments are through the third year of employment, with the next reappointment review scheduled for Spring 2012.

#### College of Agriculture and Natural Resources

<u>Name</u>	<u>Rank</u>
<i>Department of Molecular Biology</i>	
Gatlin, Jesse C.	Assistant Professor
<i>Department of Renewable Resources</i>	
Hufford, Kristina M.	Assistant Professor
Murphey, Melanie A.	Assistant Professor
<i>Department of Veterinary Sciences</i>	
Miller, Myrna M.	Assistant Professor
Schumaker, Brant A.	Assistant Professor

#### College of Arts & Sciences

<u>Name</u>	<u>Rank</u>
<i>American Studies Program</i>	
Soto, Lilia	Assistant Professor
<i>Department of Anthropology</i>	
Toulson, Ruth E	Assistant Professor
<i>Department of Chemistry</i>	
Leonard, Brian M.	Assistant Professor
<i>Department of Communication &amp; Journalism</i>	
Landreville, Kristen D.	Assistant Professor
<i>Department of English</i>	
Baskin, Jason	Assistant Professor
<i>Department of Geography</i>	
Chen, Yi-Ling	Assistant Professor
<i>Department of Music</i>	
McGee, Blake A.	Assistant Professor
<i>Department of Political Science</i>	
Aiken, Nevin T.	Assistant Professor
<i>Department of Psychology</i>	
Laurent, Heidemarie K.	Assistant Professor

*Department of Sociology*

Painter, Matthew A. Assistant Professor

*Department of Zoology & Physiology*

Goheen, Jacob R. Assistant Professor

*Gender and Women's Studies*

Dewey, Susan C. Assistant Professor

Pafunda, Danielle M. Assistant Professor

*International Studies Program*

Watson, Marcus D. Assistant Professor

*Religious Studies Program*

DeNapoli, Antoinette E. Assistant Professor

**College of Business**

Name

Rank

*Department of Management & Marketing*

Myrowitz, Jason Instructor

Stevens, Charles E. Assistant Professor

**College of Education**

Name

Rank

*Department of Educational Studies*

Shim, Jenna M. Assistant Professor

*Department of Professional Studies*

Holt, Kara L. Assistant Professor

Range, Bret G. Assistant Professor

Scherz, Susan D. Assistant Professor

*Department of Elementary & Early Childhood Education*

Forrester, Jennifer H. Assistant Professor

Han, Keonghee Tao Assistant Professor

**College of Engineering and Applied Science**

Name

Rank

*Department of Chemical & Petroleum Engineering*

Holles, Joseph Associate Professor

Oakey, John S. Assistant Professor

*Department of Computer Science*

Ulinski, Amy C. Assistant Professor

*Department of Mechanical Engineering*

Han, Chung-Souk Associate Professor

### **College of Health Sciences**

Name

Rank

*Division of Kinesiology and Health*

Porter, Christine M.

Assistant Professor

Readdy, Ryan T.

Assistant Professor

*Division of Social Work*

Kim, Wook-Jin

Assistant Professor

Mahapatra, Neely

Assistant Professor

*School of Nursing*

Thomas, Jenifer Jo

Assistant Professor

### **College of Law**

Name

Rank

Young, Stewart M.

Assistant Professor

## FIRST-YEAR EXTENDED-TERM-TRACK REAPPOINTMENTS

### 1. Academic Professionals

It is recommended to the Trustees of the University of Wyoming that the reappointments for the following first-year extended-term-track academic professionals be approved as indicated. The reappointments are through the third year of employment, with the next reappointment review scheduled for Spring 2012.

#### College of Agriculture and Natural Resources

<u>Name</u>	<u>Rank</u>
<i>Cooperative Extension Service</i>	
<b>Saenz, Diane</b>	Assistant Extension Educator
<i>Department of Animal Science</i>	
<b>Molle, Joseph Cody</b>	Assistant Research Scientist
<i>Department of Molecular Biology</i>	
<b>Jones, Justin A.</b>	Associate Research Scientist
<i>Department of Plant Sciences</i>	
<b>Obour, Augustine</b>	Research Scientist

#### College of Arts & Sciences

<u>Name</u>	<u>Rank</u>
<i>Department of Botany</i>	
<b>Wright, Brianna R</b>	Assistant Lecturer
<i>Department of Communication &amp; Journalism</i>	
<b>Cram, Travis J.</b>	Assistant Lecturer
<i>Department of Geography</i>	
<b>Albeke, Shannon E.</b>	Assistant Research Scientist
<b>Harty, John Patrick</b>	Assistant Lecturer
<i>Department of Music</i>	
<b>Sinift, Sherry L.</b>	Assistant Lecturer

## FIRST-YEAR EXTENDED-TERM-TRACK REAPPOINTMENTS

### College of Arts & Sciences

<u>Name</u>	<u>Rank</u>
<i>Department of Music</i>	
<b>Williamson, Brad A.</b>	Assistant Lecturer
<i>Department of Psychology</i>	
<b>Laurent, Sean M.</b>	Assistant Lecturer

### College of Engineering and Applied Science

<u>Name</u>	<u>Rank</u>
<i>Dean's Office</i>	
<b>Erikson, Robert G.</b>	Assistant Lecturer
<i>Department of Civil &amp; Architectural Engineering</i>	
<b>Gardzelewski, Jon A.</b>	Assistant Lecturer

### College of Health Sciences

<u>Name</u>	<u>Rank</u>
<i>Division of Social Work</i>	
<b>Dole-Izzo, Elizabeth S.</b>	Assistant Lecturer

## **GLOSSARY OF PERSONNEL TERMS**

### **Academic Professional**

Person other than faculty, engaged primarily in activities that extend and support the teaching, research, extension, and service missions of the University. There are four categories of academic professional: Extension Educators, Lecturers, Research Scientists, Post-Doctoral Associates. Individuals belonging to any of the first three categories can hold extended-term-track appointments under certain conditions.

### **Academic-Year (AY) Appointments**

Appointments in which the regular period of employment includes the fall and spring semesters (nine months) of each year, with no accrual of vacation leave. Most faculty members and academic professionals hold AY appointments. AY employees typically receive their nine-month salaries and benefits spread out over the 12 months of each calendar year.

### **Adjunct Faculty**

An adjunct appointment is the appointment of an individual to an academic unit that recognizes special discipline-related expertise but carries no financial obligation per se. Adjunct appointments can include qualified non-academic personnel or faculty with other academic affiliations. Adjunct appointments carry no rights to remuneration, tenure, or employment-related privileges and are normally for three years, with renewal possible.

### **Archives Faculty**

This special faculty designation is reserved for archivists of the American Heritage Center. Archivists are responsible for acquiring original resource material to support academic research and teaching, organizing the material physically and intellectually, and teaching faculty, students and others to use these materials. There are three archivist ranks: Assistant Archivist, Associate Archivist, Archivist.

### **Assistant Professor**

Indicates tenure-track appointments of individuals who hold the terminal degree in their discipline. This is the usual entry-level faculty rank.

### **Associate Professor**

In addition to the qualifications of an Assistant Professor, Associate Professors have established a strong reputation in scholarship and teaching. Generally, faculty hired as Assistant Professors are promoted to the rank of Associate Professor at the time tenure is granted.

### **Clinical Faculty**

Clinical faculty appointments allow experts in health-related fields to contribute to the training of UW students in allied disciplines. Clinical appointments are for at most one year at a time and carry no rights to tenure or extended terms. Clinical faculty members may be salaried members of the UW faculty, in which case their reappointment is subject to annual performance reviews. There are also adjunct clinical faculty appointments, which typically involve health-care professionals whose normal employment is outside the university. Adjunct clinical appointments carry no financial commitment from the University.

### **Emeritus Faculty**

Tenured faculty who retire after long and distinguished service are eligible for emeritus status upon their retirement. The designation is honorary and carries no necessary commitment of space or remunerative employment. By analogy, extended-term academic professionals may be eligible for emeritus status upon retirement. (Emeritus=masculine, emerita=feminine, emeriti=plural)

### **Extended-Term Appointment**

Academic professionals who have successfully completed probationary terms (usually six years) may receive six-year appointments called extended-term appointments. The term also applies to certain librarians and archivists who hold faculty status. These employees are eligible for extended-term appointments after five-year probationary periods. Extended terms for these employees are five years in length. Academic professionals, librarians, and archivists who are in the probationary period are on the extended-term-track.

### **Extension Educator**

These academic professionals provide non-credit education to off-campus clientele through UW's Cooperative Extension Service. There are three ranks of Extension Educators: Assistant Extension Educator, Associate Extension Educator, Senior Extension Educator. All Extension Educators are in the College of Agriculture.

### **Faculty**

Members of the permanent faculty include tenured or tenure-track Assistant Professors, Associate Professors, and Professors. Also included are tenure-track individuals who hold the rank of Instructor while completing their terminal degrees. Librarians and archivists also hold faculty status. They are eligible for extended terms instead of tenure.

### **Fiscal-Year (FY) Appointments**

Appointments in which the regular period of employment is the entire calendar year, with accrual of annual vacation leave. Faculty members who hold administrative positions with summer responsibilities often have FY appointments for the duration of their administrative terms.

### **Full-Time Equivalent (FTE)**

A measure of the time commitment expected of an employee or a set of employees. For example, two full-time employees or four half-time employees constitute 2.0 FTE.

### **Instructor**

Tenure-track faculty member who does not yet hold the terminal degree in the appropriate field. UW requires verification of degrees in the form of official transcripts. UW does not grant tenure to faculty members who hold Instructor status at the time of the decision.

### **Leave of Absence Without Pay**

Academic and administrative personnel may request leaves without pay for periods normally not in excess of one year, for purposes consistent with the professional enhancement of the employee and the advancement of the University's stature.

### **Lecturer**

A category of academic professional involved largely in classroom instruction. Lecturers may be appointed to three ranks: Assistant Lecturer, Associate Lecturer, Senior Lecturer.

### **Library Faculty**

This faculty designation applies to employees of the University Libraries. There are three ranks of library faculty: Assistant Librarian, Associate Librarian, Librarian.

### **Part-Time Employee**

Any employee holding less than a full-time equivalent position (FTE less than 1.0).

### **Post-Doctoral Associate**

Post-Docs are doctorally qualified academic professionals seeking greater professional development and research investigation, before obtaining permanent employment. Post-Doctoral appointments are temporary.

### **Probationary Faculty**

This term refers to tenure-track faculty members who are working toward tenure and to academic professionals, library faculty, and archive faculty who are working toward extended-term contracts. The probationary term for academic professionals is generally six years, with yearly reviews and re-appointments. For librarians and archivists, it is five years. Faculty members who are on tenure-track appointments typically undergo the review for tenure in the sixth year of employment.

### **Professional Development Leave**

Extended-term academic professionals who have completed six years of service at the University are eligible for

professional development leave. The purpose of development leave is to enhance performance, to conduct special studies, or in some other way to enhance an individual's ability to contribute to the University. Development leaves can be granted with or without pay, are the prerogative of the academic unit in which the academic professional is located, and are generally similar to sabbatical leaves for faculty.

### **Professor**

In addition to the qualification of an Associate Professor, "full" Professors have attained wide recognition in their professional fields for scholarship or other creative activity and have gained recognition for superior teaching and service.

### **Research Professor**

Person with demonstrated superior capacity for research contributions, who is employed solely on external funds, and who holds a terminal degree. These appointments are made only at the Professor level and for not more than one year at a time. They are renewable.

### **Research Scientist**

An academic professional whose primary responsibility is to conduct research. There are three ranks for Research Scientists: Assistant Research Scientist, Associate Research Scientist, Research Scientist.

### **Review Year**

Year in which a reappointment review occurs for probationary employees. Normally, tenure-track faculty members undergo mandatory reappointment reviews in their first, second, and fourth years, with optional reviews in the third and fifth years. A review for the tenure decision occurs no later than the sixth year. An explanatory flow chart appears at the end of this glossary. In some cases employees start with credit toward a tenure or extended-term decision, based on their previous experience. In these cases the review year is the number of years of service at UW plus the number of years of credit.

### **Sabbatical Leave**

Sabbatical leave may be granted to any tenured member of the faculty for the purposes of increasing professional competence and usefulness to the University. A minimum of six years' service at the University must precede each period of sabbatical leave, although no right accrues automatically through lapse of time. Sabbatical leaves are normally granted for either a half year (full pay) or a full year (60% of salary). A faculty member who fails to return to the University after a sabbatical leave must repay the amount of compensation received from the University during the sabbatical. Faculty members may not use sabbatical leaves to pursue degrees.

### **Temporary Appointment**

A short-term appointment without rights to tenure or extended term. Most temporary appointments are for one semester or one academic year.

### **Tenure-Track Appointment**

Indicates a probationary faculty appointment prior to the award of tenure. Tenure-track positions generally require six years to tenure, but fewer years may be required based upon level of previous experience and accomplishments.

### **Terminal Degree**

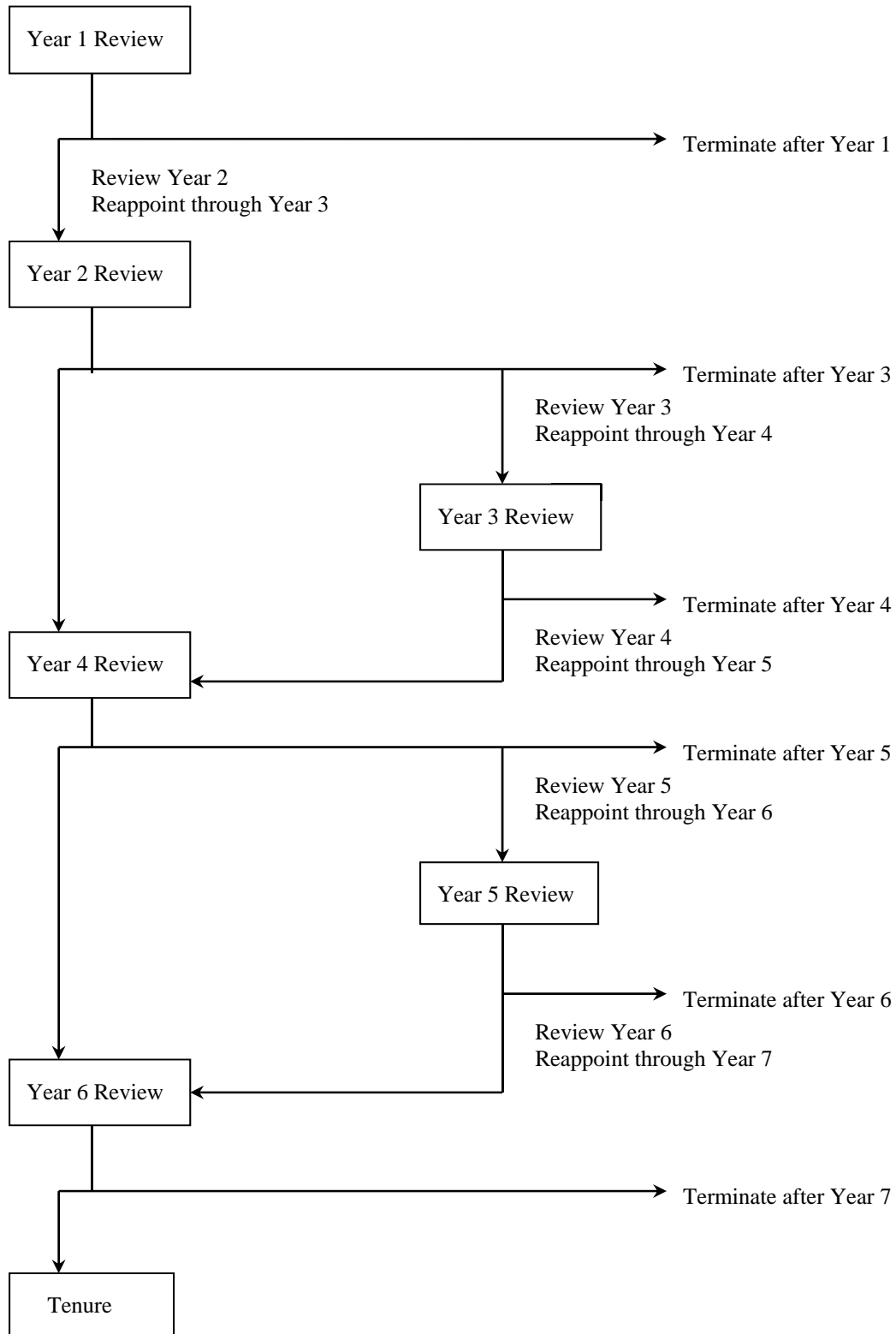
Typically the highest earned degree in a field of study. Examples include the Ph.D. (a variety of fields), the M.D. (medicine), the Ed.D. (education), M.F.A. (fine arts), M.Arch. (architecture), and J.D. (law).

### **Visiting Appointment**

Indicates a non-permanent, non-tenure-track faculty appointment. Most visiting appointments are for one year.



## FLOW CHART FOR FACULTY REAPPOINTMENTS



## B. Items for Information

The changes in appointments and reappointments listed below are for the information of members of the Board of Trustees.

### CHANGES IN APPOINTMENTS

#### 1. Faculty

##### College of Engineering and Applied Science

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
<i>Department of Chemical &amp; Petroleum Engineering</i>			
<b>Bagley, David M.</b>	Department Head	\$123,156/AY	01/10/2011 to 06/30/2011
Professor Bagley is serving as Department Head for a four-year term.			
<i>Department of Civil &amp; Architectural Engineering</i>			
<b>Young, Rhonda K.</b>	Interim Department Head	\$94,464/AY	01/01/2011 to 07/01/2011
Professor Young is serving as Interim Department Head until July 31, 2011.			

##### College of Law

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
<b>Pridgen, Mary D.</b>	Professor	\$147,000/AY	01/10/2011 to 6/30/2011
Dr. Pridgen ends her appointment as Associate Dean. She will remain a Distinguished Professor in the College of Law.			

### 3. Committee of the Whole- CONSENT AGENDA

#### Approval of Revisions to UW Regulations:

- a. **Approval of Revisions to UW Reg 4-2 §E, "Conflict of Interest/Conflict of Commitment", and Deletion of UW Reg 4-172, "Conflicts of Commitment", Weidel/Frost**
- b. **Approval of Revisions to UW Reg 8-254, "Degree Revocation", Allen**

CHECK THE APPROPRIATE BOX(ES):

- Work Session  
 Education Session  
 Information Item  
 Other           Specify: Committee of the Whole (Consent Agenda)

- a. **Approval of Revisions to UW Reg 4-2 §E, "Conflict of Interest/Conflict of Commitment", and Deletion of UW Reg 4-172, "Conflicts of Commitment", Weidel/Frost**

#### BACKGROUND AND POLICY CONTEXT OF ISSUE:

Adoption of the University policies governing conflicts of interest and commitment are proposed. The policy process is similar to other policies related to student/employee discipline which utilize an "enabling" Regulation which authorizes the creation of the policy. A UW Regulation will now authorize the adoption of the conflict policy. Specifically, the adoption of the policy will require the amendment of UW Regulation 4-2, Employment Provisions Applicable to All Personnel, and the deletion of UW Regulation 4-172 Conflicts of Commitment.

#### **University of Wyoming Policies Governing Conflict of Interest and Commitment**

The University has gone through a lengthy process to update its conflict of interest and conflict of commitment policies to be in compliance with federal and state laws. The faculty senate and the staff senate have passed resolutions in support of these policies. Adoption of these policies requires modification of identified UW Regulations.

#### **UW Regulation 4-2 Employment Provisions Applicable to All Personnel, Section E. Conflict of Interest/Conflict of Commitment**

The UW Regulation, Employment Provisions Applicable to All Personnel, Section E is amended to include the insertion of the definitions of conflict of interest and conflict of commitment from the policies, and the removal of conflicting language from the regulation.

#### **UW Regulation 4-172 Conflicts of Commitment**

This UW Regulation has been replaced by the new policy and is accordingly deleted.

#### PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

None

#### WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees approves revisions to University Regulations.

ARGUMENTS IN SUPPORT:

**UW Regulation 4-2 Employment Provisions Applicable to All Personnel, Section E. Conflict of Interest/Conflict of Commitment**

The new policy on conflicts of interest and conflicts of commitment keeps the University in compliance with federal and state law and has been approved by faculty and staff senates. This UW Regulation needs to be cleaned up to be reflective of the new policy.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

Approval of revised UW Regulation 4-2.

PRESIDENT'S RECOMMENDATION:

The President recommends immediate approval.

**UW Regulation 4-172 Conflicts of Commitment**

This UW Regulation is now redundant and is replaced with the Policies Governing Conflicts of Interest and Commitment. These policies have been developed with input from the faculty senate and the staff senate and have procedures for the identification, management and resolution of such conflicts or potential conflicts.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

Approval of the deletion of UW Regulation 4-172.

PRESIDENT'S RECOMMENDATION:

The President recommends immediate approval.

**POLICIES GOVERNING CONFLICT OF INTEREST AND COMMITMENT**  
**UNIVERSITY OF WYOMING**

October 12, 2010

**I. INTRODUCTION**

The University of Wyoming is a community of scholars, learners and leaders committed to exploring, creating, and sharing knowledge to advance the intellectual and ethical capacities of its students and employees. Consistent with this vision and with the requirements of state and federal agencies, the University of Wyoming has adopted the following policy to identify and address conflicts of interest and commitment that are potential, actual, or apparent. Each member of the University of Wyoming community has a duty to act in the best interest of the university. Outside activities or outside financial interests must not interfere with these obligations. This policy is intended to increase awareness of the potential for conflicts of interest and commitment and to establish procedures whereby such conflicts may be avoided or properly managed. This policy enhances public trust in the university through transparency in interactions between the university and outside activities and entities.

UW Regulation 4-2 governs employment provisions applicable to all personnel, including conflicts of interest, conflicts of commitment, and consulting. Because conflicts of interest and/or commitment may occur in the course of conducting research, the Office of Research and Economic Development has developed a detailed policy on Conflicts of Interest and Commitment in Research to guarantee proper stewardship of federal funds in compliance with federal codes of regulation 45 CFR Part 94 and 42 CFR Part 50 Subpart F. This policy is found at: <http://www.uwyo.edu/Research/policies-resources/conflict-of-interest.html>. Because academic personnel, athletic coaching and training personnel, and university officers may perform professional consulting work, the Office of Academic Affairs has developed a process that is specifically designed to limit the potential for outside consulting to result in conflicts of interest or commitment. Consulting requests must be approved by the appropriate supervisors and University officers, and the President of the University has final approval authority. Consulting request forms are found at: [http://www.uwyo.edu/AcadAffairs/files/docs/Req\\_outside\\_consulting.pdf](http://www.uwyo.edu/AcadAffairs/files/docs/Req_outside_consulting.pdf).

Addressing conflicts of interest and commitment is a shared responsibility. The guidelines and procedures for disclosure, evaluation, and management of conflicts of interest and/or commitment outlined in this policy apply to University of Wyoming administrators, officers, and employees, both faculty and staff. The University of Wyoming is committed to ensuring that the policies included herein are carried out properly and consistently, in accordance with the university's ethical code of conduct. If possible, conflicts of interest and commitment should be managed between the employee and his/her academic or administrative supervisor. Conflicts that cannot be managed through discussion with supervisors and appropriate officials may be referred to the Committee on Conflicts of Interest and Commitment as specified in section B.1 of this document.

**II. CATEGORIES OF CONFLICTS**

**A. CONFLICTS OF INTEREST**

1. *Definition.* A conflict of interest exists when an individual has an external interest that affects or provides an incentive to affect the individual's conduct of his/her university activities.
2. *Generally.* Conflicts of interest can arise naturally from an individual's engagement with the world outside the university, and the existence of a conflict of interest does not necessarily imply

wrongdoing on anyone's part. When conflicts of interest do arise, however, they must be recognized, disclosed, and properly managed or eliminated.

The appearance of a conflict may be as serious and potentially damaging as an actual distortion of instructional, research, or administrative goals, processes, or outcomes. Reports of conflicts based on appearances can undermine public trust in ways that may not be adequately restored even when the mitigating facts of a situation are brought to light. Apparent conflicts, therefore, should be disclosed and managed, or eliminated with the same vigor as actual conflicts.

3. *Financial Conflicts of Interest.* Conflicts of interest may exist with respect to financial decisions in which the University of Wyoming is involved, for example, investments, loans, purchases or sales of goods or services, and accounting decisions. Conflicts may also exist with respect to matters with both financial and non-financial implications, such as decisions about the use of university equipment and facilities and the negotiation of research agreements and license agreements.

4. *Conflicts of Interest in Research.* In research, a potential conflict exists when there is a possibility that an individual's outside financial interests could directly and significantly affect the design, conduct, or reporting of the research. Conflicts may also exist with respect to the particular conduct of research, the care of patients, the protection of human research subjects, and the treatment of students and colleagues. This policy observes the proper stewardship of federal funds under the Department of Health and Human Services, the Public Health Service, and the National Institutes of Health directives. Federal codes of regulation (CFR) exist for conflict of financial interest requiring university compliance (45 CFR Part 94, 42 CFR Part 50 Subpart F).

#### **B. CONFLICTS OF COMMITMENT**

1. *Definition.* A conflict of commitment exists when a member of the university community renders professional service that is not part of his/her duties to the university to the detriment of his/her obligations to the university.

2. *Generally.* A conflict of commitment arises when professional service or research contracted outside the university, consultations, or other outside activities (e.g. outside teaching or business) of an employee interferes with the paramount obligations to students, colleagues and the primary missions and policies of the university. Conflicts of commitment primarily involve questions of obligation and effort, but are often tied to financial remuneration or other inducements that also constitute conflicts of interest.

All those associated with the University of Wyoming owe their primary professional allegiance to the university. In particular, academic personnel and university officers have a principal commitment of time and intellectual energies to the university's education, research, and service missions. Specific responsibilities and professional activities that constitute an appropriate and primary commitment will differ across colleges, divisions, and departments, but in general they are established between the employee and his/her academic or administrative supervisor. Efforts of university employees to balance university responsibilities with non-university activities can result in conflicts regarding allocation of time and energies. Such conflicts should be disclosed and managed at the local level whenever possible. This policy provides standards for the disclosure, evaluation and management of conflicts of commitment to insure compliance with UW Regulations.

### **III. CONFLICT IDENTIFICATION, DISCLOSURE AND MANAGEMENT PLAN**

A. **PREFACE**

This policy provides procedures for identifying potential and actual conflicts through immediate and/or annual disclosure. Full disclosure and the creation of a public record will benefit both the University of Wyoming and its employees while preserving the integrity of the university's relationship with the public.

The university shall adhere to federal regulations mandated by NSF, PHS, and/or other federal entities for conflicts of interest and/or commitment and pursuant to the guidelines established in this policy. Additionally, the university shall encourage transparency via disclosure of conflicts among those within the UW community who often have close connections with boards of companies doing business with the institution.

The University Office of General Counsel, working with the Office of Research and Economic Development and others, will be responsible for reviewing and revising this policy as needed. Time frames given within this policy are guidelines. The Office of Research and Economic Development will provide training and advice to academic administrators, faculty, staff and students about conflict of interest and commitment issues, including required disclosures and the proper disclosure process.

B. **UNIVERSITY OF WYOMING ADMINISTRATORS, FACULTY AND STAFF**

1. *Committee.* The Vice President for Research and Economic Development shall appoint a standing Committee on Conflict of Interest and Conflict of Commitment that shall consist of the President of Staff Senate or his/her designee and the President of Faculty Senate or his/her designee, each of whom will serve one (1) year terms, and one administrator and two tenured faculty, who will serve staggered three (3) year terms. Conflict of interest and conflict of commitment issues will be referred to this committee if satisfactory management does not occur at the local level. The committee will serve in an advisory capacity in the evaluation and management of such conflicts as further delineated within this policy.

2. *Disclosure.* University of Wyoming administrators, officers, and employees, both faculty and staff must, in a timely manner, make full disclosure of relevant information on potential conflicts of commitment and/or interest to their immediate supervisor. If the conflict is not managed at that level, then the employee and/or supervisor shall disclose the conflict to the chair of the Committee on Conflict of Interest and Conflict of Commitment.

- i. Certain individuals are required to make regular, annual disclosures, with updates as needed; others need only disclose on an ad hoc basis. Annual disclosures to the Office of Research and Economic Development are required from those individuals who apply for federal funding and must satisfy the requirements of NSF, PHS, and/or other federal entities.
- ii. When a disclosure is received, the Committee on Conflict of Interest and Conflict of Commitment will review the disclosure and within thirty (30) days of receipt will make a recommendation regarding the existence of a conflict or apparent conflict. Further, if a conflict or apparent conflict is identified, the committee will make a recommendation on procedures to eliminate or manage the conflict appropriately. All recommendations will be made to the Vice President for Research and Economic Development. The Vice President for Research and Economic Development shall make a decision regarding the conflict and its management within fifteen (15) days of receipt of the recommendation.

3. *Management.* If the potential conflict of interest and/or commitment is identified as an actual or apparent conflict, options for management may include, but are not limited to:
  - i. refraining from engaging in the proposed activity;
  - ii. seeking permission from the university to engage in the activity if the conflict necessarily can be reduced or restructured to be compatible with the required standard for the employee to properly perform his/her university responsibilities; and/or,
  - iii. seeking approval of the activity conditioned upon the implementation of a procedure to monitor the situation.
  - iv. Where research is involved, management of conflicts may include, but is not limited to: public disclosure of significant financial interests; monitoring of research by independent reviewers; modification of the research plan; disqualification from participation in all or a portion of the research funded by the NIH, PHS or other agency; divestiture of significant financial interests; or severance of relationships that create actual or potential conflicts.
4. *Appeals Procedure.* Affected individuals who disagree with a decision of the Vice President for Research and Economic Development regarding management of a potential conflict of interest and/or commitment may file a written appeal within fifteen (15) days of that decision to the Provost. The decision of the provost shall be made within fifteen (15) days of receipt of the appeal and shall be final and not appealable.
5. *Retention of records.* The Office of the Vice President for Research and Economic Development shall retain the records relating to this conflict identification, disclosure, and management plan.

#### IV. SANCTIONS

##### A. EMPLOYEE SANCTIONS

The initiative and responsibility for reporting potential or actual conflicts rests upon the individual. Any employee who fails to make timely reports of potential conflicts or otherwise violates university policies on conflicts may be subject to disciplinary action up to and including termination of employment pursuant to applicable UW Regulations. Other employment requirements that may be imposed as sanctions include, but are not limited to, divestiture of significant financial interests that create conflict. The Committee on Conflicts of Interest and Conflicts of Commitment will review allegations of violations and make recommendations regarding the imposition of sanctions to the Provost.



**UW REGULATION 4-2 (Employment Provisions Applicable to All Personnel,  
Section E. Conflict of Interest/Conflict of Commitment)**

**E. CONFLICT OF INTEREST/CONFLICT OF COMMITMENT**

~~A conflict of interest occurs when any member of the Trustees, Officers, Faculty, Academic Professionals or Staff of the University is in a position to affect significantly the business transactions of the University with an organization in which the employee or Trustee has an interest. University employees and Trustees have a duty to disclose any such conflict or any set of circumstances which may give the appearance of conflict of interest.~~

The President or his designee shall establish and maintain policies governing conflict of interest and commitment. The policies may be revised as determined by the President or his designee, subject to the approval of the President. The revisions shall be effective upon the date of approval.

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A conflict of interest exists when an individual has an external interest that affects or provides an incentive to affect the individual's conduct of his/her University activities.

A conflict of commitment exists when a member of the University community renders professional service that is not part of his/her duties to the University to the detriment of his/her obligations to the University.~~A conflict of commitment arises when professional service or research contracted outside the University, consultations or other outside activities (e.g. outside teaching or business) of an employee interferes with the paramount obligations to students, colleagues and the primary missions and policies of the University. Conflicts of commitment primarily involve questions of obligation and effort, but are often tied to financial remuneration or other inducements and, in such cases, may also constitute conflicts of interest.~~

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Conflicts of interest and conflicts of commitment may constitute a breach of the employment contract and, if not properly disclosed and eliminated or managed in accordance with University Regulations/policies, will result in appropriate sanctions, including the termination of employment, if warranted.

~~UW REGULATION 4-172~~  
~~Conflicts of Commitment~~

~~1. PURPOSE.~~

~~All full-time employees of the University of Wyoming owe their primary professional allegiance to the University. In particular, academic personnel and University officers have a principal commitment of time and intellectual energies to the University's education, research and service missions. Specific responsibilities and professional activities that constitute an appropriate and primary commitment will differ across colleges, divisions and departments, but in general they will be based on a general understanding between the employee and his or her academic or administrative supervisor, dean, designated administrator or academic officer. Even with such understandings in place, however, efforts of University employees to balance University responsibilities with non-university activities can result in conflicts regarding allocation of time and energies. Conflicts of commitment usually involve issues of time allocation. This regulation provides standards for the disclosure, evaluation and management of conflicts of commitment to insure compliance with Trustee Regulations.~~

~~2. DEFINITIONS.~~

~~(a) "Academic unit" The Colleges authorized in Chapter III B, Regulations of the Trustees.~~

~~(b) "Academic officers" The deans, directors, associate and assistant deans and department and division heads of the organized education units specified in Chapter II, Regulations of the Trustees.~~

~~(c) "Academic personnel" The members of the faculty and academic professionals recognized in Chapter V, Regulations of the Trustees.~~

~~(d) "Administrative unit" The nonacademic divisions of the University under the direction of the University officers.~~

~~(e) "Conflict of Commitment." A conflict of commitment exists when, under the standards developed pursuant to Section 3(b), an employee's non-university activities:~~

- ~~1. Interfere with meeting the workload obligations of his or her University responsibilities; or~~
- ~~2. Redirect his or her primary professional loyalty outside the University in violation of his or her commitment to University responsibilities as defined in 2.(c).~~

~~(f) "Consulting." Any professional or consulting work that falls under Chapter VII, Regulations of the Trustees.~~

~~—— (g) "Employee." An individual enrolled on the University's full-time payroll.~~

~~—— (h) "Non-University activity." Any activity undertaken by an employee, that is not part of that employee's University responsibilities. "Non-University activity" includes the following activities if they are not subject to Chapter VII of the Regulations of the Trustees: pro bono work; government services including occupancy of public office; and outside employment, consulting or professional activities.~~

~~—— (i) "Potential conflict of commitment." A non-University activity proposed or engaged in by an employee that might reasonably be expected to require a commitment of effort which, if not properly managed to be compatible with the employee's University responsibilities, may result in a conflict of commitment.~~

~~—— (j) "University officers." The principal university officers of the University and the heads of their administrative subunits as set forth in Chapter II, Regulations of the Trustees.~~

~~—— (k) "University responsibilities." The teaching, research, service or support obligations an employee owes to the University as set forth or permitted by the terms of that employee's University appointment or employment and applicable state statutes, Trustee Regulations and University Regulations.~~

### ~~3. REGULATION OF CONFLICTS OF COMMITMENT.~~

~~—— (a) Conflicts of commitment. An employee may not engage in a conflict of commitment.~~

~~—— (b) Unit specific standards. Each academic and administrative unit shall establish and implement policies that address potential conflicts of commitment in accordance with this University Regulation. Such policies shall be submitted to the advisory committee for review and then to the President for final approval before becoming effective, and shall include provisions that:~~

~~—— (i) Describe non-University activities associated with the unit which present a potential conflict of commitment;~~

~~—— (ii) Ensure the reporting of potential conflicts of commitment to the employee's academic or administrative supervisor pursuant to the unit's organizational structure;~~

~~—— (iii) Provide a process for the review of potential conflicts of commitment to assist employees in determining whether they are conflicts of commitment or whether they are compatible with the employee's University responsibilities.~~

~~—— (e) Disclosure. Employees must, in a timely manner, disclose potential conflicts of commitment to their supervisor, and employees shall certify compliance with this University~~



~~Regulation to their supervisors at the time of their annual reviews or such other time as may be determined by their reporting unit.~~

~~\_\_\_\_\_ (d) Procedure. Upon disclosure by an employee of a potential conflict of commitment to an employee's supervisor:~~

~~\_\_\_\_\_ (i) The supervisor shall, pursuant to Section 3(b) above, assist the employee to evaluate the potential conflict of commitment and determine whether the conflict can be managed.~~

~~\_\_\_\_\_ (ii) If the potential conflict of commitment would present a conflict of commitment, the employee shall:~~

~~\_\_\_\_\_ (A) Refrain from engaging in the proposed non-University activity; or~~

~~\_\_\_\_\_ (B) Seek permission from his or her supervisor to engage in the activity if the commitment necessary can be reduced or modified or University responsibilities can be restructured to be compatible with the commitment required for the employee to properly perform the employee's University responsibilities; or~~

~~\_\_\_\_\_ (C) Seek approval of the non-University activity conditioned upon the implementation of a procedure to monitor the employee's performance to demonstrate whether or not the employee properly performs his or her University responsibilities.~~

~~\_\_\_\_\_ (e) Appeals procedure. An employee who is dissatisfied with the decision of the employee's unit not to approve a request to manage a potential conflict of commitment may appeal that decision. The appeal shall be through the University's administrative structure to the Provost (in cases of academic personnel) or to the Vice President for Administration and Finance (in cases of staff) who shall make a recommendation to the President of the University whose decision shall be final.~~

~~\_\_\_\_\_ (f) Advisory Committee. An advisory committee shall be appointed by the President of the University to advise the Provost or Vice President for Administration and Finance on disputes related to conflicts of commitment. The committee shall consist of three academic personnel members appointed upon recommendation from the Faculty Senate, three staff members appointed upon recommendation from the Staff Senate, and the Vice President for Research who shall serve as chair of the committee. In cases concerning academic personnel, all academic personnel members and one staff member (chosen by the committee chair) will hear the case; in cases concerning staff, all staff members and one academic personnel member (chosen by the committee chair) will hear the case.~~

~~The committee shall, upon request of the Provost or Vice President for Administration and Finance, advise as appropriate the Provost or Vice President for Administration and Finance with regard to the appropriate evaluation or management of a given disclosure issue. The Committee shall develop such formal or informal procedures as it deems necessary to carry out its responsibilities. The~~

~~committee shall have access to the resources of the University legal office, research administration, government relations and other pertinent offices.~~

~~(g) Disciplinary Action. The initiative and responsibility for reporting conflicts rests upon the individual. Any employee who fails to make timely reports of potential conflicts or otherwise violates this University Regulation may be subject to disciplinary action, including possible termination of employment, pursuant to University processes and procedures. All information and proceedings under this regulation are subject to the confidentiality provisions of the Wyoming Open Records Act.~~

Source:

~~University Regulation 172; adopted 7/17/08 Board of Trustees meeting~~

**b. Approval of Revisions to UW Reg 8-254, "Degree Revocation", Allen**

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

University Regulation 8-254 (appended) governs the process for revoking a previously awarded University of Wyoming degree. For the Board's consideration is a revision to this regulation (also appended).

At the time of the adoption of then-UniReg 254 in 2008, a regulation was needed because (1) none existed, (2) a case had arisen in which it appeared that degree revocation might be an appropriate measure, and (3) there was no defined process for faculty members to review the case and recommend action to the administration and Board of Trustees. To accommodate the pressing nature of that case, university administrators drafted the regulation as it currently exists, with the understanding that the Faculty Senate would review and possibly revise the regulation after the case was resolved.

By design, the existing regulation respects the need for parallelism with the process for awarding degrees: the faculty makes recommendations; the Trustees make the final decisions. It also respects the need for due process, the role of faculty expertise in ascertaining whether degree requirements have been met, and the principle that the burden of proof is on the university in degree revocation cases.

The proposed revision, drafted by the Faculty Senate's standing Student Interaction Committee and approved by the full Faculty Senate, Office of Academic Affairs, Office of General Counsel, and President, retains these and many other substantive elements of the existing regulation. The revision refines such aspects as the size and selection of the faculty hearing committee, the provision of counsel to the hearing committee, and provisions that apply in cases where a charged party is unresponsive.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

The Board approved the current (and first) version of UW Regulation 8-254 in July 2008.

**WHY THIS ITEM IS BEFORE THE BOARD:**

The Board of Trustees has authority over UW regulations.

**ARGUMENTS IN SUPPORT:**

The proposed revision maintains most of the substantive elements of the existing process for handling degree revocation cases. It refines the faculty-level procedures for hearing cases and making recommendations to the provost but leaves the final disposition of these cases to the Board of Trustees.

**ARGUMENTS AGAINST:**

None

**ACTION REQUIRED AT THIS BOARD MEETING:**

The proposal appears on the consent agenda for approval by the Board.

**PRESIDENT'S RECOMMENDATION:**

President Buchanan recommends approval.

**Senate Bill 321**

**Introduced by  
Student Interaction Committee**

**PROPOSED REVISIONS TO  
UW REGULATION 8-254, DEGREE REVOCATION**

(Proposed revisions are indicated by bold, capitalized text; a copy of the current UW Regulation 8-254 is attached for comparison purposes.)

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**UW Regulation 8-254  
Degree Revocation**

**GENERAL INFORMATION:** The University of Wyoming is a state higher education institution whose Trustees are legislatively empowered to confer degrees on students who have earned them, upon the recommendation of the faculty. The Board of Trustees recognizes that there may be instances where a degree is awarded to an individual who, upon review, has not properly completed all requirements for the degree. In such instances, the Board of Trustees may revoke the degree. This regulation establishes the process for such revocation.

**Principles:**

Grounds for revoking a degree **MUST** include **CLEAR AND** convincing evidence that the degree recipient failed to complete the requirements for the degree that were in effect at the time of the degree conferral **AND/OR** engaged in academic misconduct serious enough to negate bona fide completion of one or more explicit degree requirements.

**I. DEFINITIONS**

**A. ACADEMIC MISCONDUCT. AN ACTION ATTEMPTED OR PERFORMED THAT MISREPRESENTS ONE'S INVOLVEMENT IN AN ACADEMIC ENDEAVOR IN ANY WAY, OR ASSISTS ANOTHER STUDENT IN MISREPRESENTING HIS OR HER INVOLVEMENT IN AN ACADEMIC ENDEAVOR. A FULL DEFINITION IS IN UW REGULATION 6-802. EXAMPLES OF ACADEMIC DISHONESTY INCLUDE BUT ARE NOT LIMITED TO:**

- 1. PLAGIARISM. PRESENTING THE WORK (I.E., IDEAS, DATA, CREATIONS) OF ANOTHER, WHOLLY OR IN PART, AS ONE'S OWN WORK WITHOUT CUSTOMARY AND PROPER ACKNOWLEDGEMENT OF SOURCES AND EXTENT OF USE, UNLESS AUTHORIZED BY THE INSTRUCTOR.**



- 2. FRAUD. ALTERING OR INVENTING DATA, RESEARCH, OR CITATIONS FOR AN ACADEMIC ENDEAVOR; FABRICATING, FORGING OR OTHERWISE MISREPRESENTING TO AN INSTRUCTOR OR AN INSTITUTION ONE'S PAST OR CURRENT ACADEMIC OR PROFESSIONAL ACTIVITIES; IMPERSONATING SOMEONE OR ALLOWING ONESELF TO BE IMPERSONATED FOR AN EXAMINATION OR OTHER ACADEMIC ENDEAVOR; USING A GHOST WRITER, COMMERCIAL OR OTHERWISE, FOR ANY TYPE OF ASSIGNMENT.**
  
- B. ALLEGATION. ASSERTION(S) THAT MAY JUSTIFY DEGREE REVOCATION, INVOLVING (i) FAILURE OF A DEGREE RECIPIENT TO COMPLETE DEGREE REQUIREMENTS AND/OR (ii) ACADEMIC MISCONDUCT ON THE PART OF A DEGREE RECIPIENT; WHICH ARE (iii) MADE TO THE DEAN OR DESIGNEE OF THE COLLEGE FROM WHICH THE DEGREE WAS AWARDED.**
  
- C. CHARGE. FORMAL ACTION TAKEN WHEN (1) THE DEAN OF A COLLEGE HAS FACTUAL GROUNDS SUFFICIENT TO BELIEVE THAT A DEGREE RECIPIENT HAS FAILED TO COMPLETE DEGREE REQUIREMENTS, OR HAS ENGAGED IN ACADEMIC MISCONDUCT SERIOUS ENOUGH TO NEGATE BONA FIDE COMPLETION OF ONE OR MORE EXPLICIT DEGREE REQUIREMENTS, AND (2) THE DEGREE RECIPIENT DOES NOT CONSENT TO REVOCATION OF THE DEGREE.**
  
- D. CHARGING PARTY. THE DEAN(S) OF THE COLLEGE (OR COLLEGES, IN THE CASE OF A DEGREE AWARDED BY AN INTERDISCIPLINARY PROGRAM SPONSORED BY MORE THAN ONE COLLEGE) OR DESIGNEE(S), WHO CONCLUDES FROM AN INVESTIGATION THAT THE DEGREE RECIPIENT'S DEGREE WAS IMPROPERLY AWARDED, AND BRINGS THE CASE AGAINST THE DEGREE RECIPIENT.**
  
- E. COLLEGE. THE COLLEGE (OR COLLEGES, IN THE CASE OF A DEGREE AWARDED BY AN INTERDISCIPLINARY PROGRAM SPONSORED BY MORE THAN ONE COLLEGE) THAT AWARDED THE DEGREE.**
  
- F. COMMUNICATE IN WRITING. NOTIFICATION OF THE CHARGE AND ALL SUBSEQUENT COMMUNICATIONS SHALL BE IN WRITING.**
  
- G. HEARING COMMITTEE. A COMMITTEE OF FIVE (5) FACULTY MEMBERS TO CONSIDER THE CHARGE AND RENDER A FINDING OF FACT WHETHER GROUNDS EXIST FOR REVOKING THE DEGREE RECIPIENT'S DEGREE.**

**H. LIST OF CANDIDATES. A LIST OF FACULTY MEMBERS NOMINATED TO SERVE ON THE HEARING COMMITTEE. THE LIST SHALL NAME TEN (10) CANDIDATES FROM NOT FEWER THAN FIVE (5) COLLEGES WITHIN THE UNIVERSITY. ALL LISTED FACULTY MEMBERS SHALL HOLD TENURE, SHALL NOT BE CURRENTLY SERVING AS OFFICERS OF THE UNIVERSITY, SHALL HAVE NO PRIOR RELATIONSHIP WITH THE DEGREE RECIPIENT, AND SHALL HAVE NO PRIOR INVOLVEMENT IN THE MATTER BEFORE THE HEARING COMMITTEE.**

**I. PROVOST. THE CHIEF ACADEMIC OFFICER OF THE UNIVERSITY.**

**J. WORKING DAY. A DAY IN WHICH THE UNIVERSITY IS OPEN FOR BUSINESS.**

## **II. ADMINISTRATIVE PROCESS**

**A. ALLEGATION(S) OF CIRCUMSTANCES THAT MAY JUSTIFY DEGREE REVOCATION SHALL BE MADE TO THE DEAN OF THE COLLEGE THAT AWARDED THE DEGREE. THE DEAN OR A DESIGNEE SHALL CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THERE IS A FACTUAL BASIS TO CONCLUDE THAT THE DEGREE RECIPIENT FAILED TO COMPLETE ONE OR MORE EXPLICIT DEGREE REQUIREMENTS OR COMMITTED ACADEMIC MISCONDUCT WHICH WOULD WARRANT REVOCATION OF THE DEGREE. THE INVESTIGATION SHALL BE MADE IN A TIMELY MANNER, AND SHALL BE COMPLIANT IN ALL RESPECTS WITH RELEVANT FEDERAL AND STATE LAWS AND UNIVERSITY OF WYOMING REGULATIONS.**

**B. IF THE DEAN'S OR DESIGNEE'S PRELIMINARY INVESTIGATION REVEALS FACTUAL GROUNDS SUFFICIENT TO JUSTIFY DEGREE REVOCATION, THE DEAN OR DESIGNEE SHALL NOTIFY THE DEGREE RECIPIENT IN WRITING; THE NOTIFICATION SHALL:**

- INCLUDE A SUMMARY OF THE FACTUAL GROUNDS;**
- INFORM THE DEGREE RECIPIENT OF THE RIGHT TO A HEARING IN THE MATTER BEFORE A COMMITTEE (THE "HEARING COMMITTEE") COMPRISING FACULTY MEMBERS COMPETENT TO RENDER A FINDING OF FACT IN THE MATTER;**
- INCLUDE A COPY OF THIS UW REGULATION 8-254; AND**
- REQUEST A RESPONSE FROM THE DEGREE RECIPIENT WITHIN THIRTY (30) WORKING DAYS.**

**UPON TRANSMITTING THE NOTIFICATION TO THE DEGREE RECIPIENT, THE DEAN OR DESIGNEE BECOMES THE "CHARGING PARTY" AS DEFINED IN PARAGRAPH I(D) ABOVE.**

- 1. IF THE DEGREE RECIPIENT ADMITS TO THE FACTS DESCRIBED IN THE SUMMARY AND AGREES TO DEGREE REVOCATION, S/HE SHALL SO INDICATE BY EXECUTING A STATEMENT TO THAT EFFECT PROVIDED BY THE CHARGING PARTY. THE STATEMENT SHALL BE RETURNED TO THE CHARGING PARTY WITHIN TEN (10) WORKING DAYS OF RECEIPT OF THE STATEMENT BY THE DEGREE RECIPIENT. THE CHARGING PARTY SHALL FORWARD THE STATEMENT TO THE PROVOST AND TO THE PRESIDENT OF THE UNIVERSITY WITH A RECOMMENDATION FOR ITS ACCEPTANCE.**
  - a. WITHIN FIVE (5) WORKING DAYS OF RECEIPT OF THE STATEMENT OR AS SOON THEREAFTER AS PRACTICABLE, THE PRESIDENT SHALL MAKE A DECISION ACCEPTING OR REJECTING THE STATEMENT. THE PRESIDENT SHALL THEN COMMUNICATE THIS DECISION IN WRITING TO THE BOARD OF TRUSTEES, THE PROVOST, THE DEGREE RECIPIENT, AND THE CHARGING PARTY.**
  - b. THE BOARD OF TRUSTEES SHALL CONSIDER THE MATTER AND MAKE THE FINAL DECISION TO REVOKE THE DEGREE OR DISMISS THE CHARGE AT A SPECIAL OR REGULAR MEETING. AFTER THE BOARD OF TRUSTEES MAKES ITS DECISION, THE DECISION SHALL BE COMMUNICATED IN WRITING TO THE DEGREE RECIPIENT, THE PRESIDENT, THE PROVOST, AND THE CHARGING PARTY.**
  - c. THE FULL RECORD OF THE CASE WILL BE MAINTAINED IN ACCORDANCE WITH STANDARD UNIVERSITY PROCEDURES. THE RECORD INCLUDES THE FACTUAL GROUNDS JUSTIFYING REVOCATION OF THE DEGREE, THE STATEMENT EXECUTED BY THE DEGREE RECIPIENT, THE DECISION OF THE PRESIDENT, AND THE DECISION OF THE BOARD OF TRUSTEES.**
- 2. IF THE DEGREE RECIPIENT CONTESTS THE FACTS DESCRIBED IN THE SUMMARY, DOES NOT RETURN THE STATEMENT AGREEING TO REVOCATION OF THE DEGREE WITHIN THE SPECIFIED TIME, OR OTHERWISE REQUESTS A HEARING, THE CHARGING PARTY SHALL COMMUNICATE IN WRITING A FORMAL CHARGE ("THE CHARGE") TO THE DEGREE RECIPIENT. THE CHARGE SPECIFIES THE DEGREE REQUIREMENT(S) ALLEGEDLY NOT SATISFIED OR THE ACADEMIC MISCONDUCT ALLEGED TO HAVE OCCURRED, THE EVIDENCE, AND THE BASIS FOR CONCLUDING THAT DEGREE REVOCATION IS WARRANTED. IN ADDITION, THE NOTIFICATION SHALL:**

- a. **IDENTIFY THE DEAN OR DESIGNEE AS THE CHARGING PARTY AND**
  - b. **INFORM THE DEGREE RECIPIENT THAT A HEARING COMMITTEE WILL CONSIDER THE CHARGE AND RENDER A FINDING OF FACT IN THE MATTER.**
3. **IN THE EVENT A HEARING COMMITTEE IS REQUIRED, THE FOLLOWING STEPS SHALL BE TAKEN.**
  - a. **WITHIN TEN (10) WORKING DAYS OF COMMUNICATING THE CHARGE TO THE DEGREE RECIPIENT, THE CHARGING PARTY WILL INFORM THE PROVOST OF THE CHARGE AND THE NEED TO FORM A HEARING COMMITTEE.**
  - b. **WITHIN TWENTY (20) WORKING DAYS OF BEING SO INFORMED, THE PROVOST WILL CREATE A LIST OF CANDIDATES FOR THE HEARING COMMITTEE, AND PRESENT IT TO THE EXECUTIVE COMMITTEE OF THE FACULTY SENATE.**
  - c. **NOT LATER THAN THE NEXT REGULARLY SCHEDULED MEETING OF THE EXECUTIVE COMMITTEE, THE EXECUTIVE COMMITTEE WILL SELECT THE HEARING COMMITTEE MEMBERS FROM THE LIST OF CANDIDATES.**
  - d. **WITHIN FIFTEEN (15) DAYS OF BEING DESIGNATED, THE HEARING COMMITTEE SHALL CONVENE IN ORDER TO**
    - i. **ELECT ONE OF ITS NUMBER AS CHAIR**
    - ii. **REVIEW THE CHARGE**
    - iii. **ESTABLISH A SCHEDULE UNDER WHICH IT WILL:**
      - **RECEIVE AND CONSIDER THE FACTUAL EVIDENCE SUPPORTING THE CHARGE;**
      - **RECEIVE AND CONSIDER ANY INFORMATION THAT THE DEGREE RECIPIENT MAY WISH TO SUBMIT IN REBUTTAL TO THE CHARGE;**
      - **HOLD ONE OR MORE HEARINGS WITH THE DEGREE RECIPIENT; AND**
      - **RENDER A WRITTEN FINDING OF FACT REGARDING THE CHARGE TO THE PROVOST.**

- e. **THE HEARING COMMITTEE WILL MAKE EVERY EFFORT TO COMPLETE ITS WORK AND RENDER A FINDING OF FACT TO THE PROVOST IN A TIMELY MANNER. IT SHALL, HOWEVER, ALLOW SUFFICIENT TIME TO CONSIDER FULLY ALL EVIDENCE AND ARGUMENTS BROUGHT BEFORE IT.**

### **III. HEARING PROCESS**

- A. **AS SOON AS POSSIBLE AFTER THE HEARING COMMITTEE HAS ELECTED ITS CHAIR, THE CHAIR WILL INSTITUTE A DISCOVERY PROCESS TO PREPARE FOR THE HEARING. DISCOVERY SHALL BE LIMITED TO AN EXCHANGE OF INFORMATION BETWEEN THE CHARGING PARTY AND THE DEGREE RECIPIENT OF (1) RELEVANT DOCUMENTS, WHICH MAY INCLUDE A WRITTEN REBUTTAL FROM THE DEGREE RECIPIENT AND (2) LISTS OF WITNESSES (IF ANY), INCLUDING A SUMMARY OF THE FACTUAL TESTIMONY EXPECTED FROM EACH WITNESS. EXCHANGE OF INFORMATION WILL BE COMPLETED, AND ALSO PROVIDED TO THE HEARING COMMITTEE, NOT LATER THAN TEN (10) WORKING DAYS PRIOR TO THE HEARING. THE HEARING COMMITTEE CHAIR SHALL HAVE FINAL AUTHORITY OVER THE SUITABILITY OF DOCUMENTS AND WITNESSES.**
- B. **THE CHAIR, THE CHARGING PARTY, AND THE DEGREE RECIPIENT WILL USE THEIR BEST EFFORTS TO CONVENE A HEARING ON THE EARLIEST POSSIBLE MUTUALLY CONVENIENT DATE FOLLOWING THE ELECTION OF THE CHAIR. THE HEARING COMMITTEE SHALL ALLOW THE DEGREE RECIPIENT SUFFICIENT TIME TO PREPARE A DEFENSE, BUT SHALL NOT PERMIT THE DEGREE RECIPIENT TO POSTPONE OR DELAY THE HEARING DATE UNREASONABLY.**
- C. **The hearing shall be held on the date scheduled, BUT MAY be delayed by the chair of the hearing committee for good cause shown upon request of the degree recipient, the charging party, OR A MEMBER OF THE HEARING COMMITTEE.**
- D. **THE HEARING COMMITTEE MEETINGS AND PROCESS SHALL CONFORM IN ALL RESPECTS TO THE PROVISIONS OF THE FAMILY EDUCATIONAL RIGHT TO PRIVACY ACT. ALL CHARGES AND INFORMATION GATHERED REGARDING THE CHARGE SHALL BE CONFIDENTIAL. The hearing will not be open to the public unless the degree recipient so requests AND THE HEARING COMMITTEE CONCURS.**
- E. **THE PARTIES INVOLVED IN THE PROCESS ARE THE CHARGING PARTY AND THE DEGREE RECIPIENT. THE CHAIR OF THE HEARING COMMITTEE WILL PRESIDE OVER THE MEETING AND ANY ADJOURNMENTS THEREOF.**

- F. The burden of proof shall be on the **CHARGING PARTY** to prove the charge by clear and convincing evidence.
- G. The Hearing shall be recorded by a certified court reporter at the University's expense.
- H. THE DEGREE RECIPIENT MAY BE ADVISED OR REPRESENTED AT THE HEARING, OR ANY ADJOURNMENTS THEREOF, BY LEGAL COUNSEL AT HIS/HER EXPENSE.**
- I. IF THE CHARGING PARTY REQUESTS, THE University SHALL PROVIDE COUNSEL** to represent the Charging Party in presenting the evidence.
- J. THE UNIVERSITY SHALL PROVIDE OUTSIDE COUNSEL TO ADVISE THE HEARING COMMITTEE AND ASSIST IN THE CONDUCT OF ALL PROCEEDINGS. THE HEARING COMMITTEE CHAIR SHALL HAVE THE AUTHORITY TO DEFINE THE FUNCTION OF ITS COUNSEL.**
- K. At the hearing the **CHARGING PARTY AND THE DEGREE RECIPIENT** may present an opening and closing statement to the Hearing Committee, and present witnesses for questioning by the Hearing Committee. No depositions may be taken unless a witness is unavailable to testify in person or by some other means on the day of the hearing **AND THE HEARING COMMITTEE CHAIR DETERMINES THAT A DEPOSITION IS NECESSARY TO THE COMMITTEE'S DELIBERATIONS. HEARING COMMITTEE MEMBERS AND THEIR COUNSEL MAY ASK QUESTIONS OF THE CHARGING PARTY, THE DEGREE RECIPIENT, THEIR RESPECTIVE COUNSEL, AND ALL WITNESSES.**
- L. No formal rules of evidence shall be used by the committee. The chair shall control the conduct of the hearing and shall rule on the admissibility of any evidence and may exclude any **WITNESSES, DOCUMENTS, INTERROGATORIES, OR CROSS-EXAMINATIONS** which would appear to be untrustworthy, irrelevant, or redundant.

#### **IV. FINDINGS AND DECISION**

- A. The committee shall present written findings of fact to the **PROVOST**. These findings shall state whether the charge was substantiated by clear and convincing evidence and shall also set forth the specific pertinent factual findings established by the evidence. These findings shall be by majority vote and shall be reported to the **PROVOST** as soon after the conclusion of the hearing as is practicable. The findings shall be **COMMUNICATED IN WRITING** to **THE CHARGING PARTY AND THE DEGREE RECIPIENT**.
- B. Within five (5) working days of receipt of the committee findings or as soon thereafter as practicable, the **PROVOST** shall make a written recommendation to the President of the University regarding whether the degree should be revoked or the charges dismissed. The recommendation shall be **COMMUNICATED IN WRITING** to **THE CHARGING PARTY, THE HEARING COMMITTEE, AND THE DEGREE RECIPIENT**.

**C. WITHIN FIVE (5) WORKING DAYS OF RECEIPT OF THE PROVOST'S RECOMMENDATION OR AS SOON THEREAFTER AS PRACTICABLE, THE PRESIDENT SHALL MAKE A DECISION ON THE CASE. THE PRESIDENT SHALL COMMUNICATE THE DECISION IN WRITING TO THE CHARGING PARTY AND THE DEGREE RECIPIENT.**

1. If the **PROVOST RECOMMENDS** dismissal of the **CHARGE** and the President concurs **WITH THAT RECOMMENDATION**, the charge is dismissed.
2. **IF THE PROVOST RECOMMENDS REVOCATION OF A DEGREE AND THE PRESIDENT DOES NOT CONCUR WITH THAT RECOMMENDATION, THE CHARGE IS DISMISSED. IN THAT EVENT, HOWEVER, THE PRESIDENT SHALL PROVIDE AN EXPLANATION IN WRITING OF THE REASONS FOR DISMISSING THE CHARGE TO THE CHARGING PARTY, DEGREE RECIPIENT, AND HEARING COMMITTEE. THE EXPLANATION SHALL BECOME PART OF THE FULL RECORD OF THE CASE AND PROCEEDINGS.**
3. If the **PROVOST RECOMMENDS** revocation of a degree and the President concurs, the President shall forward to the Board of Trustees a recommendation **TO REVOKE THE DEGREE** and the reasons **FOR IT**, along with the full record of the case **AND PROCEEDINGS**.
4. If the **PROVOST RECOMMENDS** dismissal **OF THE CHARGE** and the President does not concur with that recommendation, the President shall forward to the Board of Trustees a recommendation **TO REVOKE THE DEGREE** and the reasons **FOR IT**, the recommendation of the **PROVOST**, and the full record of the case **AND PROCEEDINGS**.

**D. IF THE CASE IS FORWARDED TO THE Board of Trustees, THE BOARD shall consider the matter at a special or regular meeting.**

1. The degree recipient may submit a written argument to the Board, indicating why the Board should **DISMISS** the recommendation for revocation of the degree. The written argument must be submitted no later than twenty (20) working days after the degree recipient is sent notice of the President's recommendation. The degree recipient shall provide a copy of the written argument to the charging party.
2. The charging party shall have ten (10) working days from receipt of **THE** degree recipient's written argument to submit a written response to the Board of Trustees and to the **DEGREE RECIPIENT**.
3. The Board may determine that it desires additional information and schedule a time for oral argument from the parties, or request additional written argument from the parties.
4. The Board shall revoke the degree or dismiss the charge.

5. The Board shall **COMMUNICATE** its decision, in writing, to **THE CHARGING PARTY, TO THE DEGREE RECIPIENT**, and to the President within five (5) working days of the decision.

E. The decision of the Board **OF TRUSTEES** is the final decision of the University.

F. **THE FULL RECORD OF THE CASE WILL BE MAINTAINED IN ACCORDANCE WITH STANDARD UNIVERSITY PROCEDURES. THE RECORD INCLUDES THE CHARGE, ALL EVIDENCE PRESENTED, A TRANSCRIPT OF THE HEARING, THE FINDINGS OF THE HEARING COMMITTEE, THE RECOMMENDATION OF THE PROVOST, THE DECISION OF THE PRESIDENT, AND THE DECISION OF THE BOARD OF TRUSTEES.**

***AUTHENTICATION:*** *The foregoing Senate Bill 321 duly adopted by the Faculty Senate of the University of Wyoming under date of October 25, 2010, is hereby transmitted to the President of the University of Wyoming for review in accordance with UW Regulations.*

*Stephanie Anderson  
Secretary of the Faculty Senate*



## **EXISTING REGULATION**

### **UW REGULATION 8-254 Degree Revocation**

#### **1. GENERAL INFORMATION.**

The University of Wyoming is a state higher education institution whose Trustees are legislatively empowered to confer degrees on students who have earned them, upon the recommendation of the faculty. The Board of Trustees recognizes that there may be instances where a degree is awarded to an individual who, upon review, has not properly completed all requirements for the degree. In such instances, the Board of Trustees may revoke the degree. This regulation establishes the process for such revocation.

#### **2. PRINCIPLES.**

Grounds for revoking a degree include convincing evidence that the degree recipient failed to complete the requirements for the degree that were in effect at the time of the degree conferral. Included in this category is evidence that the candidate engaged in academic misconduct serious enough to negate bona fide completion of one or more substantive degree requirements.

#### **3. PROCEDURE:**

1. Allegations involving academic misconduct which may result in degree revocation shall be reported to the dean of the college from which the degree was awarded.
2. The dean shall conduct a preliminary investigation to determine whether there exists a factual basis to conclude that academic misconduct may have occurred which would warrant revocation of a degree that has been awarded.
3. If, after the preliminary investigation, the dean determines that there may have been academic misconduct which could result in degree revocation, the dean shall present the preliminary findings to the recipient to determine if the degree recipient admits to the alleged misconduct and agrees to degree revocation, or if the degree recipient desires a hearing in accordance with this regulation.
4. If the degree recipient desires a hearing, the dean shall deliver a formal written charge to the degree recipient. The charge shall:
  - a. Identify the dean or a designee as the charging party;
  - b. Describe the alleged academic misconduct, the factual basis upon which the allegation is based, and the basis for concluding that the misconduct is serious enough to warrant degree revocation.

c. Advise the degree recipient that:

i. The degree recipient has the right to a hearing regarding the charge before a hearing committee;

ii. This regulation specifies the process for the hearing. A copy of this regulation shall be provided with the charge

iii. The date upon which the hearing has been scheduled which shall be no earlier than twenty (20) working days following the date upon which the written charge is mailed. As used in this UniReg, a "working day" is a day in which the university is open for business.

5. The hearing committee shall be composed of three faculty members appointed by the chair of the faculty senate from a list of six faculty members submitted by the Vice-President for Academic Affairs. The faculty on that list shall hold tenure, shall not be currently serving as an officer of the university, and shall have no prior involvement in the matter before the hearing committee. The hearing committee shall elect a chair from its membership.

6. The hearing shall be held on the date scheduled, except the hearing shall be delayed by the chair of the hearing committee for good cause shown upon request of the degree recipient or the charging party. The hearing will not be open to the public unless the degree recipient so requests.

7. The parties are the charging party and the degree recipient. Five (5) working days before the hearing, each party shall submit to the other all documentary evidence that the party intends to present at the hearing and a list of proposed witnesses and a summary of the factual testimony expected from each witness.

8. The degree recipient may be represented by legal counsel, at the degree recipient's expense, who shall be allowed to fully participate in all proceedings following submission of the charge to the degree recipient.

9. The university may designate and appoint an attorney to represent the charging party in presenting the evidence and to fully participate in all aspects of the proceedings.

10. The hearing shall be recorded by a certified court reporter at the university's expense.

11. The burden of proof shall be on the university to prove the charge by clear and convincing evidence.

12. At the hearing the parties may present an opening and closing statement, present witnesses, cross-examine adverse witnesses and submit written or documentary evidence relevant to the charge. No depositions may be taken unless a witness is unavailable to testify in person or by some other means on the day of the hearing.

13. No formal rules of evidence shall be used by the committee. The chair shall control the conduct of the hearing and shall rule on the admissibility of any disputed evidence and may exclude any evidence which would appear to be untrustworthy, irrelevant, or redundant. The committee may request the university provide independent counsel to advise the committee and assist in conducting the hearing.

14. The committee shall present written findings of fact to the Vice President for Academic Affairs. These findings shall state whether the charge was substantiated by clear and convincing evidence and shall also set forth the specific pertinent factual findings established by the evidence. These findings shall be by majority vote and shall be reported to the Vice President within fifteen (15) working days after the conclusion of the hearing or as soon thereafter as is practicable. The findings shall be mailed to both parties.

15. Within five (5) working days of receipt of the committee findings or as soon thereafter as practicable, the Vice President shall make a written recommendation to the President of the University, regarding whether the degree should be revoked or the charges dismissed. The recommendation shall be mailed to both parties.

16. If the recommendation is dismissal of the charges, and the President concurs, the charge is dismissed.

17. If the recommendation is revocation of a degree and the President concurs, the President shall forward to the Board of Trustees a recommendation and the reasons therefore, along with the full record of the case. The President shall provide the same information to both parties.

18. If the recommendation is dismissal and the President does not concur with that recommendation, the President shall forward to the Board of Trustees a recommendation and the reasons therefor, the recommendation of the Vice-President for Academic Affairs and the full record of the case. The President shall provide the same information to both parties.

19. The Board of Trustees shall consider the matter at a special or regular meeting.

20. The degree recipient may submit a written argument to the Board, indicating why the Board should disapprove the recommendation for revocation of the degree. The written argument must be submitted no later than twenty (20) working days after the degree recipient is sent notice of the President's recommendation. The degree recipient shall provide a copy of the written argument to the charging party.

21. The charging party shall have ten (10) working days from receipt of that degree recipient's written argument to submit a written response to the Board of Trustees and to the charging party.

22. The Board may determine that it desires additional information and schedule a time for oral argument from the parties, or request additional written argument from the parties.

23. The Board shall revoke the degree or dismiss the charge.
24. The Board shall submit its decision, in writing, to both parties and to the President within five (5) working days of the decision.
25. The decision of the Board is the final decision of the university.
26. A review of this regulation shall be conducted by the Office of Academic Affairs, in consultation with the faculty senate. The results of the review, including a revised regulation if deemed necessary, shall be submitted to the Board of Trustees prior to the end of the spring 2008 semester.

Source:  
University Regulation 254; adopted 7/17/08 Board of Trustees meeting

#### **4. Committee of the Whole- CONSENT AGENDA**

##### **Approval of Reappointment of External Audit Firm, Lowe**

CHECK THE APPROPRIATE BOX(ES):

- Work Session  
 Education Session  
 Information Item  
 Other           Specify: Committee of the Whole (Consent Agenda)

#### **BACKGROUND AND POLICY CONTEXT OF ISSUE:**

Article VII, §7-2 IV.a of the Bylaws of the Trustees charges the Fiscal and Legal Affairs Committee with the responsibility of recommending to the Board “the selection and retention of the external audit firm.”

#### **PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

The Board of Trustees approved a four-year engagement, beginning with the fiscal year ending June 30, 2010, with McGee, Hearne & Paiz, LLP at their March 2010 meeting.

#### **WHY THIS ITEM IS BEFORE THE BOARD:**

The audit engagement is subject to an annual review and evaluation of the firm’s performance. The Fiscal and Legal Affairs Committee met on January 20, 2011, to discuss reappointment of McGee, Hearne & Paiz, LLP, for the second year of the four-year engagement.

#### **ARGUMENTS IN SUPPORT:**

McGee, Hearne & Paiz, LLP continues to demonstrate their ability to deliver high-quality professional services at an attractive price. They exhibit a solid commitment to the time schedules necessary to deliver the audited financial statements and reports. They assigned experienced personnel to the engagement and returned those professionals to the University providing continuity and efficiency to the audit. The firm’s partners spent time in the field and were available for face-to-face conferences and meetings. Communication with the Fiscal and Legal Affairs Committee, as well as with UW administration, is excellent and is a key factor to successful completion of the external audit.

The Fiscal and Legal Affairs Committee agreed unanimously in favor of recommending reappointment, with one abstention from Trustee Haynes.

#### **ACTION REQUIRED AT THIS MEETING:**

Approval of the reappointment of McGee, Hearne & Paiz, LLP as the independent audit firm to perform the external audit for the fiscal year ending June 30, 2011.

#### **PRESIDENT’S RECOMMENDATION:**

The President recommends reappointment of McGee, Hearne & Paiz, LLP as stated above.

**5. Committee of the Whole- CONSENT AGENDA**

**Approval of Proposed FY2012 Fee Increase, Vinzant**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other           Specify: Committee of the Whole (Consent Agenda)

**6. Committee of the Whole- CONSENT AGENDA**

**Approval of Casper College/UW Joint Facility Agreement, Vinzant/Weidel**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other           Specify: Committee of the Whole (Consent Agenda)

**7. Committee of the Whole- CONSENT AGENDA**

**Approval of Construction Contracts – War Memorial Stadium Improvements, Vinzant**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other           Specify: Committee of the Whole (Consent Agenda)

**1. INFORMATION ONLY ITEM**

**Spring Enrollment Update**, Axelson

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other            Specify:

A statistical report and analysis of enrollment for the current semester, based on official counts for the 15<sup>th</sup> day of the semester (January 31, 2011), are provided each semester. The report will be included in the packet available at the meeting.

**2. INFORMATION ONLY ITEM**

**Progress Report/Change Orders, Vinzant**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other Specify:

**Capital Construction  
 Progress Report as of February 7, 2011**

The following gives an accounting of the progress and activity of construction and design since the last Trustees meeting. Also reported are approved change orders.

**PROJECTS IN CONSTRUCTION**

**1. College of Business**

Construction Manager at Risk	Adolfson & Peterson Construction Aurora, CO
Guaranteed Maximum Price	\$44,188,467
Contract Substantial Completion Date	April 27, 2010 except for Landscaping
Extended	May 13, 2010 June 15, 2010 for the Landscaping

(In Thousands)	Total	Admin	Constr	Design	Tech	FF&E	Misc	Contingency
Budget	57,619	1,538	44,017	3,679	2,746	2,974	794	1,871
Expended	55,765	1,146	44,056	3,441	2,559	2,277	415	1,871
Obligated	257	23	0	70	144	20	0	0
Other Funding	39	0	39	0	0	0	0	0
Un-obligated	1,636	369	0	168	43	677	379	0

Remarks Addressing the warranty items.

**2. Berry Biodiversity and Conservation Center**

Construction Manager at Risk	Haselden Construction Centennial, CO
Guaranteed Maximum Price	\$14,569,939
Contract Substantial Completion Date	September 6, 2010
Extended	December 2, 2010
Phase II Substantial Completion Date	February 1, 2010



(In Thousands)	Total	Admin	Constr	Design	Tech	FF&E	Misc	Contingency
Budget	20,000	595	14,467	1,447	250	2,144	435	662
Expended	16,553	343	14,099	1,447	0	543	121	0
Obligated	539	81	302	0	0	148	8	0
Other Funding	337	0	337	0	0	0	0	0
Un-obligated	3,245	171	403	0	250	1,453	306	662

Remarks The punch list items are being addressed by the CMAR.

### 3. Visual Arts Facility

Construction Manager at Risk	GE Johnson Construction Company Jackson, WY
Guaranteed Maximum Price	\$26,673,930.00
Contract Substantial Completion Date	October 28, 2011

(In Thousands)	Total	Admin	Constr	Design	Tech	FF&E	Misc	Contingency
Budget	36,350	1,076	26,964	3,236	712	2,860	215	1,287
Expended	6,795	266	4,017	2,512	0	0	0	0
Obligated	20,705	132	19,951	622	0	0	0	0
Un-obligated	8,850	678	2,996	102	712	2,860	215	1,287

Remarks Construction is on schedule with minimal lost time due to extreme weather. Footings are complete and foundation wall is underway. Steel erection is progressing rapidly and is expected to be complete in early March. CMAR has started building temporary weather enclosures which will allow under slab work and placement of concrete slabs on first and second floor. Roofing will start in February as the west structure is completed.

### 4. Downey Hall Renovations

Contractor	Haselden Wyoming Constructors, LLC Casper, WY
Bid Price	\$4,191,300
Contract Substantial Completion Date	May 3, 2011

(In Thousands)	Total	Admin	Constr	Design	Tech	FF&E	Misc	Contingency
Budget	6,000	185	4,721	280	0	425	94	295
Expended	1,811	106	1,543	162	0	0	0	0
Obligated	3,424	0	3,270	52	0	0	0	102
Other Funding	92	0	92	0	0	0	0	0
Un-obligated	857	79	0	66	0	425	94	193

Remarks Painting has been completed on the upper four floors and is progressing to the lower floors. Carpeting has been completed in the sleeping rooms on the top floor. Drywall, finishing and texturing is occurring on the rest of the sleeping room floors. Exterior work on the entrance vestibule has been occurring when weather permits.

**CHANGE ORDERS**

**1. College of Business**

Item 1 Provide power for room scheduling tablets	Add:	\$1,666.00
Item 2 Provide additional roller shades in 8 rooms	Add:	4,843.00
Item 3 Provide additional sod and irrigation	Add:	3,605.00
Item 4 Provide a stone drain in landscaping	Add:	2,684.00
Item 5 Relocate north roof drains	Add:	18,031.00
Item 6 Provide installation of signage	Add:	2,654.00
Item 7 Revise the return air ducts	Add:	19,473.00
Item 8 Relocate thermostat & rebalance system	Add:	1,660.00
Item 9 Relocate pumps	Add:	7,860.00
Item 10 Provide a new VAV box and related duct work	Add:	10,752.00
Item 11 Credit for remaining contingency amounts	Deduct:	<u>126,380.00</u>
<u>Total Change Order No. 33</u>		Deduct: \$53,152.00

**Statement of Contract Amount**

Original Contract	\$44,188,467.00
Change Order 1-33	<u>+ 1,048,560.00</u>
Adjusted Contract	\$45,237,027.00

**2. Berry Biodiversity and Conservation Center**

**Statement of Contract Amount**

Original Contract	\$14,569,939.00
Change Order 1-18	<u>- 168,793.00</u>
Adjusted Contract	\$14,401,146.00
Add 87 calendar days	

**3. Visual Arts Facility**

Item 1 Final Guaranteed Maximum Price	Deduct:	<u>2,726,108.00</u>
<u>Total Change Order No. 1</u>		Deduct: \$2,726,108.00

Item 1 Add camber to steel beams	Add:	\$0.00
Item 2 Add emergency eyewash	Add:	2,937.00
Item 3 Clarifies steel requirements	Add:	0.00

Item 4 Clarifies compressive strength of CMU block	Add:	0.00
Item 5 Adds louvers, outside air damper, actuators/controls	Add:	16,733.00
Item 6 Clarifies concrete wall joint spacing	Add:	0.00
Item 7 Reroute air venting in mechanical room	Add:	669.00
Item 8 CMAR contingency used for stone installation option chosen	Add:	<u>0.00</u>
<u>Total Change Order No. 2</u>	<u>Add:</u>	<u>\$20,339.00</u>

**Statement of Contract Amount**

Original Contract	\$26,673,930.00
Change Orders 1-2	- <u>2,705,769.00</u>
Adjusted Contract	\$23,968,161.00

**4. Downey Hall Renovation**

Item 1 Provide new tack surfaces in all student rooms	Add:	<u>80,785.00</u>
<u>Total Change Order No. 1</u>	<u>Add:</u>	<u>\$ 80,785.00</u>

Item 1 Eliminate existing site pole lights	Deduct:	\$796.00
Item 2 Modify ceiling in shower areas	Add:	0.00
Item 3 Remove two existing hose bibs	Add:	845.00
Item 4 Modify site drainage	Add:	4,660.00
Item 5 Credit for fire pump controller change	Deduct:	505.00
Item 6 Add flex connection to AHU connections	Add:	1,304.00
Item 7 Add fur wood trim at perimeter of the ceilings	Add:	18,042.00
Item 8 Additional Sprinkler head in stair wells	Add:	1,307.00
Item 9 Eliminate use of dry sprinkler heads	Deduct:	455.00
Item 10 Retaining wall & plaza modifications	Add:	<u>5,932.00</u>
<u>Total Change Order No. 2</u>	<u>Add:</u>	<u>\$30,334.00</u>

**Statement of Contract Amount**

Original Contract	\$4,191,300.00
Change Orders 1-2	+ <u>111,119.00</u>
Adjusted Contract	\$4,302,419.00

### 3. INFORMATION ONLY ITEM

#### Internal Audit Report, K. Miller

CHECK THE APPROPRIATE BOX(ES):

- Work Session  
 Education Session  
 Information Item  
 Other           Specify:

INTERNAL AUDIT ACTIVITY CONDUCTED IN ACCORDANCE WITH THE AUDIT PLAN FOR THE PERIOD September 30, 2010 to December 31, 2010

The following audits and related activities have been completed:

1. University of Wyoming Alumni Association Audit and Financial Statement
2. Cowboy Joe Club Audit and Financial Statements
3. Follow Up on Cheyenne Family Medical Residency Program
4. Sponsored Programs Effort Reporting

The following audits and related activities are in progress:

1. University-wide Cash handling processes
2. Football Attendance
3. Release Time & Cost Sharing Audit

Update on investigations in progress.

Men's Basketball Theft and Cash Handling procedures.

Other Audit activities:

1. Internal Audit Charter. The Institute of Internal Auditors recommends that each audit department have an Internal Audit Charter that has been approved by the Board of Trustees. The UW Internal Audit Department needs to establish a charter and have it approved. (Draft is included)
2. Audit Web-site. We have been working to establish a web-site which will include information about internal audit, what to expect in an audit, information about internal controls and other related information. A new content management program is being implemented university-wide and will be available near the end of October.



**Internal Audit Department**

**University of Wyoming Alumni Association**

November 17, 2010

Kathleen Miller, Internal Auditor  
Department 3314, 1000 E. University Avenue  
Laramie, Wyoming 82071  
(307) 766-2385

We conducted an audit of the University of Wyoming Alumni Association for the year ending June 30, 2010. The audit consisted of interviewing all staff members and analyzing all business processes, including: accounts receivable, cash handling, purchasing, accounts payable, and payroll. The field work for the audit was completed by Kathleen Miller, Internal Auditor.

We would like to thank Jennifer Wade for her assistance in the performance of this audit. Since this is an annual audit the follow-up will be completed during the audit for FY2011.

**Observation: Supporting Documentation for Meals was not always Adequate**

All meals paid for by the Association should have supporting documentation explaining the purpose of the meal and identifying the attendees. When the meal is for only a few people, names should be included in the documentation. The current documentation was not sufficient to determine the purpose of the meal or who attended.

**Recommendation:**

We recommend that the function for each meal be noted and when there are only a few participants, those names should be recorded. For bigger affairs we recommend that the function be identified, a head count be recorded and all contracts should be referenced.

**Response:**

We agree with the recommendation and will continue to provide supporting detail for both business and event-related meals, referencing contracts where appropriate.

Kathleen Miller, Internal Auditor

cc: Tom Buchanan, President, University of Wyoming  
Sara Axelson, Vice President, Student Affairs  
Roberta Darnall, Director, Alumni Relations.

**THE UNIVERSITY OF WYOMING ALUMNI ASSOCIATION, INC.**

**ANNUAL FINANCIAL REPORT**

**June 30, 2010**

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THE UNIVERSITY OF WYOMING ALUMNI ASSOCIATION, INC  
STATEMENT OF FINANCIAL POSITION  
JUNE 30, 2010

ASSETS			
Cash		\$	256,783
Investments Temporarily Restricted			254,649
Investments Unrestricted			2,501,717
Accounts receivable			1,730
Life memberships receivable, net of allowance for doubtful accounts of \$21,652			158,787
Scholarship pledges receivable, net of allowance for doubtful accounts of \$3,363 (Note)			44,687
Sponsorship receivable			-
Inventory			16,392
Prepaid expenses			3,212
Land, building, and equipment, net of accumulated depreciation of \$ 447,491 (Note )			370,277
	Total Assets	\$	<u>3,608,235</u>
LIABILITIES AND FUND BALANCES			
Accounts payable			62,952
Part time Payroll			-
Compensated Absences			33,111
Sick leave and insurance			1,026
Deferred Revenue (Note )			<u>210,871</u>
	Total Liabilities		<u>307,961</u>
Fund Balances			
Unrestricted			2,604,284
Temporarily Restricted			<u>695,990</u>
	Total fund balances		<u>3,300,274</u>
	Total liabilities and fund balances	\$	<u>3,608,235</u>

See Accompanying Notes to the Financial Statements.

THE UNIVERSITY OF WYOMING ALUMNI ASSOCIATION, INC  
STATEMENT OF ACTIVITIES  
June 30, 2010

	Unrestricted	Temporarily Restricted	Total
<b>REVENUE</b>			
Annual Membership Dues	\$ 113,568	-	\$ 113,568
Life membership dues	118,396	-	118,396
Donations	24,718	88,966	113,684
Investment income (loss)	79,554	9,961	89,515
Gain (loss) on investment	138,263	29,619	167,882
Royalties	112,933	-	112,933
Alumni Gatherings	10,593	-	10,593
Promotional novelty sales	9,260	-	9,260
DMT sales and donations	3,302	-	3,302
Advertising	12,186	-	12,186
Other income	1,711	-	1,711
Transfer to unrestricted	56,750	(56,750)	-
Indirect administrative support form UW	239,529	-	239,529
Total revenue	920,762	71,795	992,557
<b>EXPENSES</b>			
Program Services	38,212	-	38,212
Supporting services			
General and administrative	553,487	-	553,487
Fund raising	116,476		116,476
Total expenses	708,175	-	708,175
Revenue over (under) expenses	212,587	71,795	284,383
Fund balance, beginning	2,391,696	624,195	3,015,891
Fund balance, ending	\$ 2,604,284	\$ 695,990	\$ 3,300,274

See Accompanying Notes to the Financial Statements.



THE UNIVERSITY OF WYOMING ALUMNI ASSOCIATION, INC  
STATEMENT OF FUNCTIONAL EXPENSES  
For the Year Ended June 30, 2010

	Program Services	Supporting Service		Total
		General and Administrative	Fund Raising	
Personnel		\$ 323,882		\$ 323,882
Office operations		53,551	67,659	121,211
Insurance			5,096	5,096
Legislative advocacy			6,245	6,245
Professional fees			-	-
P/N expenses		8,049	-	8,049
Membership solicitation			37,476	37,476
Other expense			-	-
Travel		12,880	-	12,880
Alumni Gatherings		25,954	-	25,954
Alumnews		58,054	-	58,054
Association Projects	2,585			2,585
Programs				-
Scholarships		56,750	-	56,750
Awards	2,268		-	2,268
Board of Directors	9,824		-	9,824
Dues and subscriptions	4,667		-	4,667
Advertising	-		-	-
Credit card charges	4,973		-	4,973
Bank charges	296		-	296
Scholarship auction	13,598		-	13,598
WyoSAA			-	-
Total expenses before Depreciation	38,212	539,120	116,476	693,808
Depreciation	-	14,367	-	14,367
Total expenses	\$ 38,212	\$ 553,487	\$ 116,476	\$ 708,175

See Accompanying Notes to the Financial Statements.

The University of Wyoming Alumni Association

## NOTES TO FINANCIAL STATEMENTS

### Note 1. Nature of activities and significant accounting policies

#### Nature of activities

The University of Wyoming Alumni Association is an independent, not-for-profit organization established to foster a spirit of loyalty and fraternity among graduates and former students of the University of Wyoming and to promote the general welfare, development, achievement, and honor of the university. The Association and the University of Wyoming Alumni Affairs department cooperate significantly and utilize common staff employed by the university in performing outreach and fund raising activities. Accordingly, the Association's financial statements present shared expenditures and recognize as indirect support the University of Wyoming's funding for salary and employer paid benefit expenses.

#### Basis of presentation

Financial statement presentation follows the recommendations of the Financial Accounting Standards Board in its Statement of Financial Accounting Standards (SFAS) No. 117, *Financial Statements for Not-for-Profit Organizations*. Under SFAS No. 117, the organization is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets.

#### Investments

The Association carries investments in marketable securities with readily determinable fair values and all investments in debt securities at their fair market values in the Statement of Financial Position. Unrealized gains and losses are included in the change in net assets in the accompanying Statement of Activities.

#### Accounts receivable

Accounts receivable are stated at unpaid balances. Receivables are unsecured and non-interest bearing. The allowance for doubtful accounts is estimated based on historical collection trends. Allowances are estimated for life memberships and scholarship pledges receivable. Standard receivables and sponsorships receivable are not listed net of an allowance, as these balances are deemed fully collectible.

#### Inventory

Inventory consists of promotional novelty merchandise and is stated at the lower of cost or market.

#### Property and equipment

The Association follows the practice of capitalizing all major expenditures from Association funds for land, buildings, and equipment. Additions are recorded at cost, or if donated, at fair market value at the time of donation. Buildings and equipment are depreciated by the straight line method using the following estimated service lives:

	<u>Years</u>
Buildings	30
Vehicles	5
Furniture and fixtures	10
Office equipment	5

#### D.M. Thomas Sculpture – *Talk About Your Cowboy*

The Association commissioned a bronze statue by artist D. M. Thomas, and the finished work was installed on the Alumni house lawn as a cultural and aesthetic landmark in October 2008. The construction costs, including sculpture production and installation, which totaled \$168,052, are presented as an unrestricted asset on the Statement of Financial Position.

Based on the recommendations of the Financial Accounting Standards Board in its Statement of Financial Accounting Standards (SFAS) No. 93, *Recognition of Depreciation for Not-for-Profit Organizations*, depreciation will not be recognized on this sculpture because its economic benefit will be used up so slowly as to render its estimated useful life extraordinarily long. In order for a piece of artwork to be non-depreciable under SFAS No. 93, it must have cultural, aesthetic, or historical value that makes it worth preserving perpetually and the holder must have the financial and technological ability to protect and preserve it undiminished. The Alumni Association is committed to preserving this important cultural and aesthetic landmark into perpetuity. Based on recommendations from the artist, a maintenance reserve account will be established if needed.

#### Revenue recognition

The Association recognizes revenues in the accounting period during which they are earned and become measurable.

#### Donations

The Association reports gifts of cash and other assets as temporarily restricted support if they are received with donor stipulations that limit the use of the donated assets. When a donor restriction expires, that is, when a stipulated time or purpose restriction is accomplished, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the Statement of Activities as net assets released from restrictions.

Income taxes

The University of Wyoming Alumni Association is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code.

Estimates

Management uses estimates and assumptions in preparing the financial statements in accordance with generally accepted accounting principles. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Actual results could vary from the estimates that were used.

Advertising

The Association expenses advertising production costs as they are incurred and advertising communication costs the first time the advertising takes place.

Note 2. Investments

The following shows the relationship between cost and market values of investments at June 30. The value in the final column represents the life membership investment portfolio so that this amount can be compared to the total investment portfolio.

2010

	Cost	Market Value of Investment Portfolio	Unrealized Appreciation (Depreciation)	Market Value of Life Membership Investments
Money market funds	\$ 386,868	\$ 386,868	\$ -	\$ 336,329
Equity securities	1,203,212	1,238,084	34,872	1,064,601
Taxable bonds	904,809	924,240	19,431	557,730
Mutual funds	235,623	205,493	(30,130)	126,990
	\$ 2,730,512	\$ 2,754,685	\$ 24,173	\$ 2,085,650

2009

	Cost	Market Value of Investment Portfolio	Unrealized Appreciation (Depreciation)	Market Value of Life Membership Investments
Money market funds	\$500,401	\$500,401	\$ -	\$ 366,671
Equity securities	1,230,261	1,067,097	(163,164)	928,095
Taxable bonds	747,072	744,685	(2,387)	527,927
Mutual funds	159,639	140,644	(18,995)	82,825
	\$2,637,373	\$ 2,452,827	\$(184,546)	\$ 1,905,518

Note 3. Property and equipment

Property and equipment consists of the following as of June 30:

	2010	2009
Land	\$ 50,000	\$ 50,000
Building	438,942	438,942
Furniture and equipment	135,468	135,468
Vehicle	25,306	25,306
	<hr/>	
Less accumulated depreciation	447,491	433,124
	<u>\$202,225</u>	<u>\$216,592</u>
	<hr/> <hr/>	

Note 4. Deferred revenue

Deferred revenue represents annual dues that have not been earned by the Association. This is the portion of each member's annual dues that applies to the following fiscal year. Deferred revenue on annual dues amounted to \$52,084 and \$53,682 on 6/30/2010 and 6/30/2009 respectively.

Life membership installments are also deferred revenue which has not been earned by the Association. This is the portion of life membership installments that are receivable at June 30. Deferred revenue on life membership installments amounted to \$158,787 and \$190,675 on 6/30/10 and 6/30/09 respectively.

Note 5. Scholarship Commitments

The Association funds approximately 35 University of Wyoming scholarships annually from its Scholarship Club donations. Most of these awards are four year commitments. These scholarships will amount to \$55,000 for the 2010-11 academic year and amounted to \$ 52,250 for the 2009-2010 academic year.

Note 6. Life memberships

All life membership dues are currently recorded as revenues when received and are used for operating expenses. The life membership investment account, which has a current market value of \$2,085,650 (see Note 2) is an internal designation of unrestricted funds. Prior to 2000, life membership dues received, net \$50.00 per new membership and investment income generated during the fiscal year, were deposited into the life investment account. This practice was put on hiatus by the Board of Directors in 2000, when the UWAA ceased receiving indirect support from the University of Wyoming, because additional funds were needed to cover operating expenses.

The UWAA has continued to monitor the amount due to the life investment account despite its inability to make additional investments. In 2000, capital gains were added to the formula used to determine the amount due to the investment account. The following is a summary of transactions for the past two fiscal years:

	2010	2009
Life membership dues net of portion retained for operations	\$105,846	\$ 121,095
Investment income in life membership account		
Dividends	31,487	44,731
Interest	32,185	41,959
Capital gains	116,460	29,843
	<u>180,132</u>	<u>116,533</u>
Investment income over (under) life dues	<u>\$74,286</u>	<u>\$(4,562)</u>

The UWAA continues to monitor its life endowment account, which was originally established to fund life membership costs in future periods. The investment committee, headed by the Association's Treasurer, meets quarterly to examine investment and operating performance. Current policy states that, if deemed necessary by the Board of Directors, deposits into the life endowment account may be resumed.

#### Note 7 Payroll Liabilities and Related Estimates

The University of Wyoming Alumni Association records payroll liabilities and related estimates that reflect obligations derived from University of Wyoming employment and postemployment benefits. These amounts are recorded as accounts payable on the Statement of Financial Position.

The payroll liability captures unused sick and vacation leave for association employees. On June 30, 2010, this amount was \$33,111. Sick and vacation leave are employment benefits to which association staff members are entitled as university employees.

The related estimate reflects the liability from the university's post-employment benefits. Under the university's healthcare plan, any employee who retires and meets certain service year requirements will receive a benefit conversion of up to 960 hours of accrued sick leave to a state contribution for group health insurance. Under the university's life insurance plan, any employee who retires and meets certain service year requirements can also have one-half of the life insurance premium paid by the university. A firm contracted by the university calculated an actuarial estimate of the post-employment benefit liability for the entire university. At June, 30, 2010, the association's share of this liability was estimated at \$1,026.

Note 8. Impact of State Budget Cuts

The University of Wyoming saw significant budget reductions during FY 2009 as a result of the state's shrinking natural resources revenue. The budget cuts announced in June 2009 have affected the University of Wyoming Alumni Association significantly. In FY 2010, the university began a phased elimination of salary support, with UWAA reimbursing \$76,667 in salary costs. If the budget cuts are implemented as outlined, the salary obligations paid through the association's operating fund will be as follows:

FY 2011	\$153,334
FY 2012	\$230,000

In FY 2012, the University of Wyoming Alumni Association will be a self-sustaining entity, with the exception of employer paid benefits, which the university will continue to contribute. Employer-paid benefits include retirement contributions and employer funded insurance premiums.

The association will need to generate replacement revenue and reduce expenses to accommodate this reduction. This task may be difficult in the short run, as the association's revenue sources tend to mirror the general economy. The Statement of Activities reflects three major revenue sources: indirect support from the university, membership dues, and royalty payments. The salary contribution reduction removes over 75% of the indirect support.

As a donor-funded organization, membership revenue decreases during economically challenging times. This trend continued in FY 2010. Additionally, the association's royalty revenues derive from consumer spending. Already, major royalty reductions have been announced for FY 2012. While the association will examine new revenue streams as replacement options, the health of membership dues and royalties is critical. Expenses have been significantly reduced in the association's FY 2011 budget and further cuts are expected. No alumni outreach programs were eliminated during FY 2010, although the funding allocated to each event was decreased. Through effective cost management and control, the association hopes to continue its increased outreach efforts – in spite of budget constraints.



**Internal Audit Report:**

**Audit of COWBOY JOE CLUB**

November 5, 2010

Kathleen Miller, Internal Auditor  
Internal Audit Department  
Department 3314  
1000 E. University Avenue  
Laramie, Wyoming 82071  
(307) 766-2385

We conducted an audit of the Cowboy Joe Club, Inc. (CJC) for the period ending June 30, 2010. The audit consisted of interviewing staff members and analyzing all business processes, including: accounts receivable, cash handling, purchasing, accounts payable and payroll. The field work for the audit was completed by Jonnie Jenkins, Senior Auditor.

We would like to thank Marisa Reilly, Keener Fry and the rest of the staff for their assistance on this audit. We would also like to recognize their concern about these issues.

The following observations, recommendations and Cowboy Joe Club responses resulted from the June 30, 2010 audit:

**Observation: Gift-In-Kind Contributions did not have adequate Supporting Documentation:**

Amounts recorded as gifts-in-kind do not have supporting documentation. The Statement of Financial Accounting Standards #116 states that for a contribution to be recorded in the financial statements it must: (1) create or enhance non-financial assets, (2) require specialized skills provided by individuals possessing that skill, and (3) would need to be purchased if it had not been contributed. In addition, supporting documentation would need to indicate: (1) detailed description of the service/good being donated and (2) value of service/goods provided. During our testing we noted that a significant number of the items tested did not have documentation supporting the contribution. The documentation on file was a pledge form completed by the donor. There was no additional documentation indicating that the donation was received or used.



We do want to note that the department is dependent on the donor to provide the supporting documentation. The CJC staff has fostered very strong relationships with a majority of their donors that provide in-kind donations for such costs as: courtesy cars, hotels, and food and beverage for hospitality events. The media field is one of the most difficult to receive documentation as it is not common in their culture to track and assess values for in-kind donations.

#### Recommendation

Due to the lack of supporting documentation, we recommend that \$207,232.41 of gift-in-kind donations be removed from the financial statements. We also recommend that the only donations recorded in the financials be those that are supported by adequate documentation. All other donations can be tracked separately for benefits to the Cowboy Joe Club members. We recommend that the CJC Accounting Dept. work closely with Keener Fry, Assoc. Athletic Director – CJC, to create and implement a new procedure in which donation information and supporting documentation is reviewed before it is entered into the financial records.

#### Response

The CJC maintains an Excel spreadsheet ledger for each gift-in-kind donor. We will continue to diligently pursue the collection and recording of supporting documentation from gift-in-kind donors. We have made the adjustment to removed \$207,232.41 of gift-in-kind donations from the June 30, 2010 financial statements as recommended. We will perform a thorough review of the status of all gift-in-kind donations at December 31 and again at the June 30 fiscal year end. For financial statement purposes, we will record as gift-in-kind revenues only those donations for which we have adequate supporting documentation verifying the value of goods and services received.

#### **Observation: Wildcatter Suite/Club Seat revenues were not accounted for in accordance with GAAP (Generally Accepted Accounting Principles) for financial statement reporting purposes:**

We noted that funds received during the fiscal year for the sale of Wildcatter Suites and Club Seats were not appropriately accounted for according to GAAP for year-end financial statement purposes. Cowboy Joe Club “sold” lease agreements for 10 of the 12 Wildcatter Suites (2 are complimentary to the University President and the Director of Athletics) and 179 of the 250 Club Seats (noted 34 complimentary seats) for a total of \$2,580,000 in lease commitments. The leases for the suites and club seats span between one, three, five and seven year commitments. Due to the nature of the signed commitments and the timeframes involved, the commitments should have been allocated to the following classifications:

- Short-term and Long-term Pledges Receivable
- Liability for the cost of football tickets (\$50/seat for 6 home games/year)
- Discounts (where applicable)
- Donation (80% of the amount contributed after taking into account discounts and cost of football tickets)
- Deferred Revenue (20% of the amount contributed after taking into account discounts and cost of football tickets)

### Recommendation

The period of this review tracked all commitments and payments for Wildcatter Suites and Club Seats as of June 30<sup>th</sup>; however the transactions were not recorded to account for pledges receivable, discounts, deferred revenues, donations and other liabilities. We recommend that the CJC implement a procedure to appropriately account for all Wildcatter Suites and Club Seats to comply with Generally Accepted Accounting Principles. We also recommend that as transactions occur, that they be appropriately recorded in real time instead of waiting until year end to post adjustments.

### Response

For CJC internal accounting purposes, the cash receipts from the Wildcatter Club Seats and Suites were accounted for on a cash basis. Attention was taken to ensure that all cash receipts were recorded to the appropriate donor account and applied to the appropriate year for those payments made for future years. The audit verified the accuracy of this accounting treatment and the deposit to the appropriate cash account. It is necessary for the CJC to have this information in this format for internal accounting purposes, as funds that have been paid for future years must be set aside for the transfer to the UW Department of Athletics in those future years. We recognize the importance of making the proper presentation of these transactions in accordance with GAAP for year-end financial statement purposes. We have reviewed the appropriate accounting treatment of these transactions with the internal audit staff and are equipped to record these transactions accurately for future year-end financial statements.

### **Observation: Accounting Records are Incomplete**

Management needs to put more emphasis on the accounting function in order to produce timely reports. However the lack of emphasis on the accounting activities has undermined the accounting function. This was evidenced by the following situations:

- 1) Golf reconciliations were not received until the end of August when many of these tournaments were completed in May. Good accounting practices would force reconciliations of the golf tournaments within a reasonable timeframe after each tournament.
- 2) At the beginning of the audit, the data entry into Business Works was two months behind. At the close of the audit, the records were three months behind. The CJC Accountant has indicated that this is a system problem due to the expired license agreement with Business Works.
- 3) Accounting personnel are frequently pulled from their duties to provide services to other areas of CJC that are deemed more important by management. For example: annual CJC auction, marketing efforts, special mailings to members, etc.

### Recommendation

We recommend that the management of CJC review and evaluate the needs in the CJC Accounting Dept. The CJC Accounting Department needs to be supported by management's philosophy as well as their actions. The empowerment of this department is critical to attaining the goal of accurate and timely financial reports for management and the board to make informed decisions. More specifically:

- 1) We recommend a review of processes supporting the golf tournaments. Golf tournaments begin in May and continue through the end of June. During 2010, CJC hosted a total of 17 golf tournaments with many occurring on consecutive Fridays and Saturdays of each week. Staff made considerable progress in managing the golf tournaments since 2009, however we recommend that at the end of each golf tournament that the reconciliation be completed immediately and that a copy of the reconciliation accompany the funds to be deposited by the CJC Accounting Dept. This will assist the CJC Accounting Dept. in entering data on a real time basis and being able to confirm the reconciliation as an effective internal control. We want to note that per discussions during our audit, CJC has drafted accounting procedures to strengthen this process.
- 2) Real time data entry into Business Works is critical for the CJC Accounting Dept. to be able to manage the day to day financial activities and to provide management with timely and accurate financial reports. We recommend that management in conjunction with the CJC Accounting Dept. evaluate what personnel may need to achieve effectiveness, efficiency and accuracy in managing the accounting function. (i.e. training, adequate systems and licensing of software)
- 3) We recommend that management not use CJC Accounting staff to complete general CJC projects (such as the annual auction, marketing/promotions and special mailings) in order to ensure that the staff have adequate time to complete their accounting duties.

#### Response

We agree that the procedures and processes need to be strengthened to produce more timely final reports for the golf tournament. As noted above, we have drafted procedures to significantly improve these efforts. In addition, we recently hired an additional staff person and their primary responsibility will be to manage all of our special event fundraising initiatives, including the golf series and the auction.

We have taken steps to free up the CJC accountant from performing tasks in the department not related to the accounting function. In addition, we have moved forward to improve and upgrade the Business Works accounting software to allow the CJC accountant to record accounting transactions in real time fashion. In the past, there were system limitations that allowed the next month transactions to be entered only after the previous month was closed. This barrier will be removed by December 31, 2010. Effective January 1, 2011, transactions will be entered in real time and monthly financial statements will be produced in a timelier manner.

Kathleen Miller,  
Internal Auditor

cc: Tom Buchanan, President, University of Wyoming  
Tom Burman, Director of Athletics, University of Wyoming

# **COWBOY JOE CLUB**

## **ANNUAL FINANCIAL REPORT**

**June 30, 2010**

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**COWBOY JOE CLUB**

**BALANCE SHEETS  
JUNE 30, 2010 AND 2009**

	2010 Cowboy Joe Club			2010 University of Wyoming	2010 Total	2009 Total
	Unrestricted Operating Fund	Restricted Funds	Endowment Funds	Unrestricted Operating Fund		
<b>ASSETS</b>						
Cash on deposit with the University of Wyoming	\$ 2,241,692	\$ -	\$ -	\$ (38,504)	\$ 2,203,188	\$ 966,532
UW Foundation investment	18,795	91,393	-	-	110,188	93,580
UW Foundation investment-true endowments	-	-	420,509	-	420,509	394,818
UW Foundation investment-quasi endowments	-	-	179,453	-	179,453	164,867
Cash value of life insurance policies	260,103	-	-	-	260,103	231,318
Accounts receivable	25,625	24,413	-	-	50,038	34,303
Membership Pledges Receivable net of allowance for uncollectible pledges of \$48,055 and \$52,021	170,334	-	-	-	170,334	130,035
Wildcatter Pledges Receivable, current \$477,6300, long-term \$910,000	1,387,630	-	-	-	1,387,630	-
Prepaid expenses	-	-	-	-	-	8,200
Equipment and automobiles, at cost, less accumulated depreciation of \$39,933 and \$30,556	29,305	-	-	-	29,305	38,681
Inter-Fund balances	(180,976)	142,472	-	38,504	-	-
<b>Total assets</b>	<b>\$ 3,952,508</b>	<b>\$ 258,278</b>	<b>\$ 599,962</b>	<b>\$ -</b>	<b>\$ 4,810,748</b>	<b>\$ 2,062,334</b>
<b>LIABILITIES AND FUND BALANCES</b>						
Accounts payable	\$ 31,326	\$ -	\$ -	\$ -	\$ 31,326	\$ 25,629
Deferred revenue	1,787,935	-	-	-	1,787,935	17,715
Accrued compensated absences	-	-	-	5,704	5,704	6,116
Other post-employment benefits	-	-	-	2,186	2,186	2,186
<b>Total liabilities</b>	<b>1,819,261</b>	<b>-</b>	<b>-</b>	<b>7,890</b>	<b>1,827,151</b>	<b>51,646</b>
Fund balances	2,133,247	258,278	599,962	(7,890)	2,983,597	2,010,689
<b>Total liabilities and fund balances</b>	<b>\$ 3,952,508</b>	<b>\$ 258,278</b>	<b>\$ 599,962</b>	<b>\$ (0)</b>	<b>\$ 4,810,748</b>	<b>\$ 2,062,335</b>

The notes to financial statements are an integral part of this statement.

**COWBOY JOE CLUB**  
**STATEMENTS OF REVENUE AND EXPENSES**  
**JUNE 30, 2010 AND 2009**

	2010 Cowboy Joe Club			2010 University of Wyoming	2010 Total	2009 Total
	Unrestricted Operating Fund	Restricted Funds	Endowment Funds	Unrestricted Operating Fund		
<b>REVENUE</b>						
Memberships - cash	\$ 2,914,546	\$ 183,265	\$ -	\$ -	\$ 3,097,811	\$ 2,177,347
Memberships - Steer-A-Year	-	75,255	-	-	75,255	76,805
Memberships - gifts-in-kind	620,233	15,675	-	-	635,908	764,521
Donations	7,630	134,448	24,445	-	166,523	118,771
Fund raising activities (Schedule III)	807,110	49,138	-	-	856,248	732,632
Investment income	612	26,881	-	-	27,493	69,533
Realized Gains (Losses) on Investments	-	-	3,739	-	3,739	(9,532)
Unrealized Gains (Losses) on Investments	-	-	12,092	-	12,092	(239,170)
Other (Schedule IV)	209,745	-	-	-	209,745	(46,215)
<b>Total revenue</b>	<b>\$ 4,559,876</b>	<b>\$ 484,662</b>	<b>\$ 40,276</b>	<b>\$ -</b>	<b>\$ 5,084,814</b>	<b>\$ 3,644,692</b>
<b>EXPENSES</b>						
Support of University of Wyoming Programs:						
Athletic Department (Schedule I)	\$ 1,785,278	\$ 368,172	\$ -	\$ -	\$ 2,153,450	\$ 2,553,541
Athletic Department - gifts-in-kind (Schedule II)	527,354	-	-	-	527,354	538,763
Other (Schedule II)	12,500	20,509	-	-	33,009	48,400
Fund raising activities (Schedule III)	371,600	44,397	-	-	415,997	330,949
Fund raising - gifts-in-kind (Schedule III)	92,879	15,675	-	-	108,554	225,758
Awards and membership benefits	177,152	4,822	-	-	181,976	125,924
Postage	8,283	-	-	39,788	48,070	40,109
Printing	18,717	-	-	-	18,717	23,497
Promotion	66,746	-	-	-	66,746	71,430
Salaries	-	-	-	423,965	423,965	378,302
Travel	31,524	-	-	-	31,524	33,069
Other (Schedule IV)	85,088	-	-	8,081	93,169	89,965
Depreciation	9,377	-	-	-	9,377	9,377
<b>Total expenses</b>	<b>\$ 3,186,498</b>	<b>\$ 453,575</b>	<b>\$ -</b>	<b>\$ 471,833</b>	<b>\$ 4,111,906</b>	<b>\$ 4,469,084</b>
<b>REVENUE OVER (UNDER) EXPENSES</b>	<b>\$ 1,373,378</b>	<b>\$ 31,087</b>	<b>\$ 40,276</b>	<b>\$ (471,833)</b>	<b>\$ 972,908</b>	<b>\$ (824,392)</b>

The notes to financial statements are an integral part of this statement.

**COWBOY JOE CLUB  
STATEMENTS OF CHANGES IN FUND  
BALANCES  
JUNE 30, 2010 AND 2009**

	2010 Cowboy Joe Club			2010 University of Wyoming	2010 Total	2009 Total
	Unrestricted Operating Fund	Restricted Funds	Endowment Funds	Unrestricted Operating Fund		
<b>REVENUE</b>						
Revenue	\$ 4,559,876	\$ 484,662	\$ 40,276	\$ -	\$ 5,084,814	\$ 3,644,692
<b>EXPENSES</b>						
Expenses	(3,186,498)	(453,575)	-	(471,833)	(4,111,906)	(4,469,084)
Net increase (decrease) before transfers	1,373,378	31,087	40,276	(471,833)	972,908	(824,392)
<b>TRANSFERS</b>						
Transfers to Endowment Fund	-	-	-	-	-	-
Transfers from Endowment Fund	-	-	-	-	-	-
Transfers to University Operating Fund	(472,245)	-	-	472,245	-	-
<b>NET INCREASE (DECREASE) FOR THE PERIOD</b>	901,133	31,087	40,276	412	972,908	(824,392)
<b>FUND BALANCES, BEGINNING</b>	1,232,114	227,191	559,686	(8,302)	2,010,689	2,835,081
<b>FUND BALANCES, ENDING</b>	\$ 2,133,247	\$ 258,278	\$ 599,962	\$ (7,890)	\$ 2,983,597	\$ 2,010,689

The notes to financial statements are an integral part of this statement.

**COWBOY JOE CLUB  
NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2010**

Note 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

**COWBOY JOE CLUB UNRESTRICTED OPERATING FUND**

The operating transactions of Cowboy Joe Club are reported in the Cowboy Joe Club Unrestricted Operating Fund. Cash on deposit with the University of Wyoming that is reported in this fund are Cowboy Joe Club accounts that are under the Club's control and have not been donated to the University.

**COWBOY JOE CLUB RESTRICTED FUNDS**

This fund group consists of contributions to Cowboy Joe Club that may only be utilized in accordance with the purposes established by the donors. Restricted donations are recorded as revenue when received. Expenses are recognized when the funds are transferred to the University or are expended for the purpose established by the donor.

**COWBOY JOE CLUB ENDOWMENT FUNDS**

This fund group consists of the Cowboy Joe Club Scholarship and Permanent Endowment Trust Fund and endowments restricted to scholarships. Only the interest from the endowed funds can be utilized for the purposes established for each fund. In no event may the corpus of true endowments created by donors be invaded. The Cowboy Joe Club Board of Directors created the quasi endowment.

**UNIVERSITY OF WYOMING UNRESTRICTED OPERATING FUND**

Accounts that are owned by the University of Wyoming for the benefit of the Club are reported in this fund group for the purpose of providing more complete information about the Club's operations. Transactions of this fund group include the Club's administrative salaries and other operating expenses that are incurred while performing the various functions of the Club. These accounts are funded exclusively from funds generated by the Club.

**MEMBERSHIPS – CASH**

Membership pledges are recorded as an asset and membership revenue is recognized for financial statement purposes when membership pledges are received.

**MEMBERSHIPS – GIFTS-IN-KIND**

Membership pledges for gifts-in-kind (donations of goods and services) are not recorded as an asset or revenue for financial statement purposes when pledges are received. Gifts-in-kind membership revenue and expenses are recorded in the period the gifts-in-kind are received.



### **EQUIPMENT AND AUTOMOBILES**

These assets are recorded at cost or market value at the date of gift. Depreciation is calculated on the straight-line method based on the estimated useful lives of the assets.

### **INVESTMENTS AT UNIVERSITY OF WYOMING FOUNDATION**

Cowboy Joe Club investments held at the University of Wyoming Foundation are recorded at market value for financial statement purposes.

### **Note 2. INCOME TAXES**

The Club is exempt from paying Federal income taxes under section 501 (C) (3) of the Internal Revenue Code.

### **Note 3. COMMITMENTS**

#### **CLUB OPERATING EXPENSES**

The Club's administrative salaries and operating expenses are paid through University owned accounts that are funded entirely by the Club. These expenses amounted to \$472,245 for the year ending June 30, 2010.

#### **ATHLETIC DEPARTMENT SUPPORT**

The Club has made a commitment to provide financial support to the Athletic Department in the amount of \$1,600,000 for the period beginning on July 1, 2009 and ending June 30, 2010.

### **Note 4. WILDCATTER SUITES/CLUB SEATS**

The Club embarked on an exciting new facility project with construction beginning in the spring of 2009 and was completed in the fall of 2010 to start off the 2010 Football season. The Wildcatter Suites/Club Seats provide Wyoming Football fans with the advantages of indoor, luxury seating.

The new addition includes a total of 12 individual suites along with a stadium club area that contains 250 indoor seats to the upper east side of War Memorial Stadium. The project was funded with private donations and matching funds from the Wyoming State Legislature.

Donors have the ability to sign a lease agreement for use of the Wildcatter Suites or Club Seats for the following terms: 1, 3, 5 or 7 year leases. The lease package includes: use of the facility (Wildcatter Suite) and season football tickets. The donor will receive 80% of the agreed upon lease fee as a donation after the deduction of any discounts and cost of season football tickets. The remaining 20% is recorded as unearned revenue and will be used to cover the cost of maintenance for the facility.

**COWBOY JOE CLUB  
 SUPPORT OF UNIVERSITY OF  
 WYOMING  
 PROGRAMS  
 JUNE 30, 2010 AND 2009**

**Schedule I**

	2010 Cowboy Joe Club Unrestricted Operating Fund	2010 Cowboy Joe Club Restricted Funds	2010 Total	2009 Total
<b>ATHLETIC SUPPORT - SUPPORT BUDGET</b>				
Grants and aids	\$ 1,500,000	\$ 200,000	\$ 1,700,000	\$ 1,600,000
Miscellaneous	38,119	-	38,119	50,000
Moving expenses	-	-	-	6,309
<b>Total</b>	<b>\$ 1,538,119</b>	<b>\$ 200,000</b>	<b>\$ 1,738,119</b>	<b>\$ 1,656,309</b>
<b>ATHLETIC SUPPORT - OTHER</b>				
Athletics Capital Campaign	-	-	-	-
Automobile insurance	24,800	-	24,800	25,236
Awards	93,737	-	93,737	13,007
Basketball Men's Team	-	5,128	5,128	6,000
Basketball Women's Team	-	16,689	16,689	918
Block & Bridle	-	-	-	-
Coaches Circle	-	-	-	-
Football Team	-	3,172	3,172	172
Golf Team	-	52,618	52,618	30,189
Other	128,622	-	128,622	727,521
Scholarships	-	45,028	45,028	30,807
Soccer Team	-	2,786	2,786	2,367
Swimming Team	-	13,951	13,951	13,259
Tennis Team	-	10,900	10,900	13,506
Track Team	-	5,333	5,333	13,962
Volleyball Team	-	2,342	2,342	797
Weight Room	-	4,330	4,330	2,658
Women's Golf Team	-	-	-	8,706
Wrestling Team	-	5,895	5,895	8,127
<b>Total</b>	<b>247,159</b>	<b>168,172</b>	<b>415,331</b>	<b>897,232</b>
<b>TOTAL ATHLETIC DEPARTMENT SUPPORT</b>	<b>\$ 1,785,278</b>	<b>\$ 368,172</b>	<b>\$ 2,153,450</b>	<b>\$ 2,553,541</b>

**COWBOY JOE CLUB  
 SUPPORT OF UNIVERSITY OF WYOMING  
 PROGRAMS  
 JUNE 30, 2010 AND 2009**

	2010 Cowboy Joe Club Unrestricted Operating Fund	2010 Cowboy Joe Club Restricted Funds	2010 Total	2009 Total
<b>ATHLETIC DEPARTMENT GIFTS-IN-KIND</b>				
Advertising	\$ 105,505	\$ -	\$ 105,505	\$ 109,356
Automobile	378,032	-	378,032	350,444
Food and beverage	-	-	-	5,610
Lodging	11,557	-	11,557	12,066
Medical	15,191	-	15,191	8,669
Other	17,069	-	17,069	52,618
<b>Total</b>	<b>\$ 527,354</b>	<b>\$ -</b>	<b>\$ 527,354</b>	<b>\$ 538,763</b>
<b>UNIVERSITY SUPPORT - OTHER</b>				
Academic Counselor	-	871	871	-
Animal Science	4,000	800	4,800	5,942
Block and Bridle	1,500	5,252	6,752	4,988
Cheerleaders/Wildfire	-	12,686	12,686	29,220
Hall of Fame	1,000	-	1,000	1,000
Rodeo Team	6,000	900	6,900	7,250
<b>Total</b>	<b>\$ 12,500</b>	<b>\$ 20,509</b>	<b>\$ 33,009</b>	<b>\$ 48,400</b>

**COWBOY JOE CLUB**  
**FUND RAISING ACTIVITIES REVENUE**  
**AND EXPENSES**  
**JUNE 30, 2010 AND 2009**

**Schedule III**

	2010 Cowboy Joe Club Unrestricted Operating Fund	2010 Cowboy Joe Club Restricted Fund	2010 Total	2009 Total
<b>FUND RAISING ACTIVITIES - REVENUE</b>				
Auction	\$ 323,612	\$ -	\$ 323,612	\$ 334,508
Bobbleheads	-	-	-	20
Golf tournaments	359,168	-	359,168	290,047
Golf merchandise	80	-	80	11,385
Hospitalities	80,686	-	80,686	11,570
Stadium seats	43,564	-	43,564	38,235
Steer-A-Year - gain on sale of steers	-	49,138	49,138	46,867
<b>Total</b>	<b>\$ 807,110</b>	<b>\$ 49,138</b>	<b>\$ 856,248</b>	<b>\$ 732,632</b>
<b>FUND RAISING ACTIVITIES - EXPENSES</b>				
Auction	\$ 99,853	\$ -	\$ 99,853	\$ 88,194
Coaches Circle	3,957	-	3,957	-
Golf tournaments	203,662	-	203,662	155,119
Golf merchandise	43,025	-	43,025	-
Hospitalities	5,738	-	5,738	9,762
Legacy Wall	11,628	-	11,628	-
Stadium Seats	3,415	-	3,415	2,566
Steer-A-Year feedlot expenses	-	44,397	44,397	72,198
W Club	322	-	322	3,110
<b>Total</b>	<b>\$ 371,600</b>	<b>\$ 44,397</b>	<b>\$ 415,997</b>	<b>\$ 330,949</b>
<b>FUND RAISING GIFTS-IN-KIND - EXPENSES</b>				
Advertising	\$ 12,650	\$ -	\$ 12,650	\$ 44,852
Automobile	25,287	-	25,287	38,081
Food and beverage	18,100	-	18,100	57,143
Gasoline	-	-	-	384
Lodging	3,578	-	3,578	2,492
Other	15,910	-	15,910	14,550
Steer-A-Year	6,371	15,675	22,046	19,554
Supplies	10,983	-	10,983	16,452
Transportation	-	-	-	32,250
<b>Total</b>	<b>\$ 92,879</b>	<b>\$ 15,675</b>	<b>\$ 108,554</b>	<b>\$ 225,758</b>

**COWBOY JOE CLUB**  
**OTHER REVENUE AND EXPENSES**  
**JUNE 30, 2010 AND 2009**

**Schedule IV**

	2010 Cowboy Joe Club Unrestricted Operating Fund	2010 University of Wyoming Unrestricted Operating Fund	2010 Total	2009 Total
<b>OTHER REVENUE</b>				
Credit card commissions	\$ 5,600	\$ -	\$ 5,600	\$ -
Life insurance -				
Increase (decrease) in cash surrender value	28,784	-	28,784	(47,879)
Other	175,361	-	175,361	1,664
<b>Total other revenue</b>	<b>\$ 209,745</b>	<b>\$ -</b>	<b>\$ 209,745</b>	<b>\$ (46,215)</b>
<b>OTHER EXPENSES</b>				
Automobiles	\$ 66	\$ -	\$ 66	\$ 2,279
Computer systems	43,951	-	43,951	37,552
Credit card fees	24,266	-	24,266	24,172
Other	16,805	-	16,805	17,656
Telephone	-	8,081	8,081	8,306
<b>Total other expenses</b>	<b>\$ 85,088</b>	<b>\$ 8,081</b>	<b>\$ 93,169</b>	<b>\$ 89,965</b>



**Internal Audit Report:**

**Follow Up Review for Internal Audit of the  
Family Medical Residency Program in Cheyenne  
Issued on May 6, 2010**

Dr. Ron Malm:

We have completed the internal audit of the Family Medical Residency Program in Cheyenne and presented it to the Board of Trustees on May 6, 2010. As part of our process we perform a follow up review for each internal audit. In this case the follow report is schedule for November 2010. This is a reminder of the recommendations and responses and a request for current status. Please indicate after each response what the current status is and the expected completion date. The follow up will be presented to the Trustees in the December meeting we would like to be able to report that all the responses have been implemented as reflected in the audit.

**1. Observation: Monitoring of Accounts:**

As of November 2009, the billing process and collection of accounts receivable have been outsourced to Healthcare Systems Management, LLC (HSM). Because HSM provides experienced personnel including certified coders, most of the accounts receivable problems should be resolved. However, it should be noted that the management and oversight of the accounts receivable process will still be the responsibility of FMRP. FMRP should require that HSM provide reports on the status of the account receivable including aging reports, updates on reworked claims and any activity that has occurred regarding old accounts. These reports should be reviewed by the Clinic Manager and the HSM Liaison on a regular basis with any significant issues brought to the attention of the Director.

**Response**

Administration of the Cheyenne Family Medicine Residency Program and the College of Health Sciences are monitoring the process of outsourcing to Healthcare Systems Management. Additionally the Director of the Residency Program and the Director of Medical Education will assure that the reports are reviewed by the Clinic Manager and HSM Liaison on a monthly basis.

Current Status: UWFMRP has consistently requested from HSM monthly reports, inclusive of: A/R status reports; Aging reports; updates on reworked claims; and activity that has occurred regarding old accounts. Some of the above reports have been developed and submitted by HSM very infrequently. The reports that have been prepared by HSM have been reviewed by the Clinic

Manager, Clinical Medical Director, Business Office (BO) Manager, and Residency Program Director. Separately, UWFMRP hired a very experienced temporary person to specifically focus on reworking claims and old accounts. Because of the poor service received from HSM, the administration of the college and clinic are seeking other avenues to outsource billing.

## **2. Observation: Business Office Responsibilities**

### **Recommendation**

We recommend that since this is a responsibility of the BO, the Business Manager and/or Clinic Manager must ensure that there are sufficient personnel who are adequately trained to ensure this process is completed in a timely, accurate and efficient manner. In addition the Clinic Manager must provide ample oversight to ensure that the work is being done in an accurate and timely manner.

### **Response**

In response to this audit, a separate review conducted by Mary Petroski and the consultative report from Residency Program Solutions on 9 November, 2009, a reorganization of the business functions of the clinic have been discussed and partially implemented. Joe Montelongo has also been engaged as an onsite consultant to assist in several areas including reorganization of the business office, evaluating personnel in their current positions with an eye to retraining if necessary, and to assist in the hiring of the new business manager. The Program Director, Director of Medical Education, Dean of CHS and members of the University administration have meet to discuss these issues. Also, that the Program Director, Director of Medical Education, Dean of CHS in consultation with UW administration has determined that the current business manager was not functioning to expectations and her contract has not been renewed. The job description of the Clinic Manager will include the duties of providing ample oversight to ensure that the work is being done in an accurate and timely manner.

Current Status: The Interim Clinic Manager (CM) and the BO Manager have accomplished the staffing of the BO positions with well qualified and experienced staff. The BO is now fully staffed with the budgeted positions allowed for the department. The positions that have been hired include Front Desk Reception, two Accounting Associates, and the Clinic Float. The Clinic Float position is shared with Medical Records. Due to the qualifications and experience of employees in the BO, the work produced is accurate and done in a timely fashion. The Interim CM has also reviewed the BO structure, and has conducted personnel evaluations and personnel placements within the BO.

The Interim CM has provided the following: implementation of new systems and processes to improve efficiency, quality, timeliness, and work priority. The Interim CM developed the Search Plan/Position Description for the permanent Clinic Manager position; posted announcement; screened candidates. The Search Committee will present their candidate recommendation to the Program Director, Director of Medical Education, and Dean of Health Sciences.

### **3. Observation: Cash Handling**

All cash and checks should be kept in a secure area. A file drawer is relatively easy to open, even if locked. Because insurance payments come in lump sums, the amount of money that is kept overnight could be significant (over \$30,000), we recommend that a safe be purchased so that the money can be kept more secure and that the safe be located in a more secure area than the front office.

We also recommend that a more secluded area be identified to count money, enter patient payments, and prepare the deposit.

All payments received in the mail should be entered into the system by someone other than the receptionists who are performing many other tasks. All of these tasks are key to the financial success of FMRP and accuracy is critical not only in applying patient payments but also in entering patient information.

All cash deposits should reconcile to Cash Net. Reconciliations processes should be reviewed to ensure that they are adequate to ensure accuracy.

#### **Response**

A safe has been purchased to provide a secure area for overnight storing of cash and checks and the counting of money will be moved to a more private area. The reorganization will identify the appropriate person to receive and enter payments. Additionally, the reorganization of the clinic's business functions will review all aspects of business operations and personnel job functions. Cash deposits will be reconciled to Cash Net in the future.

Current Status: A safe was purchased and is located in a secure area where it is bolted to the cement floor. Money is counted in a secluded area rather than the front desk. All patient payments are entered by Accounting Associates instead of the receptionists. All financial transactions are reconciled at the end of each day to Cash Net by each individual preparing the transaction. The transaction is then reviewed and signed off for accuracy by a second person and locked in the safe until the deposit is prepared the next morning.

### **4. Observation: Sliding Fee Schedule**

We recommend that the documentation for the discount be retained for at least a year or until the patient has paid the fee. We also recommend the FMRP review their processes and perform a cost/benefit analysis for requiring some form of income verification in order for participants to qualify.

#### **Response**

This recommendation is being taken under advisement and a plan to document eligibility for the discount will be implemented. The plan will consider time constraints and personnel available.

Current Status: UWFMRP has implemented an updated SFS process that requires patients to provide the following documentation: Current Years Federal Tax Return and/or W2 Forms;



Current 3 Months of Paycheck Stubs, Social Security Benefits, Disability, or Unemployment Compensation; Government Assistance Benefits (Food Stamps, Housing Assistance, etc.); Copy of Photo ID (must be State or Government Issued). With this information the income and the patient's household size is compared to the current Federal Poverty Level to determine the patient's SFS program eligibility and clinic co-pay amount. This SFS is community based in the Cheyenne area. The local hospital uses a similar SFS as well as several other local physicians' offices. Requiring patients to provide the above documents allows UWFMRP to accurately place the patients in the appropriate SFS range. The co-pay is required at the time of each patient visit.

### **5. Organizational Structure**

We recommend that the financial side of the FMRP be evaluated to ensure that financial functions are adequately addressed with sufficient and qualified personnel. We believe the following steps should be considered:

1. Expanding the financial manager position to include responsibility for all financial functions as well as the monitoring and reporting of all financial information.
2. Adding business office personnel so that necessary business activities can be performed in an accurate and timely manner.

### **Response**

In response to this audit, a separate review conducted by Mary Chinnock Petroski and the consultative report from Residency Program Solutions on 9 November, 2009, a reorganization of the business function of the clinic have been discussed and partially implemented. Joe Montelongo has also been engaged as an onsite consultant to assist in several areas including reorganization of the business office, evaluating personnel in their current positions with an eye to retraining if necessary, and to assist in the hiring of the new business manager. Mr. Montelongo will work closely with Dr. Broomfield, and will keep in close contact with Dr. Saunders and the Dean.

Current Status: Please see comments listed under Observation #2; Current Status.

Kathleen Miller  
Internal Auditor



**Sponsored Programs Effort Reporting**

February 12, 2010

Kathleen Miller, Internal Auditor  
Department 3314, 1000 E. University Avenue  
Laramie, Wyoming 82071  
(307) 766-2385

The V.P. for Research and Economic Development requested an audit of the effort reporting for sponsored projects. As regulations regarding sponsored projects continue to change and become more and more extensive, the V.P. for Research and Economic Development determined the University of Wyoming should take a proactive approach and evaluate processes and identify weaknesses in order to mitigate the university's risks. Reviews and changes have been on-going, however effort reporting was identified by the V.P. for Research and Economic Development as a high risk area requiring additional review. After reading various audit reports produced by the Office of Inspector General regarding time and effort reporting, I agreed that this audit was necessary especially as our research dollars continue to increase. Therefore, a detailed review of the time and effort system operating at UW was completed. This included: interviews with staff members, Principal Investigator (PIs), faculty and others involved in the program, as well as a review of Personnel Activity Reports (PARs) for the year ending June 30, 2009. The following observations, recommendations and responses resulted from this audit.

I would like to thank the V.P. for Research and Economic Development, William Gern, the Associate V.P. for Research, Dorothy Yates and the Manager of Sponsored Programs, Shannyn Adkins and her staff for their invaluable help in performing this audit. I would also like to recognize their concern about these issues. In fact, the V.P. for Research and Economic Development has committed extensive resources both in funding and personnel time to implement a new computer system called InfoEd which will provide automated methods for the University to monitor sponsored projects. This effort will address some of the issues identified in this audit and will strengthen many other processes regarding sponsored projects. This implementation should be complete within the next year.

Because of the impact the implementation of InfoEd will have on the monitoring of sponsored projects, Internal Audit will perform a follow up audit in twelve months in order to report the status of the recommendations made in this audit.

## **BACKGROUND**

Sponsored Programs are grants that are provided to faculty members who submit proposals to federal agencies (these agencies can include the National Science Foundation (NSF), National Library of Medicine (NLM), National Institute of Health (NIH), Department of Defense (DoD), etc) as well as state and other sponsors. When a grant is accepted by a federal agency the faculty member who submitted the proposal becomes the Principal Investigator (PI) and is charged with overseeing the progress as well as adhering to the rules put forth in OMB Circular A-21 (which provides direction and regulations on the time and effort reporting, allowable cost and other issues regarding grants) and other applicable rules noted in OMB Circular A-133. Most of these projects are run on a reimbursement basis where the university pays the expenditures of the grant and then submits an invoice detailing the expenditures. Any expenditure that falls outside the rules listed in OMB Circular A-21 or OMB Circular A-133 will be disallowed. Since these circulars are extensive, the Office of Sponsored Programs has been set up by the University to monitor grants to ensure compliance with all rules and regulations.

Recently the Office of Inspector General has audited various U.S. universities regarding the grant payrolls. This is referred to in OMB Circular A-21 as time and effort reporting. Universities who have been audited for their time and effort reporting have received poor reviews by the Office of Inspector General with some significant financial penalties. The main issues identified in these audits have been:

1. accurate and timely reporting of time and effort,
2. a suitable means of verifying that the work was actually performed,
3. performance of independent internal evaluation (this is a requirement of OMB A-21),
4. written guidance for all effort reporting processes to ensure full compliance with Federal requirements,
5. adequate monitoring to ensure all departments comply with established effort reporting policies and procedures, and
6. cognizant personnel received adequate training on their effort reporting responsibilities.

## **I. INTERNAL CONTROLS**

### **1. Observation: Time and Effort Policies**

There does not appear to be a written policy for the institution clarifying University standards and procedures regarding time and effort reporting for grants. Since this is an area in which confusion can easily arise and interpretations can vary, it is important to have policies that are written and easily available for reference.

### **Recommendation**

We recommend that policies regarding time and effort be written and posted on the web and regularly updated so that they can be available for reference by anyone with questions.

### Response

We concur. Sponsored Programs will document the policies and procedures and post them on the web. As changes occur, updates will be posted. Implementation will occur no later than June 30, 2011.

## **2. Observation: Overall Reporting Issue**

OMB Circular A-21 allows several different approaches to reporting and documenting time and effort. The two basic approaches are:

1. 'Plan-Confirmation' -- Under this method, the distribution of salaries and wages of professorial and professional staff applicable to sponsored agreements is based on budgeted, planned, or assigned work activity, updated to reflect any significant changes in work distribution.
2. 'After the Fact'-- Under this system the distribution of salaries and wages by the institution will be supported by activity reports which will reflect the distribution of activity expended by employees covered by the system.

Currently, effort is reported each month on Personnel Activity Reports (PARs). These forms record the expected effort that will be expended on the grant. However, since these documents are not connected to the payroll system, it appears that the University of Wyoming is currently using the 'Plan-Confirmation' approach. We interviewed many individuals paid on a grant and most of them believe that the PAR reflects the budgeted effort and documents any variation from that budget.

Under Plan-Confirmation there is a requirement that at least annually a Grant Statement will be signed by the employee, principal investigator, or responsible official(s) certifying that the work was performed. This process also requires that the university have a suitable means of verifying the effort reported in the Grant Statement. We believe that the PAR provides the suitable means of verification, however there is no process at UW in which an overall Grant Statement is signed at least annually to verify that the salaries and wages charged to the sponsored program reflect the actual work performed.

### Recommendation

We recommend that policies be written and a process be implemented to ensure that at least annually a Grant Statement is signed by the appropriate individuals verifying that the work was performed and stating that salaries and wages charged to the grant are reasonable in relation to the work performed. We believe that automating the Grant Statement submission would streamline the process, assist in meeting deadlines and provide a mechanism for monitoring the grants.

### Response

Sponsored Programs, under the direction of the Research Office, will develop and implement a process to ensure that an annual Grant Statement is signed by the appropriate individuals. Implementation will occur no later than June 30, 2011.

### **3. Observation: Effort Reduction**

Another concern noted was that the grant documents usually record the time commitment the Principal Investigator will expend on the grant; however, currently there is not a process to monitor if the PI actually complies with this commitment. This is especially important when the amount of effort expended on the grant is reduced from the amount recorded in the grant documents. OMB Circular A-21 states, "Whenever it is apparent that a significant change in work activity that is directly or indirectly charged to sponsored agreements will occur or has occurred, the change will be documented over the signature of a responsible official and entered into the system."

#### **Recommendation**

We recommend that the Office of Sponsored Programs develop a process to monitor the time and effort commitment recorded in the grant documents so that any reduction in effort is approved and recorded to comply with OMB Circular A-21. Since the regulation requirements only concern significant, long term reduction of effort, automating this to provide exception reports would be the most effective and efficient method of monitoring this issue.

#### **Response**

Sponsored Programs, under the direction of the Research Office, will develop a process to monitor the time and effort commitment so reductions in effort are approved and recorded as required by OMB Circular A-21. Implementation will occur no later than June 30, 2011.

### **4. Observation: System Reporting Issue**

The federal government requires that all individuals who work on a grant report their effort. This reporting is not based on how much the individual is paid nor is it based on a 40-hour work week. Effort is defined in OMB Circular A-21 as all the effort an individual expends for the University in a month. Given that definition, 100% of effort means that even if an individual works 200 hours for the University in a month instead of the normal 160 hours, they would report the 200 hours as 100%. If 50 hours of that time is spent on a sponsored project and the rest of their effort was teaching, they would report 25% effort for that grant and 75% for instruction which represents the proportional relationship.

As an internal control process, the University's computer system requires everyone to record 100% of his or her effort per position number. This means that those employees with more than one position number (they may have two jobs or projects that they are working on each with a different position number) would report 100% of their effort more than once. Someone who works three different jobs at the University may report as much as 300% effort for one month. Although this system works very well for those individuals who only work on one project, we believe that a federal auditor would take exception to the reporting of over 100% in a month for any individual.

In addition, we noted that the system reports the percentage of time applied to a grant to the fourth decimal. This sends a message that faculty members are recording their time in a detailed manner, which is not the case. An auditor seeing a percentage to the fourth decimal will no doubt

expect the faculty member to be able to verify such detailed numbers. If the numbers cannot be verified they would report an exception in the audit. Although the philosophy behind this programming was to ensure that all money is spent, the added risk of this process is not worth the few rounding dollars involved.

#### Recommendation

We recommend that the system be changed and that all position numbers be included in the calculation of 100% effort so that no individual reports over 100% effort in one month regardless of the number of position numbers.

We also recommend that the system be changed to show only whole numbers as a percentage.

#### Response

This is in process and will be implemented early in FY11 – target implementation date is July 1, 2010.

### **5. Observation: System Improvements**

Currently, the University uses a mostly manual process to report effort on sponsored programs. The effort is reported on a Personnel Activity Report (PAR) which is generated electronically through the HRMS (People Soft) system. Usually, the Financial Administrator or Manager of the department inputs the percentages of effort for the grant based on the grant award and the faculty member's plans. She/He then prints the PAR and sends it to the faculty member or PI for their review. The faculty member is expected to make any corrections needed and send it back to the Financial Administrator who then inputs the changes in effort, assigns the account number from which the money comes, prints it off again and sends it back to the faculty member for their signature and then to the Department Chair for their signature. The Office of Sponsored Programs receives the document, reviews it and files it.

We have several concerns with this process:

1. It is time consuming and subject to delays and inaccuracy.
2. Certification is a problem when a faculty member is not on campus and someone else must certify for them. The person certifying often does not have first-hand knowledge of the work done off campus. This is an important issue in the federal audits.

The Research Office is working to implement an electronic grant management process. However, currently they are not planning to have the PAR signed electronically. Providing the ability to electronically certify the PAR resolves two issues. If an individual could electronically certify their time their physical location would not be a problem. The other issue is that of the certifier having first-hand knowledge of the effort. If PARs can be signed electronically, the university could require that each person certify their own effort. This is allowed by OMB Circular A-21 and ensures that the certifier has first-hand knowledge of the effort performed.

Recommendation

We recommend that the Research Office work with Information Technology to establish a method for individuals to certify their PARs electronically. This would significantly reduce the university's risk by providing a method to certify PARs on time and by a person with first-hand knowledge of effort performed.

Response

The Research Office will explore options for electronic signature with Information Technology. Implementation will be dependent on IT timelines.

**6. Observation: Reporting Errors**

Some individuals are incorrectly reporting effort. For example, some faculty members report in the summer work that is done throughout the academic year in order to receive their salary in the summer. In some cases only part of the work is done throughout the year and the faculty member also works on the grant in the summer. However, the regulations require that salaries be paid during pay periods in which work is performed.

In addition, when errors in the PAR are noted, changes are made by the department on an Expenditure Correction form and submitted for approval to the Office of Sponsored Programs. The need to make changes occasionally cannot be eliminated and a process for these changes must be in place. However, it appears that this process is being abused by the departments, since the number of Expenditure Corrections submitted per month can total over 400. Some of these changes are minor and the effect of the change is less than \$5.00. This number of changes indicates inattention to detail by the departments and will send a message to any federal auditor that we are not accurately reporting effort.

Recommendation

OMB Circular A-21 requires that PARs reflect an estimate of actual work performed. We recommend that those certifying the PARs be made aware of this requirement and that they only certify PAR that are accurate.

We also recommend that the Office of Sponsored Programs limit the number of changes made to effort that has already been reported by increased training and by not allowing small or unnecessary changes.

Response

The Research Office has already implemented a review process for the year-end transactions to determine where problem areas exist. Additional training will be provided to communicate the A-21 requirements.

### **7. Observation: Certification Policies and Processes**

OMB Circular A-21 requires that effort be reported and that the effort be certified by someone who can verify that the effort reported was actually spent on the project through direct knowledge and oversight. UW Policies as noted on the PAR form allow only the PI, Department Head, Dean or Supervisor to certify by signing the PAR, however we noted that other individuals were signing some PARs regularly for their area.

#### **Recommendation**

We recommend that the policies be followed and only appropriate personnel certify the PAR.

#### **Response**

The Research Office will review the policy and implement changes as needed. Implementation will occur no later than June 30, 2011.

### **8. Observation: Monitoring Release Time**

When a PI has committed his or her time to the University and the sponsored project is going to require more than his or her remaining available time, the sponsor will sometime reimburse the University a portion of the PI's salary so that he or she can be released from their regular duties to work on the project. The University will then hire a replacement for the PI so that the PI's normal duties can be completed. There is not a formal process to monitor release time and to verify that the PI's regular duties were performed and who performed them. Currently, release time is not approved through the Sponsored Programs Office unless it is identified in the proposal. In fact the only approving document is the document that creates the stipend to pay the PI's salary. There is no specific approver required on this document.

#### **Recommendation**

We recommend that the Vice President of Research and Economic Development in conjunction with Academic Affairs develop policies regarding release time including a formal approval process. We also recommend that the Office of Sponsored Programs develop processes to monitor the release time policies. An audit of this area should be performed.

#### **Response**

The Research Office will work with Academic Affairs to develop an appropriate monitoring system for Release Time.

### **9. Observation: Grant Process**

We noted one case in which the grant process was being used to track fees collected from internal users that were not grant related and had no sponsor. We also noted that a project entitled 'Various Sponsors Accounts' appears to have some projects that fall outside the definition of a contract or a grant.



### Recommendation

We recommend that the Office of Sponsored Programs only track sponsored projects and contracts and that other types of income be tracked through the appropriate process. We also recommend that a review be completed of the 'Various Sponsors Accounts' and a determination be made about how each project should be monitored.

### Response

Sponsored Programs, under the direction of the Research Office, began reviewing "Various Sponsors Accounts" earlier this year. The review is on-going and will be completed no later than June 30, 2011.

## **II. PROCESSES/TRAINING**

### **1. Observation: Staff Training and Communication**

We noted that financial administrators work for the dean or department chair are critical in the grant monitoring process because they are generally tasked to create the original PAR, ensure that cost sharing and release time accounts are charged accurately and that the PAR is turned in on time. These individuals often must set up processes to track grant information. Even though they receive initial training, grants have many issues that a new person may not necessarily understand, emerging issues that should be addressed, and other difficulties that arise due to growth of the number and size of projects. There is also a varying degree of accounting expertise among the financial administrators. Lack of accounting experience could further inhibit accurate and timely time and effort reporting.

More review by the Office of Sponsored Programs when monitoring processes are set up would help ensure that all the rules are followed. In addition, when the Division of Administration implements the system of business service offices to consolidate and coordinate accounting personnel as authorized by the President in the June 4, 2009 letter to the university community, some of these concerns will be addressed.

There are also some financial managers who have worked in the same area for many years and have developed good programs to track time and effort that address all the rules. These individuals could be used as a resource to help new financial managers learn the rules, adopt processes and systems that are proven, and share advice regarding specific problems.

Networking meetings held regularly to include all fiscal managers who deal with grants, would offer an opportunity to identify best practices, discuss new issues and share experiences. Under the supervision of Sponsored Programs, this type of meeting could offer 'just in time' training and provide Sponsored Programs with a vehicle to communicate problems and a method to understand the needs of the fiscal managers.

Currently the Research Office has no official responsibility for financial administrators, even though their reporting is a key element of the Research Office's responsibility. In addition, the financial administrators vary widely in their accounting ability and understanding.

#### Recommendation

We recommend that Office of Sponsored Programs make an effort to train and standardize the processes for the financial managers and create a financial managers work group where ideas and experiences can be shared.

#### Response

Sponsored Programs has been providing "on-demand" PAR training for fiscal managers in the departments. We also currently participate in the quarterly business manager meetings hosted by Academic Affairs. We will work to make our training program more effective and will explore a web-based delivery mechanism.

### **2. Observation: Handbook**

We noted that there is not a Handbook for financial administrators explaining the University standards and regulations regarding effort reporting. Although there is a paragraph in the Sponsored Programs Procedure Manual created in 1992, it addresses the basic concepts and does not guide the financial administrator in allocating effort, cost sharing or release time over the multiple budgets. When turnover occurs the new financial administrator is on their own to develop systems and reporting processes or try and understand their predecessor's processes. In some cases this causes errors to occur and inconsistency in reporting. There does not appear to be a document that clarifies current standards and guidelines to clarify procedures that are acceptable to use.

#### Recommendation

We recommend that the Office of Sponsored Programs be more involved and proactive in guiding and monitoring effort reporting. Acceptable procedures should be identified and an official handbook should be developed which reviews regulations and discusses University standards and policies.

#### Response

Sponsored Programs will document the policies and procedures related to effort reporting and post them on the web. As changes occur, updates will be posted. Implementation will occur no later than June 30, 2011.

### **3. Observation: Faculty Training and Communication**

We noted that training is currently beginning to be offered to those interested on some aspects of sponsored project regulations. Unfortunately not everyone who should attend, does attend and effort reporting is not always addressed. We also noted that there is no 'just in time' training. Some institutions require Principal Investigators to attend training on grant rules and regulations before the grant is set up through the accounting system. This practice ensures that those who will be working on grants understand the rules that apply and the consequences of not following those rules at the beginning of their grant, when the information is most useful to them.

Offering this information via a web site would be an effective and efficient approach to ensuring that there is broad understanding across campus of the regulations surrounding effort reporting.

Recommendation

We recommend that training regarding effort reporting including verification requirements and Grant Statements be offered to ensure that faculty members and all those involved with grants understand their role in the University's effort reporting system.

Response

Training is currently offered to faculty and staff "on-demand"; however, few faculty attend. Sponsored Programs will work to develop a web-based training program for effort reporting. Implementation will occur no later than June 30, 2011.

Kathleen Miller,  
Internal Auditor

cc: Tom Buchanan, President, University of Wyoming  
William Gern, Vice President, Research & Economic Development  
Myron Allen, Provost and Vice President, Academic Affairs  
Dorothy Yates, Associate Vice President, Research & Economic Development  
Shannyn L. Adkins, Manager, Sponsored Programs

## **University of Wyoming Audit Charter**

### **Purpose and Definition**

The Office of Internal Audit provides independent, objective assurance to the Board of Trustees as well as management through reviews, investigations and/or analysis regarding the current status of various departments and/or functions of the university.

Internal Audit services are designed to add value, improve internal controls and strengthen the University's operations. Internal Audit helps the University accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and compliance processes.

### **Authority of Internal Audit Department**

Internal Audit reports to the Financial and Legal Affairs Committee of the Board of Trustees. This organizational structure ensures Internal Audit can perform reviews without undue pressure that may threaten the ability to complete the project in an unbiased manner.

Internal Audit is granted the authority to review all parts of the institution and shall have full and complete access to any of the institution's records, physical properties and personnel. All employees are directed to assist the Internal Audit Department in fulfilling its function. Documents and information given to the auditors will be handled in the same prudent and confidential manner as by those employees normally accountable for them. They will exercise discretion and assure the safekeeping and confidentiality of audit matters.

Internal Audit's objectivity and independence depends largely on having no responsibility for or authority over any of the activities or operations subject to its review. Therefore, an internal audit review in no way relieves management of any assigned responsibilities. The Internal Audit Department should make recommendations for new or additional controls or procedures, but not develop or install them, prepare records or engage in any activities which they would normally be required to review.

### **Scope of Internal Audit**

The scope of Internal Audit shall be sufficiently comprehensive to enable the effective and regular review of all operational, financial and related activities. These areas of audit will be determined by risk assessment processes as well as special requests. The Internal Audit coverage may extend to all areas of the University of Wyoming, including all separately appropriated and budgeted units, and include financial, accounting, administrative, and other operational activities.

### **Audit Methodology**

For all planned audit projects, the unit head responsible for the activity under review shall be advised of the objectives and scope of the procedures to be conducted, prior to the commencement of such procedures. Observations and recommendations will be discussed with the individual(s) responsible for the areas in question during the audit process. Upon completion of audit procedures, the unit head responsible for the activity under review will be asked to

provide a written response that includes actions that have been or will be taken to correct any areas needing improvement. A follow up review will be conducted by Internal Audit to report the status of the audit issues.

### **Values**

In carrying out this mission, we share certain beliefs and values.

The primary focus is to provide excellent service to the University. Reviews will be performed in accordance with applicable standards established by the American Institute of Certified Public Accountants and the Institute of Internal Auditors.

We are committed to the highest degree of fairness, integrity and ethical conduct in the performance of our mission. We will adhere to the code of Ethics as established by the Institute of Internal Auditors and the Association of College and University Auditors.

Further, we will not issue a regular audit without first allowing the recipient the opportunity to review, challenge, question and respond to our findings and recommendations.

Our relationship with the University community will be characterized by respect, helpfulness, sharing, patience and openness. We are committed to maintaining our professionalism as internal auditors through continuance of our education and training.

#### 4. INFORMATION ONLY ITEM

##### State Matching Funds for Endowments, Buchanan

CHECK THE APPROPRIATE BOX(ES):

- Work Session  
 Education Session  
 Information Item  
 Other Specify:

##### STATE MATCHING FUNDS FOR ATHLETICS

There were none.

##### STATE MATCHING FUNDS FOR ACADEMIC FACILITIES

There were none.

##### STATE MATCHING FUNDS FOR ENDOWMENTS

###### Cheney, Richard and Lynne

This is to inform you regarding approval for Wyoming Legislative Matching Funds for gifts of \$305,200.00 from Vice President and Mrs. Cheney for the Richard B. and Lynne V. Cheney Study-Abroad Scholarship. Vice President and Mrs. Cheney have previous state matches of \$1,695,886.43 for the same endowment and \$1,500,000.00 in academic facilities state match for the Cheney International Center Renovation.

Vice President Cheney graduated in 1965 with a Bachelor of Arts in Political Science and received an Honorary Doctorate in 1990 from the University of Wyoming. Mrs. Cheney also received an Honorary Doctorate in 1993 from the University of Wyoming.

###### Graff, Robert C.

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a pledge of \$50,000.00 from Robert C. Graff for the Alfred Jacob Miller Classroom Fund at the American Heritage Center. Mr. Graff has previous state matches of \$70,000.00 for the same endowment.

Mr. Graff is a friend of the University of Wyoming.

###### Edwards, Mary Jane

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a pledge of \$250,000.00 from Mary Jane Edwards for the Mary Jane Edwards Jentel and UW Neltje Center Endowment. Ms. Edwards has a prior state match of \$50,000.00 to the Frank R. and Marion C. Edwards, Jr. Family Endowment for the Visual Arts.

Ms. Edwards is a friend of the University of Wyoming.

**Moore, Richard and Sylvia**

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a gift of \$55,500.00 from Richard and Sylvia Moore for a new endowment, the Charles Moore M.D. Concertmaster Fellowship.

Mr. Moore graduated in 1972 with a Bachelor of Science in Mathematics, and Dr. Moore graduated in 1972 with a Bachelor of Science in Dietetics and again in 1986 with a Ph.D. from the College of Education at the University of Wyoming.

**Reeves, Douglas**

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a pledge of \$50,000.00 from Douglas Reeves for a new endowment, the Douglas B. Reeves Libraries Art Fund. Dr. Reeves has prior state matches of \$100,026.12 to various endowments.

Dr. Reeves graduated in 1975 with a Bachelor of Arts in Political Science and in 1994 with a Ph.D. from the College of Education at the University of Wyoming.

**Reeves, Douglas**

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a pledge of \$50,000.00 from Douglas Reeves for a new endowment, the Douglas B. Reeves Music Education Fund. Dr. Reeves has prior state matches of \$100,026.12 to various endowments.

Dr. Reeves graduated in 1975 with a Bachelor of Arts in Political Science and in 1994 with a Ph.D. from the College of Education at the University of Wyoming.

**Reeves, Douglas**

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a pledge of \$125,000.00 from Douglas Reeves for a new endowment, the Douglas B. Reeves Opera In a Gym Fund. Dr. Reeves has prior state matches of \$100,026.12 to various endowments.

Dr. Reeves graduated in 1975 with a Bachelor of Arts in Political Science and in 1994 with a Ph.D. from the College of Education at the University of Wyoming.

**The Windy Ridge Foundation**

This is to inform you regarding approval for Wyoming Legislative Matching Funds for a gift of \$26,605.00 from the Windy Ridge Foundation to the University of Wyoming Geological Museum Samuel H. Knight Memorial Endowment. The Windy Ridge Foundation has a prior state match of \$18,692.72 to the same allocation.

The Windy Ridge Foundation is an entity.

**5. INFORMATION ONLY ITEM**

**Development Report, Blalock**

CHECK THE APPROPRIATE BOX(ES):

- Work Session  
 Education Session  
 Information Item  
 Other           Specify:

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

The UW Foundation has agreed to report on donor giving to the University of Wyoming Board of Trustees.

**WHY THIS ITEM IS BEFORE THE BOARD:**

This report is before the Board to advise them of the most current giving totals.

**COMMENTS:**

There are two spreadsheets within the FY2011 Monthly Giving Report through January 31, 2011. The first includes all gifts, while the second focuses on annual fund gifts. Both tables are broken down by the unit receiving the gifts.



**University of Wyoming, Foundation**  
**FY 2011 Monthly Giving Report through January 31, 2011**  
**All Gifts**

FUND	Current Month Gifts Received		FY 2011 to date							FY 2010 Commitments YTD w/o New Planned Gifts		
			Cash & Cash equivalent			New Commitments YTD				STATE MATCHING	DONORS	GIFTS
	DONORS	GIFTS	DONORS	OUTRIGHT	GIK	PLEDGE PMTS	NEW PLEDGES	PLANNED GIFTS	TOTAL			
AGRIC	73	\$18,153	777	\$9,762,461	\$1,996	(\$56,000)	\$5,000	\$0	\$9,713,458	\$26,508	585	\$367,849
AHC	32	\$26,759	270	\$331,222	\$247	(\$221,000)	\$90,000	\$0	\$200,468	\$70,000	226	\$242,161
ALUMNI	0	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	1	\$4,000
A & S	184	\$862,397	1839	\$2,441,427	\$566	(\$1,546,278)	\$780,000	\$250,000	\$1,925,714	\$214,605	1611	\$714,310
ATHLETICS	1113	\$1,732,962	3251	\$3,554,740	\$150,387	(\$2,182,614)	\$750,000	\$0	\$2,272,514	\$33,334	3302	\$1,809,928
BUSINESS	57	\$257,050	755	\$2,142,304	\$35,495	(\$1,692,739)	\$102,050	\$1,100,000	\$1,687,110	\$51,000	717	\$743,629
EDUCATION	45	\$6,091	608	\$590,067	\$0	(\$248,879)	\$297,615	\$0	\$638,803	\$137,615	422	\$52,299
ENERGY	2	\$50	21	\$1,092,553	\$0	(\$1,005,000)	\$0	\$0	\$87,553	\$81,000	16	\$3,181,312
ENGINEERING	70	\$64,634	1122	\$981,687	\$28,014	(\$646,440)	\$3,000	\$1,100,000	\$1,466,261	\$100	1030	\$441,328
IENR	4	\$170	70	\$26,221	\$0	\$0	\$0	\$0	\$26,221	\$0	89	\$72,197
HEALTH SCI	53	\$10,761	636	\$219,114	\$1,489	(\$73,863)	\$124,863	\$0	\$271,603	\$0	605	\$259,806
LAW	41	\$109,670	399	\$337,904	\$0	(\$204,850)	\$43,250	\$0	\$176,304	\$0	248	\$72,932
LIBRARY	8	\$2,853	145	\$77,321	\$1,221	\$0	\$0	\$0	\$78,542	\$25,000	194	\$23,808
OUTREACH	1140	\$84,884	5451	\$461,950	\$0	(\$6,717)	\$250	\$0	\$455,483	\$0	5523	\$441,835
STU AFFRS	171	\$16,062	554	\$99,937	\$0	\$0	\$0	\$0	\$99,937	\$0	613	\$34,034
UW ART MUS	15	\$3,300	602	\$190,465	\$84,353	(\$51,250)	\$0	\$0	\$223,568	\$0	613	\$473,531
UNIV. FUND	47	\$7,505	698	\$108,217	\$0	\$0	\$0	\$0	\$108,217	\$0	653	\$82,609
OTHER	44	\$391,527	347	\$1,616,539	\$0	(\$314,011)	\$505,050	\$0	\$1,807,578	\$648,000	275	\$3,317,098
<b>GIFTS NOT YET BOOKED</b>												
<b>TOTAL</b>	2,896	\$3,594,828	14,988	\$24,034,128	\$303,768	(\$8,249,641)	\$2,701,078	\$2,450,000	\$21,239,334	\$1,287,162	14,177	\$12,334,666
<b>TOTAL YTD GOAL \$33,000,000</b>									<b>Total Count of All Planned Gifts</b>		<b>33</b>	
<i>**Total Donors does reflect Column totals. Donors may give to more than one unit/division.</i>												

**University of Wyoming, Foundation**  
**FY 2011 Monthly Giving Report through January 31, 2011**  
**Annual Gifts**

FUND	FY 2011 GOALS*	Current Month		FY 2011 to date		FY 2010 to same date		FY 2011 AF % of Goal
		DONORS	AMOUNT	DONORS	TOTAL	DONORS	TOTAL	
AGRIC	\$ 91,102	57	\$7,373	667	\$118,491	469	\$64,748	130.06%
AHC	\$ 42,226	27	\$5,080	244	\$34,796	213	\$27,721	82.40%
ALUMNI	\$ -	0	\$0	0	\$0	0	\$0	N/A
A & S	\$ 375,883	146	\$24,341	1620	\$291,093	1402	\$249,306	77.44%
ATHLETICS	\$ 2,300,000	982	\$241,030	2859	\$972,374	3064	\$937,768	42.28%
BUSINESS	\$ 191,960	30	\$4,358	650	\$92,397	636	\$100,666	48.13%
EDUCATION	\$ 62,910	44	\$2,091	575	\$41,916	390	\$36,474	66.63%
ENERGY	\$ 2,302	2	\$50	14	\$6,553	7	\$1,310	284.64%
ENGINEERING	\$ 276,232	50	\$13,405	1019	\$193,796	931	\$169,169	70.16%
IENR	\$ 54,570	4	\$170	66	\$20,221	81	\$46,697	37.06%
HEALTH SCI	\$ 116,067	50	\$7,761	569	\$96,439	552	\$77,903	83.09%
LAW	\$ 63,804	24	\$2,520	254	\$61,924	188	\$27,957	97.05%
LIBRARY	\$ 29,682	5	\$353	131	\$14,415	172	\$19,638	48.56%
OUTREACH	\$ 810,000	1138	\$79,423	5439	\$406,285	5510	\$407,250	50.16%
STU AFFRS	\$ 31,397	165	\$5,895	527	\$31,461	565	\$24,410	100.20%
UW ART MUS	\$ 46,301	12	\$1,373	184	\$28,922	154	\$29,497	62.47%
UNIV. FUND	\$ 125,731	47	\$7,505	690	\$90,614	650	\$82,559	72.07%
OTHER	\$ -	20	\$8,074	200	\$47,614	147	\$24,849	N/A
<b>GIFTS NOT YET BOOKED</b>								
<b>TOTAL</b>	<b>\$4,620,167</b>	2,669	\$410,800	13,755	\$2,549,310	13,238	\$2,327,923	55.18%

*\*\*Total Donors do not reflect Column totals. Donors may give to more than one unit/division.*