

THE UNIVERSITY OF WYOMING
BOARD OF TRUSTEES' REPORT
November 15-16, 2012

The Final Report can be found on the University of Wyoming Board of Trustees website at
www.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
November 15-16, 2012

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Roll Call

Approval of Board of Trustees Meeting Minutes

September 6-7, 2012

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September 6-7, 2012

October 1, 2012 “Special” Meeting

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Approval of “Special” Meeting Minutes

October 1, 2012

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- E. Foundation Board – Trustees Marsh and Willson, Board Liaisons
- F. Ruckelshaus Institute of Environment and Natural Resources (RIENR) Board
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Update – Rob Hurless

Old Business

Follow-Up on Charge to Faculty Senate and ASUW re: Plus/Minus Grading System
[This topic is held over from the September 2012 Board of Trustees Meeting. Time has been provided on the November Board Agenda for discussion of this topic.]

Date of Next Meeting – January 17-18, 2013; Laramie, Wyoming

Adjournment

Information Only Items (see tab):

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AGENDA ITEM TITLE: UP4 Discussion, Trustee Bostrom/Myron Allen

CHECK THE APPROPRIATE BOX(ES):

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

Trustee Bostrom will lead the Board in a discussion of UW's strategic planning process and the development of University Plan 4 (UP4). The Office of Academic Affairs shared information about UP4 with the Board in January 2012 and July 2012. Included below are two key elements.

UW's AREAS OF DISTINCTION (FROM UP3)

- Critical areas of science and technology
 - Computational science and engineering
 - Earth and energy science and engineering
 - Water resources
- Cultural assets, arts, and humanities
- Environment and natural resources
- History and culture of the Rocky Mountain region
- Life sciences
 - Biomedical science
 - Ecology
 - Molecular and cellular life science
 - Neuroscience
- Professions critical to the state and region
 - Business
 - Education
 - Health care
 - Law

Milestone	Responsible party	Due date
Preliminary memo identifying key issues	Academic Affairs	Jan 2012
Position Paper 1	Academic Affairs	Sep 2012
Position Paper 2	Academic Affairs	Mar 2013
Position Paper 3	Academic Affairs	Sep 2013
First Drafts of Unit and College-Level Plans	Divisions, Colleges, Departments	Oct 2013
First Draft of UP4	Academic Affairs	Jan 2014
Final Drafts of Unit and College-Level Plans	Divisions, Colleges, Departments	Mar 2014
Final Draft of UP4	Academic Affairs	Mar 2014
Consideration by Board of Trustees	Trustees	May 2014

AGENDA ITEM TITLE: Audited Annual Financial Statements, Lowe

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: BUSINESS MEETING (Consent Agenda)

Jim Hearne, Partner, in the firm McGee, Hearne & Paiz, will lead a discussion about the University's annual audited financial statements and reports.

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Accountability is the paramount objective of institutional financial reporting. It is the University's duty to be accountable to the public and to provide information that responds to the needs of three groups of primary users of general-purpose financial reports:

- the citizenry;
- the governing board, the legislature and oversight bodies; and
- investors and creditors.

Meaningful financial reports and accompanying notes provide information useful for assessing financial condition and results of operations, assisting in determining compliance with finance-related laws, rules, and regulations, and assisting in evaluating efficiency and effectiveness of operations. Preparation of these statements and reports are the responsibility of University management; however, it is the audit function that provides an external examination of these financial statements and reports.

The University of Wyoming prepares five separate financial reports that are audited by an independent public accounting firm. McGee, Hearne and Paiz, LLP of Cheyenne, Wyoming, was awarded a four-year engagement to conduct the annual audit for fiscal years 2010 through 2013, subject to evaluation of the audit firm's performance.

The five annual reports, their purpose, and deadlines for submission to regulatory agencies are:

- **Financial Report** - In accordance with required reporting standards, this report has three components: 1) management's discussion and analysis 2) institution-wide financial statements; and 3) notes to the basic financial statements. Required supplementary information is included in addition to the basic financial statements. The auditors express an opinion that these financial statements present fairly, in all material respects, the financial position of the University of Wyoming as of the fiscal year end, and the changes in its net assets and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The University of Wyoming is a component unit of the State of Wyoming. As such, the University's **Financial Report** is part of the Comprehensive Annual Financial Report prepared by the State Auditor's Office in accordance with W.S. 9-1-403 (a)(v). It must be submitted to the State by December 31st.

- **Compliance Report** – As part of obtaining reasonable assurance about whether the University's financial statements are free of material misstatement, the auditors perform tests of our compliance with certain provisions of laws, regulations, contracts and grants, noncompliance of which could have a direct and material effect on the determination of financial statement amounts. The auditors do not express an opinion on compliance with those provisions, instead they report that the results of their tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Non-federal entities that expend \$500,000 or more a year in federal awards are required by the United States Office of Management and Budget (OMB) to have a "single audit." The **Financial Report** and the **Compliance Report** together comprise a "single audit." This reporting package is submitted to the Federal Audit Clearinghouse within the earlier of 30 days after receipt of the auditor's report, or nine months after the end of the audit period. OMB Circular A-133 sets forth the standards for obtaining consistency and uniformity among federal agencies for the audit of States, local governments, and non-profit organizations expending federal awards. The Compliance Report is often referred to as the A-133 audit.

- **The Bond Funds Financial Report** – This financial report is a subset of the institution-wide financial statements and is prepared for the purpose of complying with the requirements of the University's bond ordinances. These statements include operations from the University Bookstore, the Student Union, Dining Services, Housing facilities, interest income on excess funds, government royalties, permanent land income, utility and telecommunications income. They also include the following plant funds: Project Acquisition Fund (unexpended funds), Capital Fund (renewals and replacement fund) and Retirement of Indebtedness Funds (reserve fund created by bond resolutions). The auditors express an opinion that these financial statements present fairly, in all material respects, the financial position of the Bond Funds as of the fiscal year end, and the changes in its net assets and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America. They also provide "negative assurance" with respect to Debt Compliance; they state that nothing came to their attention that caused them to believe that the University failed to comply with the terms, covenants, provisions, or conditions, as listed in Article VIII, of each of the bond resolutions and the Financial Guaranty Agreement related to each of the Surety Bonds insofar as they relate to accounting matters.

The **Bond Funds Financial Report** is submitted to the Electronic Municipal Market Access (EMMA) system to comply with annual disclosure requirements. The audited report must be submitted within 170 days of the fiscal year end. The report is also submitted to Assured Guaranty Municipal Corp. (insurer of the 2004 bond issue) and Ambac Assurance Corporation (insurer of the 2005 bond issue).

- **Wyoming Public Media Financial Report** – these financial statements present only the operations of Wyoming Public Media (WPM). The auditors express an opinion on the fair presentation of WPM's financial position and results of operations.

WPM's financial information is submitted in November to the Corporation for Public Broadcasting.

- **Intercollegiate Athletics Report** – This report constitutes an “agreed-upon procedures” engagement; its scope is less than that of an audit. The procedures include, but are not limited to, identifying all individual contributions that constitute more than 10% of total contributions, examination of cash receipts and disbursements, identification of unique internal control aspects and various inquiries related to compliance issues. The National Collegiate Athletic Association (NCAA) in their 2006 Financial Audit Guidelines suggests that these procedures and the auditors make no representation regarding the sufficiency of the procedures. This engagement is solely to assist the University in complying with NCAA Constitution 6.2.3.1.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- Annually – The Board accepts and approves Audited Financial Reports of the University of Wyoming each year.

WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees is responsible for assuring that the University's organizational culture, capabilities, systems and processes are appropriate to protect the financial health and the reputation of the University in audit-related areas. The presentation of annual audited financial reports is intended to inform the Board about significant matters related to the results of the annual audit so that they can appropriately discharge their oversight responsibility.

ARGUMENTS IN SUPPORT:

Annual financial reports serve various functions and have numerous audiences. They not only serve to inform the campus community of the institution's financial condition and results of operations, they are required by various governmental, regulatory and rating agencies; holders of the institution's bonds; and accrediting agencies. The Board of Trustees is held to a high standard of full financial disclosure, transparency and accountability: public acceptance and approval of the financial reports completes the audit cycle, helps tell the University of Wyoming's financial story and assists the Board in exercising their fiduciary responsibilities.

ACTION REQUIRED AT THIS BOARD MEETING:

It is recommended that the Board of Trustees of the University of Wyoming accept and approve the University Financial, Compliance, Bond Funds, Wyoming Public Media, and Intercollegiate Athletics Reports for the fiscal year ended June 30, 2012.

PRESIDENT'S RECOMMENDATION:

The President recommends approval of the audited financial reports as described above.

AGENDA ITEM TITLE: Operations and Maintenance Update, Collins

CHECK THE APPROPRIATE BOX(ES):

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

Interim Vice President for Administrative Operations Mark Collins will provide an update to the Board regarding the University's operations and facility maintenance status. Materials may be provided at the meeting.

AGENDA ITEM TITLE: Report to Legislators, Boswell

CHECK THE APPROPRIATE BOX(ES):

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

Vice President for Governmental and Community Affairs Chris Boswell will present to the Board materials which are provided to legislators in advance of the upcoming legislative session.

AGENDA ITEM TITLE: Fiscal Year 2013 Operating Budget Increase, Lowe

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: BUSINESS MEETING (Consent Agenda)

**University of Wyoming (Agency 067) Operating Budget Authority Increase -
Course Fees, Computer Fees, Summer School Activities and Other Revenues**

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Part I: Course Fees, Computer Fees & Summer School Activities – \$5,267,407 (non-recurring)

An increase in FY 2013 operating budget authority is requested to accommodate the carryover of earmarked UW Income Fund revenue that is generated by course fees, computer fees and summer school enrollment. The additional budget authorization results from the carryover of summer session budget authority and a reconciliation of revenue and expenditures at the close of each biennium for earmarked revenue accounts within the Section I operating budget. With the Trustees' approval, unexpended funds from the prior biennium are added to the UW Income Fund budget authorization for the ensuing biennium. These are non-recurring increases for FY 2013, based on revenue collected and expenditures from the 2011-2012 biennium.

The following table is a summary of the non-recurring operating budget authority increases for FY 2013 that are based on revenue collected and expenditures from the 2011-2012 biennium:

<u>Revenue Source</u>	<u>Budget Increase</u>
Course Fees	\$ 512,055
Computer Fees	629,921
<u>Summer School</u>	<u>4,125,431</u>
Total	\$ 5,267,407

Part II: Other Revenues -- \$1,787,947 (non-recurring)

There are four additional items for which a non-recurring increase in FY 2013 operating budget authority is requested during this budget cycle. These items are:

- 1) Differential tuition programs need to be able to retain funds from one biennium to the next, given their unique nature. For example, these programs may need time to build capacity or to retain funds to address slight fluctuations in student enrollments. Carrying forward unobligated funds may reduce the need for future differential tuition rate increases. For the three differential tuition programs (Law, Pharmacy and MBA), a total non-recurring increase of \$615,080 is requested;

- 2) In July 2012, the Wyoming Department of Administration and Information Budget Division indicated the University has the ability to carry forward \$29,900 from FY 2011 and FY 2012 for brucellosis research activities because the funds were part of the block grant, which is not subject to reversion;
- 3) Based on a report and recommendations from UW Internal Audit, the University has implemented changes to release time accounts. Release time account balances in Section I are now allowed to be carried forward. For FY 2013, a non-recurring increase in budget authority of \$164,204 is needed for release time accounts; and
- 4) To continue forward momentum in recruiting and retaining students, key initiatives have been developed to further automate scholarship administration in the Office of Student Financial Aid, develop an enrollment model to establish realistic and attainable enrollment goals in University Plan 4, implement a new degree audit program to improve students' understanding of requirements and progress toward their degrees, establish a new catalog management system for curriculum management, automate the transfer of transcripts from community colleges to UW, and upgrade the residence hall computer network infrastructure. A non-recurring budget increase of \$978,763 is being requested to fund these initiatives. Sufficient cash in reserve at the end of the 2011-2012 biennium exists to support these key enrollment management initiatives.

The following table is a summary of the other non-recurring operating budget authority increases for FY 2013:

<u>Revenue Source</u>	<u>Budget Increase</u>
Differential Tuition Revenue	\$615,080
Brucellosis State Appropriation	\$29,900
Release Time Accounts	\$164,204
<u>Student Recruitment/Retention Initiative</u>	<u>\$978,763</u>
Total	\$1,787,947

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

The Board approved the FY 2013 operating budget at its May 2012 meeting.

WHY THIS ITEM IS BEFORE THE BOARD:

The Board initially approves the operating budget for the University as well as any increases during the fiscal year. The Board adjusts the budget authority on a biennial basis to recognize course fee and computer fee revenue that are generated in excess of standard budget projections. The summer school tuition revenue is recognized on an annual basis. Other revenues are being added to this cycle.

ARGUMENTS IN SUPPORT:

The course fees, computer fees and summer tuition increases are typical updates to the operating budget made in the first year of the biennium. This is a routinely accepted budget practice that allows units to spend revenue generated by these programs. The carry forward of differential tuition and release time accounts is being added to the budget cycle this year. This will become

a routine post-biennium increase request. The enrollment management initiatives are a one-time request for key improvements and implementations to enhance recruitment and retention efforts in accordance with University Plan 4.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

Approval of the Fiscal Year 2013 operating budget authority increase for the University of Wyoming (067) operating budget as presented in the tables above.

PRESIDENT'S RECOMMENDATION:

It is recommended that the Trustees of the University of Wyoming approve a total 067 operating budget increase for Fiscal Year 2013 of \$7,055,354.

AGENDA ITEM TITLE: Construction Contracts

- a. Arena Auditorium Phase 1 Renovation Architect/Engineer, Collins/Burman
- b. Biological Sciences Construction Manager at Risk (CMAR), Collins
- c. Performing Arts Center (Fine Arts Building) Guaranteed Maximum Price (GMP), Collins

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: BUSINESS MEETING (Consent Agenda)

a. Arena Auditorium Phase 1 Renovation Architect/Engineer, Collins/Burman

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The 15,000-seat Arena-Auditorium (AA), occupied in 1982, was constructed primarily as a competition and practice venue for basketball, but also hosts special events (e.g., University/High School/WyoTech graduation ceremonies). Recent or planned transformations of similar buildings (particularly in the Mountain West region) are setting a new standard for basketball arenas and practice facilities. The Athletic Facilities Master Plan recommends two phases of renovations to the Arena-Auditorium. Phase 1 includes renovations to the basketball court, seating bowl, and locker room level; and a future Phase 2 may include building additions and renovations to the concourse and spectator services located on the concourse level.

The Arena-Auditorium's multi-level configuration creates barriers to accessibility. The concourse of the AA is at grade level, entering the seating bowl at its midpoint. The arena floor is approximately 25 feet below grade level. The locker level is located above the arena floor level. Two ramps provide access from the locker level to the arena floor, however, both ramps are steeper than allowed by the Americans with Disabilities Act (ADA). Thus, the arena floor is inaccessible by ADA standards.

The locker level is essentially limited to the southwest quadrant of the building, tying into the loading ramp at the western point of the arena. Facilities located at the locker level include the men's basketball home team locker room, the women's soccer home team locker room, a small sports medicine suite, the strength and conditioning center, a media hospitality room, a converted post-game interview room, visiting team locker rooms, officials' locker rooms, and small storage areas. The women's basketball home team locker room is located within the North Fieldhouse, which abuts the south side of the Arena-Auditorium and connects to the concourse and locker levels of the AA.

While the intercollegiate basketball teams compete in the fall and winter, training and practice activities have evolved into a year-round regimen. An essential requirement of the AA is that it also functions as the primary practice facility for the men's and women's basketball programs. Its current single-court configuration cannot accommodate the range of drills and practice

techniques required for competitive success. The Athletic Facilities Master Plan proposes converting portions of the lower seating bowl to telescopic seating to allow expansion of the basketball court floor and more flexibility for practices and camps.

The proposed Arena-Auditorium Renovation Phase 1 will include expansion and replacement of the basketball court floor to provide two practice courts and re-orientation of the competition court; reconfiguration and replacement of the seating in the lower bowl to include up to 500 club seats, as well as dedicated media, band, and student sections; renovation of most of the current locker room level to create enhanced men's and women's locker rooms, sports medicine suite, strength and conditioning center, visiting team and officials' locker rooms, post-game interview room, etc.; installation of upgraded lighting and new videoboards, LED ribbon boards, and sound system in the arena; and life-safety and ADA-compliance improvements.

The preliminary estimate for the Arena-Auditorium Renovation Phase 1 is \$10M. The project will be funded through \$5M in private donations and \$5M in state matching funds. The preliminary estimate for the Arena-Auditorium Renovation Phase 2 is \$20M. The estimated total cost for the entire Arena-Auditorium Renovation project is \$30M.

The professional architect/engineering services were publicly advertised in July and August with qualification responses received by August 28, 2012. Four statements-of-qualification were received from firms from around the country. Three respondents were scheduled for interview on September 27, 2012. The recommended ranking of the firms by the Arena-Auditorium planning team and the Facilities Planning office is as follows:

1. By Architectural Means, P.C., Cheyenne, Wyoming in association with Sink Combs Dethlefs of Denver, CO.
2. Malone Belton Abel, P.C., Laramie, Wyoming in association with Populous of Kansas City, MO.
3. MOA Architecture, Casper, Wyoming in association with DLR Group of Denver, CO.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

None

WHY THIS ITEM IS BEFORE THE BOARD:

Authorization is required from the Board of Trustees to contract the architect/engineering services for the Arena-Auditorium Renovation Phase 1.

ARGUMENTS IN SUPPORT:

Enhancing the capability of the Arena-Auditorium to serve as both a competition and practice venue for the men's and women's basketball teams is more practical than developing a separate practice facility, as many universities have done. In addition, it may not be possible to locate a practice facility in close proximity to the current basketball locker rooms, necessitating duplication of locker rooms. This project would better position the Arena-Auditorium in relation to competing venues within the Mountain West Conference and provide more attractive facilities

for the recruitment of prospects. The Arena-Auditorium Phase 1 renovation would appropriately position the building for the future Phase 2 addition and enhancements.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

Authorization to contract with the first-ranked firm, By Architectural Means, P.C for the Arena-Auditorium Renovation Phase 1. If favorable negotiations cannot be completed with the first-ranked firm, negotiations will be opened with the second-ranked firm and third-ranked firm until achieving favorable negotiations.

PRESIDENT'S RECOMMENDATION:

It is recommended that the Board of Trustees of the University of Wyoming authorize the contracting with the recommended first-ranked architect/engineering firm, By Architectural Means, P.C., of Cheyenne, Wyoming for the Arena-Auditorium Renovation Phase 1.

b. Biological Sciences Construction Manager-at-Risk (CMAR), Collins

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The Biological Sciences building occupied in 1969 has classrooms, class laboratories, offices and research laboratories that have remained since the original construction. The facilities requirements and building codes under which the building was constructed do not meet today's safety requirements and regulations, especially in the laboratories. The original unit ventilators in the class laboratories are too noisy by today's standards to conduct classes, requiring the ventilators to be shut down for class sessions.

The Biological Sciences building upgrades were originally planned as part of the recent American Recovery and Reinvestment Act (ARRA) stimulus funded projects. Due to the time for the completion of the stimulus projects and the higher than expected costs of the renovations, the improvements were delayed until other funding could be identified.

The primary modifications within the 160,000 square feet will include removing existing unit ventilators in laboratories and classrooms with a system utilizing a roof top HVAC unit(s) and duct work; replacement of air conditioning units serving the office areas; replacement of unit ventilators serving circulation spaces; improvements and consolidation of the chemical fume hood exhaust system; new building automation and control systems; and replacement of associated suspended ceiling and lighting systems.

The project will be funded with FY 2013-14 major maintenance funds supplemented with available Federal Mineral Royalty funds. The preliminary estimate for the Biological Sciences Building Modifications Project is \$10M.

The Construction Manager-at-Risk services were publicly advertised in September with qualifications responses received by October 3, 2012. Two statements of qualifications were received, Sampson Construction of Cheyenne, Wyoming, and Independent Heating and Sheet Metal of Laramie, Wyoming. Both firms were interviewed November 6, 2012. The recommended ranking of the firms by the Biological Sciences planning team and Facilities Planning is as follows:

1. Independent Heating and Sheet Metal, Laramie, Wyoming.
2. Sampson Construction, Cheyenne, Wyoming

If negotiations are not successful with the first-ranked firm then negotiations will be terminated with the first-ranked firm and opened with the second-ranked firm.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- July 2011 – Board of Trustees approved the FY 2013-2014 Capital construction Request for University of Wyoming, which included the request for major maintenance funding.
- September 2012 – Board of Trustees approval of the Architect/Engineering firm.

WHY THIS ITEM IS BEFORE THE BOARD:

This item is for authorization by the Board of Trustees to contract the Construction Manager at Risk firm for the Biological Sciences Building Modifications.

ARGUMENTS IN SUPPORT:

- The 2012 Wyoming Legislature appropriated major maintenance funding for the University.
- The project is ready for the completion of design and construction to improve building safety as well as the quality of the environment for research and classroom activities.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS MEETING:

Authorization to complete negotiations and contract with Independent Heating and Sheet Metal of Laramie, Wyoming, recommended by the University Administration for the Biological Sciences Building Modifications.

PRESIDENT'S RECOMMENDATION:

It is recommended that the Board of Trustees of the University of Wyoming authorize the contracting with Independent Heating and Sheet Metal, Laramie, Wyoming for the Biological Sciences Building Modifications. If negotiations are not successful with the first-ranked firm then negotiations will be terminated with the first-ranked firm and opened with the second-ranked firm.

c. Performing Arts Center (Fine Arts Building) Guaranteed Maximum Price (GMP), Collins

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The 2011 Legislature appropriated funding for the Level II design documents and the completion of design through construction documents. The funding included the selection of a construction manager-at-risk to assist with the construction. The Performing Arts project is the second phase of the Fine Arts projects. With Trustee approval, the design team of Tobin and Associates in association with Hammel Green and Abrahamson has completed the design phase and is within the construction document phase of the project. With limited budget resources for the project, it is important that the planning, design and construction process be as efficient and effective as possible to maximize the facilities and to further the programs of Music and Theatre & Dance.

The construction manager-at-risk, Sampson Construction Company of Cheyenne, Wyoming, has been working diligently with the Architect and the Performing Arts planning team to achieve the maximum project available within the project budget funded. The guaranteed maximum price will allow the project to move into the phased subcontract bidding process and subsequent construction when the construction documents are fully completed. The on-site construction could begin as early as January, 2013 with construction completion in the fall of 2014. The project will meet both accreditation and acoustical requirements as outlined by the departments.

The guaranteed maximum price is a base of \$25.7M. If the bidding experience is similar to other recent UW projects, funds which may include the bidding contingency funds within the guaranteed maximum price are likely to be available for prioritized alternates to enhance the project.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- May 6, 2011 – Trustee approval of the Performing Arts Architect/Engineer
- July 15, 2011 – Trustee approval of Construction Manager-at-Risk
- July 15, 2011 – Trustee approval of Performing Arts Capital Request
- July 19, 2012 – Trustee approval of new Construction Manager-at-Risk

WHY THIS ITEM IS BEFORE THE BOARD:

This item is for approval of the guaranteed maximum price by the Board of Trustees to initiate the construction phase of the Performing Arts Center.

ARGUMENTS IN SUPPORT:

The funding has been aggregated and should be available to start immediately with construction phase and subcontractor bidding.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS MEETING:

Approval of the guaranteed maximum price by the University of Wyoming Board of Trustees to proceed with the construction for the Performing Arts Center Addition and Renovation.

PRESIDENT'S RECOMMENDATION:

It is recommended that the Board of Trustees of the University of Wyoming approve the guaranteed maximum price to permit the construction of the Performing Arts Center Addition and Renovation.

AGENDA ITEM TITLE: Plus/Minus Grading Discussion

CHECK THE APPROPRIATE BOX(ES):

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

This is a follow-up discussion on the Board's charge to Faculty Senate and ASUW to come to an agreement on whether changing to a plus/minus grading system is right for the University of Wyoming. This has been discussed multiple times in previous meetings, but the Board has not yet taken a vote on the topic. This conversation is held over from the May 2012 and September 2012 Board of Trustees Meetings.

AGENDA ITEM TITLE: Medical Education Plan, Allen/Frost

CHECK THE APPROPRIATE BOX(ES):

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

In his budget recommendations to the legislature for the 2013-2014 biennium last spring, Governor Mead asked UW to review their Family Medicine Residency Programs in Cheyenne and Casper, and to submit a plan that addresses the services provided to students and community members, and that provides options for a more efficient delivery system.

The Office of Academic Affairs and College of Health Sciences will review the report that was submitted in late October, including the plan that UW proposes to implement by the end of FY 2013.

The text of the report is appended.

ACTION REQUIRED AT THIS BOARD MEETING:

None

Report to the Governor on the University of Wyoming Family Medicine Residency Programs

Preface

This document constitutes the report requested by the Governor of Wyoming pertaining to UW's Family Medicine Residency Programs (FMRP) in Casper and Cheyenne. Governor Mead, in his budget recommendations to the legislature for the 2013-2014 biennium, stated: "I recognize the importance of the services both clinics provide in these communities and I have asked the University to explore other delivery options with the Department of Health that may be more efficient. I recommend that the University be required to evaluate both programs and submit a plan that addresses the services provided to both students and community members and to provide options for a more efficient delivery system."

This document is the result of those explorations. It provides an overview of the programs, their histories, a description of fiscal and administrative challenges, an examination of various delivery options and a recommendation on how to proceed.

In developing the report, UW had discussions with officials from the state Department of Health, specifically Mr. Thomas Forslund and Dr. Wendy Braund. Additionally, drafts of the report have been circulated to the administrations of the sponsoring hospitals, the Wyoming Medical Center and Cheyenne Regional Medical Center, for their review.

Overview of Residency Programs

The University of Wyoming Family Medicine Residency Programs were established in Casper and Cheyenne in the 1970s as part of an overall plan to address the shortage of primary care physicians in Wyoming and to provide access to medical education for Wyoming citizens. Family medicine requires three years of training beyond the MD or DO. The program in Casper has 8 residents per year, and the program in Cheyenne has 6 residents per year, for a total of 24 and 18 residents in training, respectively. A timeline for the residencies is included in Appendix I.

The residency programs have three main purposes. The fundamental purpose is educational – to provide a medical education to family medicine residents through direct patient care. Both residency programs have been and continue to be successful in meeting this goal. The residency programs combined have graduated close to 400 board-certified family medicine physicians since their inception. Many of these graduates practice in Wyoming and the Rocky Mountain region. Although it is difficult to calculate exact state retention numbers, it is estimated that between 35-40% of graduates over the past 30 years have practiced in Wyoming. The Casper program alone has over 20 graduates practicing in Casper and over 50 graduates currently practicing across Wyoming. The Cheyenne program has 30 graduates currently practicing in Wyoming and has had a total of 71 physicians who have practiced in Wyoming at some point in their careers.

A second purpose is to provide clinical training for students pursuing other health professions and a resource for college research and service. Many College of Health Science professional students (nurses, pharmacists, etc.) and medical students from WWAMI and other programs have received some of their experiences in direct patient care in the team-based, "patient-centered medical home" environment of these facilities. Unlike states with major metropolitan areas, the residencies are the only teaching sites in Wyoming that offer this educational environment in ambulatory care. They are an integral component of UW's medical education program, the other components being strong pre-medicine academic preparation and the WWAMI medical school affiliation, and they are important to the training of other health professional students from UW and Western Interstate Commission on Higher Education (WICHE) programs. Additionally, the two residencies provide research laboratories and service to the state for testing new methods of providing health care delivery, such as the "patient centered medical home" with the Wyoming Integrated Care network and the "virtual pharmacist" with the Cheyenne Regional Medical Center CMS Innovation grant. It is expected that the residencies will house translational (bench to bedside) research endeavors in the future.

The third purpose is safety-net health care. Since their establishment, the FMRPs have provided essential medical care for citizens, regardless of their ability to pay. Both residencies are important safety-net providers for their communities and provide medical care access to patients who are financially less attractive to other providers. These include patients covered by Medicare or Medicaid, uninsured or underinsured, and the indigent. Previous program directors estimated that seeing these patients in the clinic as opposed to the emergency room results in substantial cost savings to Medicaid. Uncompensated care is a constant challenge for the community hospitals, and the residencies decrease the impact on local hospitals in providing services for which they will not be compensated.

This issue is one of the factors for the strong support the hospitals have shown the residencies. The Casper residency had 33,000 patient visits last year: 7000 inpatient visits, 24,000 clinic visits and nearly 2000 nursing home visits. They delivered nearly 200 obstetrical patients. The Cheyenne Residency had 28,700 patient visits last year: 7400 inpatient visits, 18,000 Cheyenne clinic visits, 500 nursing home visits and 1700 patient visits at the Pine Bluffs clinic.

The residencies are the largest safety net primary health care providers in Wyoming. In recognition of this key role in the provision of health care, the legislature removed the funding of the residency programs (as well as WWAMI, WYDENT, the accelerated nursing program and psychiatric nurse practitioner loan repayment program) from the UW block grant and created a related but separate budget account – Agency 167, Medical Education. This budget recognizes the missions of the FMRPs as being both educational and direct service. It is a reminder that the funding of these programs is the result of public policy decisions pertaining to both higher education and health care delivery in Wyoming's two largest cities.

The safety-net mission of the residencies has important fiscal implications. While clinic revenues constitute an important source of funding for the programs, the patient mix makes it difficult to generate the more robust revenues that hospitals or other clinics must depend on for their survival as businesses. We review the residencies' funding profiles below.

Both residencies enjoy strong community relationships with their respective hospitals, physicians and most other healthcare providers in their communities. Many of these providers help teach FMRP residents and other students. The expectation is that residents can and do contribute to their practice sites, underscoring the mutually beneficial relationship of having the FRMPs in these communities. This has become a standard philosophy in healthcare education. Benefits to the host site include the satisfaction of giving back to the profession and learning new and updated information about the profession and the specific facts relating to advances in medicine. The activity of teaching alone increases the quality of care in the community.

Funding of Residency Programs

Most family medicine residency programs in other states receive funding from three primary sources: state appropriation, clinic income, and Medicare Graduate Medical Education (GME) reimbursement.¹ Each of these three revenue sources typically makes up roughly one-third of a residency's total funding. Wyoming is unique in that only two of these funding sources support its Casper and Cheyenne residencies. By its own choice, Wyoming is the only state in the nation that does not receive any federal GME support, and this fact, together with the patient mix associated with the safety-net mission, continues to create funding challenges.

GME support is comprised of two distinct pieces: Part A - Direct Medical Education (DME), and Part B - Indirect Medical Education (IME). DME provides support for residency operations, and IME provides support to the hospital for hosting a residency program. In general terms, DME is calculated as the Medicare proportion of total allowable educational costs. If the residency programs were eligible to receive DME support, they could receive approximately \$1 million/year per residency program. The residencies do not receive either direct GME support from CMS nor indirect GME from a hospital pass-through.

On the other hand, IME is derived from a complex formula based in part upon total physician resident FTE's operating within the hospital. Wyoming Medical Center (Casper) and Cheyenne Regional Medical Center (Cheyenne) have financially benefitted through receiving IME payments of approximately \$850,000/year each. The current view of both hospitals is that this is an expense incurred by the inefficiency of educating residents and no money should be returned to the residency programs. This money does play an important role in offsetting the costs to meet the healthcare needs of the most vulnerable residents. Given the financial realities facing hospitals in rural states, UW does not expect the local hospitals to agree to forward IME payments to the FMRPs. While there is compelling evidence to suggest that UW residencies are at least as productive (if not more so) and actually less expensive than comparator external physicians with hospital privileges in these communities, UW is not suggesting a change in the current distribution of IME payments to the hospitals.

¹ American Academy of Family Physicians, Residency Program Solutions, Review, Cheyenne, December 5, 2011

History

In establishing the residency programs in the late 1970s, Wyoming elected not to participate in GME. The factors in that decision included a strong state financial picture and a desire for independence from federal mandates. When the residencies were established, the legislature prohibited them from seeking GME funding. Once this decision was made, the programs became "established" in the view of Medicare, and therefore, ineligible for any current or future GME support.

Several attempts at the state level have subsequently been made to obtain GME support, most notably in the early 1990's by Wyoming Medical Center and in the early 2000's by the Community Health Center of Central Wyoming. Both efforts failed to prevail at the federal level. The Centers for Medicare and Medicaid Services (CMS, the federal program administrator) ruled that Wyoming's FMRPs are ineligible because they were not new programs. Wyoming, therefore, continues its reliance on just two funding sources: state appropriations and clinic income.

With the renewed national emphasis on increasing the number of primary care physicians and training in community-based settings, the rules for GME funding may be revised, which could allow funding of Wyoming's programs. However, this outcome hinges on federal policy and is far from certain. Any future attempt to acquire GME funds would more likely require a change in the CMS interpretation of the rules and would require the support of the Wyoming congressional delegation to develop legislation favorable to enabling the UW FMRP's obtaining DME.

The lack of DME funding has required the state to provide much more than a third of the funding for the FMRPs for the past thirty years. Additionally, the residency programs' business models have relied on unrealistically high estimates of clinic revenue streams in an attempt to balance their budgets. Given the residencies' responsibilities as safety-net providers, the limited ability of their patients to pay, and the relatively low number of high-revenue producing procedures done in family medicine, the actual revenues have seldom met projections.

This situation has created fiscal and administrative problems. The reliance on state funds and clinic revenue has understandably precipitated concerns at both the state and university levels with respect to the financial stability of the FMRPs. "Why are these programs so expensive?" is a question frequently asked by legislators and others. In turn, this financial uncertainty leads to programmatic instability and uncertainty, manifested in the low faculty physician salaries compared with market averages, accreditation citations, the low faculty and staff morale, and concerns about program quality. This pattern creates a downward spiral that could be the undoing of the programs if it is not averted. At one time, these programs were known nationally as top programs for rural family medicine. This is no longer the case. The university would like them to return to that status.

There have been different but significant changes at each of the residency programs that have had financial consequences. In Cheyenne, in 2008, UW requested an increase of \$4.79 million in the biennial budget authorization. The plan, developed in an effort to overcome fiscal shortfalls prevalent at the time, was to generate these monies in the form of increased clinic revenues enabled through the hiring of 20 additional full-time and 6 additional part-time employees. This request was made under the state's B-11

process, in which the Governor may approve increased expenditures where additional revenues are anticipated. In 2009 the Cheyenne clinic revenue increased by 50% over the previous year; nevertheless, this increase fell short of the projections reflected in the B-11 request.

There were several reasons for the shortfall. One was a decreased number of paying patients due to the national recession. Compounding this problem were issues associated with business practices — especially billing, conversion to an electronic medical record and the management of accounts receivable — and the methods used to make financial projections. Finally, patient volume has decreased with the opening of new private clinics in Cheyenne..

UW took corrective steps to address these issues, including removing the Cheyenne program director and business office manager, eliminating two specialty physician positions, and outsourcing the clinic's billing. Collections remained an issue, and the former billing agency was dismissed and replaced by the same billing company used at the Casper residency. These corrective steps have helped address some of the fiscal and administrative problems. However, in the University's estimation, clinic income alone will never be sufficient to fill the fiscal gap created by the absence of GME funding. Without access to GME funding, the normal business model for residency programs that operate elsewhere in the nation does not work in Wyoming.

The Casper program faced a more difficult issue, because it involved governance as well as fiscal problems. In 2000, as part of an effort to address the structural funding shortfall and seek GME revenues, the residency entered into an affiliation agreement with a newly established Community Health Center of Central Wyoming (CHCCW) that operates under its own Board of Directors. Under this agreement, CHCCW managed the daily medical clinic and facilities operations, while UW continued to provide graduate medical education. The CHCCW was given all of the clinic's medical equipment and received all of the income generated in the clinic, much of it by the residents and faculty in the hospital. CHCCW also rented space in the UW clinic at a favorable rate. The state and university remained responsible for the educational components of the residency program including all faculty, resident and staff salaries.

The relationship was problematic for most of the time it existed. The contention centered on conflicts between the respective missions: education for UW's residency program and income generation through patient care for the CHCCW. In 2010 the CHCCW received federal funding to build a new clinic; this introduced a new dynamic in the relationship and the need to renegotiate the arrangement. However, attempts to renegotiate the contract were unsuccessful. The major concerns centered on the refusal of the CHCCW to alter business practices that UW regarded as detrimental to the residencies' accreditation and to disagreements over how much of the residency program's state budget UW should forward to CHCCW. To mitigate these issues, UW proposed merging the functions under an Educational Health Center — a federally defined structure that allows for increased rates of Medicare and Medicaid reimbursement. The CHCCW Board of Directors rejected this proposal. After lengthy discussions, UW and the CHCCW agreed to dissolve their affiliation agreement effective July 1, 2011.

UW estimates that the transition to independent clinic operations required \$1.22 million in one-time new equipment purchases and \$3.09 million/year in staffing (32 positions) and support, to offset the loss of staffing and support provided by CHCCW. The UW administration allocated \$2.31 million in one-time,

non-appropriated funds² to cover the equipment costs and that portion of the staffing and support costs that estimated clinic revenues for FY 2012 would not cover. UW also requested and received permission from the state to collect and spend clinic revenues formerly collected and spent by CHCCW, up to \$2 million/year. UW will use limited internal funding to continue covering the shortfall of approximately \$800,000 in FY14 but may need to request additional state funding assistance for the FY15/16 biennium.

Compounding the financial issues at the residency programs are the continual changes occurring in healthcare nationally. It is well known that healthcare costs in the U.S. continue to increase unabated. There are numerous reasons for this increase, including federal mandates. For example, to maintain Medicare reimbursement at current levels, the providers must use an electronic medical record system. Another example is the requirement to maintain compliance with the Health Insurance Portability and Accountability Act; the residencies have recently spent over \$20,000 on this issue alone. Medicare, Medicaid and private insurance billing has become much more complex and can no longer be accomplished in-house, requiring outsourcing. Additionally, there have not been any increases in salaries for residency center employees for several years, yet average salaries for the same professionals have increased dramatically in the private sector. Information from the Wyoming Health Resource Network indicates that it takes a minimum of \$220,000/year in salary to recruit a family physician to Wyoming. Salaries for new hires at the residency programs are budgeted in the \$150,000/year range, thus increasing the challenge of recruiting and retaining faculty. Additionally, the university has been recruiting for program directors for each of the programs for over a year, and the low salaries have been the main reason the searches have been unsuccessful.

Consultants' reports

The financial and administrative challenges described above are not new. They have plagued the residency programs for years, and UW has attempted to address them in numerous ways based upon internal and external reviews.

There have been a number of consultants who have reviewed the residency programs over the past three years. Each accreditation visit is a thorough external review, and each of these is customarily preceded by a WWAMI external review. Maintaining accreditation is extremely important for a number of reasons, the foremost being that it ensures a quality program. Accreditation is also necessary for residents to enter professional practice: residents must graduate from an accredited program to sit for board certification, and board certification is needed for practice. While both residency programs remain accredited, concerns about their future ability to meet accreditation standards have led the Accreditation Council for Graduate Medical Education to recommend reviews on a more frequent basis than the normal 5-year cycle. The following is a list of the reviews over the past three years.

² This money was from one-time funds dedicated to medical education which remained from the payback of medical students not returning to Wyoming from the contract program that UW once had with Creighton University.

Date	Reviewer	Recommendations
November 2, 2009	American Academy of Family Physicians, Residency Program Solutions Review - Cheyenne	<ul style="list-style-type: none"> • Outsourcing billing and collection functions • Address accounts receivable • Address staffing issues in the clinic business office • UW should maintain regular active engagement in the fiscal management of the practice • Investigate FQHC (Educational Health Center) model • Discuss GME funding possibilities with CRMC
January 27, 2010	WWAMI Internal Review - Casper	<ul style="list-style-type: none"> • Address leadership issues • Address major financial issues around the lack of financial flow from the CHCCW. "if there is no margin, there is no mission and there must be a wider margin for the program to grow, evolve and be sustainable going forward." • Improve both internal and external communications, including the community health center and their medical director • Improve teamwork including committees with the CHCCW • Residents need to see more CHCCW patients • Community Health Center tensions: "This is a major problem for the program. Either the program must tighten up its affiliation agreement/contract with the Community Health Center to get the financing and relationships straight between the two entities or contemplate a separation from the Community Health Center. ... Basically, the Community Health Center has to come to recognize the value of the residency, not only in the terms of seeing patients but also growing its workforce for not only the community of Casper but also the state of Wyoming." • Increase community physician teaching

February 24, 2010	WWAMI Internal Review - Cheyenne	<ul style="list-style-type: none"> • Program demonstrates solid compliance with ACGME accreditation guidelines • Access UW resources regarding curriculum development • Continue to improve internal communications • Improve intraining exam scores and Board Certification Exam results
March 23, 2010	ACGME Accreditation - Casper	<ul style="list-style-type: none"> • 16 citations including: high rate of resident attrition, Faculty/sufficient time devoted to program not ensured, goals and objectives not competency-based, lack of program evaluation by residents, lack of documentation of procedures, continuity of care not ensured, minimum number of total and continuity deliveries not ensured and poor performance on board scores. • Accreditation continued for 2 years (full accreditation is 6 years)
April 28, 2011	Community Link Consulting (CLC) – Casper	<ul style="list-style-type: none"> • CLC explored and delivered three primary options and two alternative options to develop an EHC • One option was not accepted by the CHCCW - “As outlined by UWFMRRC, merging with CHCCW would require modification of CHCCW’s mission and bylaws and reconfiguration of Board of Directors to support the educational mission of the residency. Recent conversations between CHCCW’s Board of Directors and UWFMRRC indicate that CHCCW is not open these modifications. In the agreement letter dated April 19, 2011, CHCCW stated that it will not transition its current operations into an EHC. As a result, both parties agreed to retain a consultant to assist a transition committee comprised of representatives of both organizations.” • CLC strongly recommends beginning the process to become an EHC as soon as possible to take advantage of the increased reimbursement rates. • CLC reviewed the proposed bylaws for an EHC and had no material changes. • CLC recommended they provide an FQHC Look Alike Application that includes an umbrella organization for the UWFPR-Cheyenne, meet all HRSA guidelines, and develop the appropriate administrative relationship between the EHC and UW. • CLC explored the potential for qualifying for GME funding with the Wyoming Medical Center.
August 5, 2011	ACGME Accreditation - Casper	<ul style="list-style-type: none"> • Accreditation visit was accelerated due to concerns regarding last accreditation visit. • 10 citations • Accreditation continued for 2 years (full accreditation is 5years)

August 5, 2011	ACGME Accreditation - Cheyenne	<ul style="list-style-type: none"> • 11 citations • Accreditation continued for 3 years (full accreditation is 5 years)
December 5, 2011	American Academy of Family Physicians, Residency Program Solutions Review - Cheyenne	<ul style="list-style-type: none"> • Programmatic restructuring/realignment that may include development of a faculty practice plan and/or realign program structure in partnership with CRMC • Recruit a visionary and effective program director • Address billing and collections issues • Fill faculty and staff vacancies • Assess feasibility of joining the CRMC EPIC electronic health record • Address accreditation citations • Pursue Patient Centered Medical Home (PCMH) Certification
May 24, 2012	WWAMI – Internal Review - Casper	<ul style="list-style-type: none"> • Need for a permanent program director • Address funding model with Direct Graduate Medical Education funds or establishing an Educational Health Center • Doing well in addressing accreditation issues

To date, UW has been able to address the most critical of these recommendations. However, these reviews have revealed some common, persistent problems:

- The programs are underfunded when compared with other programs in the region.
- Faculty salaries are low.
- There are detailed accreditation issues at both programs (which UW is addressing).
- Finding stable, experienced leadership for the programs is a challenge at existing salary levels.
- There are educational quality issues connected with the problems listed above.
- There are business models that may increase clinic income, such as a Federally Qualified Health Center (FQHC) structure — in particular an Educational Health Center — or a faculty practice plan, as discussed in more detail below.
- While obtaining federal GME funding may be possible, it is unlikely to come from the hospitals, and current federal regulations exclude the UW residencies from this funding stream.

Substantial progress has been made by both residencies in addressing the accreditation and the educational quality issues. Leadership issues for medical education remain but are currently being addressed.

Options

A premise underlying all of the options examined here is that the FMRPs serve critical functions for Wyoming. They provide medical education to residents, offer medical care to low-income patients, and recruit and prepare primary care and family medicine physicians to practice in Wyoming. Based on this premise, we do not examine the option of eliminating the programs altogether.

The need for primary care physicians will become even more critical in the future. Nationally, the Affordable Care Act (ACA) will extend insurance coverage to many more people, which will escalate the physician shortage³. Wyoming is already facing a shortage of physicians due to retirement of an estimated half of the physicians in the state within 10 years of age 65. The Wyoming Department of Workforce Services estimates that the state will have an average annual opening of 56 positions for just the category of "Family & General Practitioners" for the 2010 to 2020 time period.⁴

Below are various options for bringing fiscal and administrative stability to the FMRPs. The report is then concluded with a recommendation for a course of action.

Option 1: Relocate the Oversight to Another Agency.

The residencies have the dual missions of education and direct patient care services, which makes providing oversight complex. The University of Wyoming has extensive expertise in the management of advanced educational ventures but does not have the same degree of expertise in the management of a highly complex medical care facility. However, the university has been doing this for over 30 years. There is no other state entity with UW's level of experience in managing a medical residency program.

We concluded from our discussions with the Wyoming Department of Health that it would not be an appropriate agency to provide oversight for the residencies and that the university remains the only appropriate state agency. Our discussions also made it clear that any state agency running the residency programs would ideally have a business officer devoted to the medical education budget. The University Medical Education (Agency 167) budget does not currently have this position.

Other than state agencies, the hospitals in Casper and Cheyenne could provide the expertise needed for managing the clinics and the services they provide, but for business-related reasons they have been reluctant to assume this fiscal responsibility in the past. Additionally, they would not have the expertise in graduate medical education to provide the educational services; hence, this function would most logically remain with the university. This type of arrangement could have the potential for conflict relating to inherent discrepancies in missions and governance, perhaps not with the current administrations but quite possibly in the future. Similar considerations arise in contracting with a for-profit entity to run the residency programs.

³ New York Times, July 28, 2012

⁴ Health Care Workforce Needs in Wyoming: Advancing the Study, Occasional Paper No. 6, Fall 2011, Research & Planning Wyoming DWS, Wyoming Workforce Services.

Option 2: Establish an Educational Health Center.

The Educational Health Center is a relatively new federal program through the US Department of Health and Human Services, Health Resources and Services Administration (HRSA), designed to support primary care education. The program provides access to financial benefits and grant opportunities available to Federally Qualified Health Centers (FQHC) as defined in federal statute.⁵ During the past 16 months, UW has explored the possibility of the FMRPs becoming Educational Health Centers (EHCs). The premise of these explorations has been that it might be possible to structure an EHC that would both meet federal FQHC guidelines and possess an acceptable system of governance. . UW's desire for appropriate control over the budget and personnel matters would have to be balanced with HRSA requirements for a governing board independent of the university's Board of Trustees. As discussed below, this balance is difficult to achieve and has significant implications.

EHC designation would increase clinic income and have other financial benefits but would not provide direct federal funding. It is estimated that the clinic income would increase by approximately \$1,000,000 at each residency, through the following mechanisms: (1) increased Medicare and Medicaid reimbursement, (2) access to grant funding, (3) National Health Service Corporation Loan Repayment for faculty physicians, (4) increased patient access, and (5) Federal Tort Claim Act malpractice coverage. Additionally, patients would receive access to less expensive medications through federal pharmacy pricing provisions. These benefits are considerable and extend beyond just a financial benefit for UW.

Still, as indicated above, there are tricky governance issues associated with this option. The federal law⁶ governing FQHCs in general, and EHCs in particular, mandates that these centers come under the authority of governing boards having prescribed structures. In UW's case, the constitutionally established governing board — the Board of Trustees — cannot fulfill this function. This constraint allows conflicts to arise between the clinical mission and the educational mission.

Understanding the UW/CHCCW relationship in Casper is critical to this discussion because of the parallels between that relationship and the EHC option. The CHCCW — a health center meeting the FQHC governance guidelines — was formed by UW to gain access to additional revenues that would help augment state appropriations. It was assumed that CHCCW would also be an educational partner. During this partnership, UW provided, in aggregate, \$10 million in direct grants and \$20 million in clinic income to the CHCCW, without significant financial benefit to the university. The CHCCW's bylaws, governance and mission statement were not developed to support graduate medical education; they were structured to support revenue generation through clinical operations. This context set the stage for repeated conflicts between UW and the CHCCW Board during most of the 10-year partnership. Because federal statute requires that health centers answer to governing boards different in nature from the university's constitutionally established governing board (the Board of Trustees), conflicts between the revenue-generating mission and the clinical education mission are virtually unavoidable and can be nearly intractable under this structure. The resulting separation in 2011 required UW's Casper program to re-assume clinic operations on its own. After one year and considerable expense on the university's part, the

⁵ Public Health Services Act of 1996 (PHSA, 42 U.S.C.).

⁶ PHSA, 42 U.S.C.254b, especially §330.

Casper FPR program is experiencing increasing patient volume, clinic income, and educational opportunities for the residents.

The point of the previous paragraph is that governance-related concerns are far from abstract. They can impose serious barriers to the educational mission, and they cost a lot to fix.

UW has undertaken great effort to mitigate the governance-related concerns, including the writing of draft bylaws and agreements. However, these drafts have not had legal review, nor have they received approval by HRSA. They have been modeled after the Richmond Clinic in Portland, Oregon, a functioning EHC family medicine residency. There will need to be other drafts to address remaining governance-related concerns or differing federal interpretations of the complex rules.

There are other hurdles that will need to be overcome. The residencies would need to be functioning as an EHC prior to any HRSA review. HRSA will critically look at overlap of services and the governance structure of each model. In Casper, the CHCCW will probably oppose the establishment of an EHC, which they would understandably regard as competition. However, the Wyoming Primary Care Association has stated they would support such an application.⁷ From UW's perspective, the key issue is whether it is possible to design a viable governance structure — one compatible with the educational mission as well as the clinical mission.

The UW and College of Health Sciences administration is currently contracting with Community Link consultants to evaluate the feasibility of establishing an EHC at both residencies. If this option is viable — an outcome that is still uncertain — it has the capacity to increase clinic revenues by increasing the rate of reimbursements from Medicare and Medicaid. Whether such increases would suffice to eliminate the programs' funding shortfall remains uncertain.

Option 3. Create a Teaching Health Center.

The Teaching Health Center (THC) is another relatively new FQHC-based program through HRSA, designed to provide federal funding for the expansion of family medicine residencies within community health centers. It does not provide increased funding for existing operations but would bring FQHC status to clinic operations. It is a demonstration project in the Affordable Care Act and is authorized only for five years.

UW's Dean of the College of Health Sciences and the Director of Medical Education have worked with consultants regarding the possibility of establishing a THC at the residencies. The efforts regarding establishing a THC at the Cheyenne residency have been supported operationally and financially by both the Cheyenne Regional Medical Center (CRMC) and Cheyenne Health and Wellness. The THC designation provides federal funding but only for additional new residents. Additionally the holder of the

⁷ Email, Patrick Monahan, MBA, MPA, Executive Director, Wyoming Primary Care Association.

FQHC authorization, Cheyenne Health and Wellness, would have to be the applicant for a THC designation. To be able to qualify CHW would have to be the fiscally responsible party for the residency. This would create the potential for a situation similar to the one UW experienced in Casper with the CHCCW; the university would have responsibility for resident education but may not have a stake in the clinic operations necessary to provide that education.

After much study, UW and the other agencies involved determined that this model would be unworkable for the residencies because of irresolvable fiscal responsibility, educational responsibility and governance issues.

Option 4: Seek Direct Graduate Medical Education (DGME) Funding Through Medicare.

As described above, GME funding is used by virtually all medical residency programs with the exception of those in Wyoming. There is the possibility that as healthcare provision and education evolve under the federal Affordable Care Act, the funding model for primary care will change allowing for direct funding of the Wyoming programs. UW has discussed this possibility with Representative Lummis and her staff, and she agreed to add her name as a cosponsor of a bill to change the distribution of GME funding to a model more favorable to the Wyoming residencies.

To receive DME funds under CMS's current regulations would require a program restructuring and realignment with respective hospitals. This would require the hospitals to become financially responsible for the residency programs. As adapted from a consultant's report, the roles of the university and the hospital may be similar to those detailed in the table below.

Differential Roles:

<u>University Role</u>	<u>Hospital Role</u>
<ul style="list-style-type: none"> • Provides Resident Stipends+ EPB 	<ul style="list-style-type: none"> • Continues to support current resident recruitment, meals etc.
<ul style="list-style-type: none"> • Leases use of FMC to Hospital 	<ul style="list-style-type: none"> • Leases FMC from university
<ul style="list-style-type: none"> • Provides teaching and administrative cost of the residency 	<ul style="list-style-type: none"> • Provides FMC personnel and supply costs
<ul style="list-style-type: none"> • University transfers clinic management to hospital 	<ul style="list-style-type: none"> • Practice is a part of the Hospital Community Practice Network
<ul style="list-style-type: none"> • Maintains high level of program accreditation and high quality graduates 	<ul style="list-style-type: none"> • Receives clinic income
<ul style="list-style-type: none"> • Equal representation on a Program Governing Board 	<ul style="list-style-type: none"> • Equal representation on a Program Governing Board

It is difficult to estimate how the flow of funds would change for each partner. However, with a representative governing board and opportunities for annual renegotiation, this model has potential benefits. Obviously, the hospital would have the greatest increase in financial contribution compared to the current situation. The hospital would be able to integrate the FMC into its practice group and would be able to help ensure the future stability and growth of the program.

One major disadvantage is that Wyoming Medical Center in Casper and, to a lesser extent, the Cheyenne Regional Medical Center in Cheyenne have in the past been reluctant, for business reasons, to assume any financial responsibility for the residency programs. The current financial situations of the hospitals and uncertainty created by the Affordable Care Act make a change in their interest in this model unlikely.

The other option to receiving GME funding would be to enlist the Wyoming's delegation support in seeking legislative authorization to allow these residencies to participate. There is currently discussion as to alternatives for federal funding of primary care residencies that do not rely on a hospital acting as the intermediate, so this may be a timely request. Additionally, some of the consultants have expressed the opinion that the Wyoming residencies obtaining GME funding is not as unobtainable as it was in the past.

Option 5: Establish a Faculty Group Practice

Currently, UW faculty physicians working at the residency programs bear no cost of the clinical practice and have no financial incentive to grow the practice. Establishing a group practice owned by the faculty — either under the auspices of the university or at arm's length as a Limited Liability Corporation (LLC) — could accomplish the following:

- The physician faculty members would become personally financially responsible for the clinic operations.
- Increased clinic revenues could possibly decrease the university's appropriation to the program over time.
- The new incentives would shift most of the responsibility for the success of the clinical practice to faculty and program administration.
- UW might acquire capacity to fund programmatic growth from increased income generated.

Under this model the faculty practice limited liability corporation (LLC) would receive all clinic collections. From that income they provide a percentage of their salaries and the salaries for clinic support. Because the faculty members and the clinic would still provide education, the university would still provide for the bulk of the faculty members' salaries, for some clinic support services and for all of the educational expenses, including the resident's salaries. This could then potentially leave a margin to fund new faculty and staff positions, improve billing and collecting even at an increased cost, and pay a clinical incentive to high quality and/or very productive clinicians.

A partnership or contract between UW and a faculty-driven LLC is very possible with the right leadership. The state would relinquish the clinic income and the LLC would assume a negotiated portion of the expenses. Net financial support by the state will probably not change initially, but the opportunity for financial growth and salary increases would rest with the LLC. A major challenge to this model will be malpractice coverage. Faculty members are currently covered under the state's malpractice umbrella. With a LLC this would not be the case, and as a result the model might end up being more expensive than the current one.

A faculty practice plan will not replace current funding. State funding will still be necessary to form the base funding for the educational costs of the programs. It would be necessary to use the additional clinic revenues to bring faculty members' salaries up to market levels. This may improve the university's ability to recruit and retain faculty, which will in turn improve the quality of the residents' educational experiences.

However, there are downsides to this model. It may take away valuable teaching time, as faculty members would have increased incentives to spend more time in patient care activities that generate income. It may take patients away from the residents at a time when resident patient visit numbers are an accreditation concern. The current patient mix, resulting from the residencies' mission to provide safety-net health care, is not conducive to this model. As a consequence, patients with more ability to pay would be recruited, and this dynamic would place state employees — UW faculty members — in direct competition with local healthcare providers.

Option 6: Downsize

Downsizing the residencies to meet the current money allocated in the budget is the least attractive alternative. The residencies are currently under-funded, resulting in compromised quality. The overall program expense for the Cheyenne program is approximately \$7.4 million/year, including employer paid benefits.⁸ The mean expense of comparable family medicine residency in size similar to the Cheyenne program (18 residents) in the WWAMI states is \$8.3 million per year.⁹ "Thus the program is not over-resourced and is less costly than other similar sized programs."¹⁰ A similar statement can be made for the Casper program (24 residents), where the cost of \$7.6 million/year is actually even less on a per resident basis. It would be difficult to take smaller classes of residents, because patient coverage has to be maintained continuously and there must be a sufficient number of residents and faculty for 24 hours a day, 7 days a week.

⁸ Because of accreditation issues, the Cheyenne program attempted to address inadequate funding in 2008 with a business plan and B11 request. When that business plan's income was not realized, UW cut the residency's budget with substantial savings. However, going back to pre-2008 funding would not provide sufficient financial support for the operation of the program.

⁹ Lesko S, Fitch W, Pauwels J, Ten-year trends in the financing of family medicine training programs. *Fam Med* 011;43(8):543-50

¹⁰ David AK. Confidential Residency Program Solutions Consultation Report on the University of Wyoming Family Medicine Residency Program, Cheyenne, Wyoming. December 2011.

Option 7: Consolidate the Two Programs

The only other option under downsizing would be to close one of the programs and shift most of the resources to the other residency. Consolidation does allow for continuation of a viable program at the current level of state funding, including the training of residents of which 35-40% will continue to practice in the state; the continued provision of health care to low-income patients, albeit at a lower level; and the ability to attract quality faculty and staff that would help address accreditation issues. This would not result in any cost savings but would allow the remaining residency to be funded at appropriate levels.

While this option appears feasible, it has disadvantages. It decreases the number of residents in training, which will decrease the number of family medicine physicians available to recruit and practice in the state. It will eliminate UW's safety-net health care for that community, potentially forcing those patients to seek medical care at the hospital's emergency room. Other community agencies are probably not available to fill the safety-net gap. That community hospital would have increased costs for indigent care, and state Medicaid costs would also rise because patients would be getting emergency care for more acute conditions rather than less expensive preventive care at the FMRP.

Consolidation would not be a quick solution: there would remain a contractual obligation to teach out the remaining two classes of residents. It would eliminate a much needed training site for some of UW's other health professional students. Additionally, it would have an impact on the physicians in the community and the quality of care. Many physicians chose a community to practice with a residency because of a desire to teach and, as mentioned above, the residents bring knowledge of current practice to the community.

Option 8: Increase State Funding

One option is increased state funding to stabilize the programs fiscally and administratively as well as continue providing the current level of primary health care in Casper and Cheyenne. Bringing the programs funding closer to the national level will help reach the goal of increasing the quality. The university and its FMRPs will continue to seek funds to offset expenses through increased clinic income and pursuit of federal funding through specific grant programs (see below). However, there is a limit to how much clinic income can be generated from serving low-income patients, and GME funding is highly unlikely without legislation at the federal level.

This option would entail the following amounts of additional state general fund support, starting in the FY15-16 biennium:

- continuing the funding of the Cheyenne residency at the current level by converting the \$2.3 million in one-time state general funds appropriated during the 2012 legislative session into ongoing funding,
- providing an additional \$800,000/year in state general funds (\$1.6 million biennially) to support the Casper residency clinic operations, and

- Providing an additional \$200,540/yr in state general funds (\$401,080 biennially) for salaries and employer paid benefits to ensure that salary for key employees are competitive (Appendix B). Offering competitive salaries will ensure that quality faculty will be retained and hired and that the current level of patient care will not be diminished.
- This totals an additional \$4.3 million/biennium in state general funds.

Of course, any increased state funding will be based upon weighing the value of the FMRPs against limited state revenues. As described above, the reality of the residency programs is that physician training is expensive, they are an important local source of care, they are a component of UW's medical education program, and they bring to Wyoming primary care and family health physicians that are in increasing demand. This option has the advantages of improving the quality of medical education, attracting more highly qualified student residents who in turn will make better physicians for the state and support for a Wyoming-based approach to resolving some of the health care issues facing the state.

Summary of Options:

<u>Option</u>	<u>Advantages</u>	<u>Disadvantages</u>
1. Relocate the Oversight to Another State Agency	<ul style="list-style-type: none"> • This option would use existing expertise in running a complex medical enterprise • Community hospitals have the expertise in providing oversight of medical clinics 	<ul style="list-style-type: none"> • That expertise does not exist at another state agency • The university is the agency best suited to provide oversight of the educational operations • Community hospitals have been reluctant to join this endeavor in the past and there is potential for conflict of mission • This option would not increase outside funding
2. Establish an Educational Health Center	<ul style="list-style-type: none"> • This option could allow for increased clinic revenue through federal FQHC status • There are several other benefits (e.g. 340B "sliding-scale" pharmacy pricing, physician loan repayment, etc.) 	<ul style="list-style-type: none"> • Establishing an EHC will take time (2 years) • HRSA guidelines for a separate governing board are difficult to meet • There is high potential for governance issues with a governing board separate from UW's Board of Trustees • Increased federal reimbursement rates would increase clinic income but would not replace state funding
3. Establish a Teaching Health Center	<ul style="list-style-type: none"> • Doing so would allow for new federal funding but only to support additional new residents and only for a maximum of 5 years 	<ul style="list-style-type: none"> • There are irresolvable issues of fiscal responsibility, educational responsibility and governance. • The THC program provides for a demonstration grant, funded by HRSA only for 5 years

<p>4. Seek Direct Graduate Medical Education (DGME) funding through Medicare</p>	<ul style="list-style-type: none"> • If successful, this measure would bring federal GME funding used by virtually all other US residencies 	<ul style="list-style-type: none"> • Wyoming residencies have been rejected for funding in the past • This option requires either new federal legislation or different CMS interpretation of current rules • The option would require a program restructuring or realignment with respective hospitals • Would require direct financial participation by the affiliated hospitals • Hospitals have been reluctant to establish this relationship in the past
<p>5. Establish a Faculty Practice Plan</p>	<ul style="list-style-type: none"> • This option would increase incentives for faculty physicians to generate additional clinic income. • Any increased revenues could address low faculty salaries and help with recruiting 	<ul style="list-style-type: none"> • The option would not increase outside funding or current state support • There would be some reduction in the state's fiscal oversight • Faculty would lose state malpractice insurance, probably resulting in increased malpractice costs • The current safety-net patient mix would generate limited additional revenues — perhaps enough to augment faculty physician salaries but probably not enough to offset state fiscal support • A practice plan would place the faculty in direct competition with local providers for paying patients • Faculty physicians would have incentives to reduce their teaching time
<p>6. Downsize</p>	<ul style="list-style-type: none"> • This option could make the spending match the budget, by reducing the payrolls and the number of residents trained in each of the existing programs 	<ul style="list-style-type: none"> • The option would not substantially reduce current state support • It would decrease the pool of future family medicine physicians trained in Wyoming. • The option would not increase federal funding • The option would be difficult to implement quickly • The option may have negative accreditation consequences if the reductions result in narrower clinical experiences for residents

<p>7. Consolidate the Two Programs</p>	<ul style="list-style-type: none"> • The option would provide sufficient funds for one high quality residency program, by focusing all existing resources in either Casper or Cheyenne 	<ul style="list-style-type: none"> • The option would decrease the pool of family medicine physicians trained in Wyoming • it would not increase federal funding • Consolidation would eliminate a safety net provider in one major Wyoming city • The option is not a quick solution; it would take at least 2 years to teach out current residents. • Would have a negative financial impact on the hospital without a residency • May increase Medicaid costs • Would eliminate an important training site for other healthcare students
<p>8. Fund Residencies Adequately Through State Funding</p>	<ul style="list-style-type: none"> • The option would provide sufficient funds for two high-quality residency programs • The option avoids constraints associated with federal funding 	<ul style="list-style-type: none"> • The option increases permanent commitment from state budget • The option does not, by itself, increase non-state sources of funding

Summary

There is no simple fix to the financial issues of the residency programs. Essentially almost all residency programs receive funding through federal Graduate Medical Education allocations, but this was not taken at either of Wyoming's program's inception and is now not available under current Center for Medicare Services (CMS) opinion. Federal legislative action could change this. This is currently the only avenue for direct federal support.

The other options described above have been carefully investigated by members of the university administration and, in some cases, by the supporting hospitals. The university has investigated the concept of an Educational Health Center and has utilized a consultant in these discussions. While this option does not replace state funding, it is a viable option in increasing clinic income and other patient care benefits. Becoming a HRSA certified EHC would take time. The residencies could move in this direction while the state tries to obtain GME funding.

Consolidation may appear to be an attractive option, especially if sufficient funding is not secured for the long-term stability of both programs. The question may arise: would consolidation be preferable to the *status quo* or to completely closing both programs? Yes. However, there are three major disadvantages: fewer family medicine physicians will be trained in Wyoming decreasing the probability that they will establish a practice here, providing of safety net care in one community will be lost, and the opportunity for training of other health professionals in Wyoming will be greatly reduced.

Recommendation

University of Wyoming's leaders recognize that decisions about the Family Medicine Residency Centers involve state policy dimensions that transcend UW's educational mission. With that understanding, we offer the following recommendations, based on the institution's interest in offering high-quality education, maintaining a solid fiscal footing, and meeting the state's expectations for safety-net medical care. The recommendations take account of three observations: (1) few of the options listed above can, by themselves, resolve the fiscal issues; (2) the options are not mutually exclusive; and (3) the feasibility of several options will be uncertain until we have more information about the national policy setting and local healthcare markets. Therefore it makes sense to pursue a multipronged strategy involving several options, some of which involve uncertainties.

This recommended strategy includes the following four elements:

Element 1. UW will continue operating the residencies with the current levels of state funding through FY 2014.

- This element will require that UW continue to collect and expend all clinic revenues at the Casper residency and to fund the clinic operations formerly managed by CHCCW.
- UW will continue to pursue improvements in its business practices in the Cheyenne residency, including more effective billing.

Element 2. UW will seek changes in the federal regulations governing GME (Option 4).

- Changes to make the UW residency programs eligible for Direct GME funding would allow for a mix of program funding comparable to that available in virtually all other family medicine residency programs nationwide.
- This element will require work with Wyoming's Congressional delegation. UW will coordinate with the Governor's office in implementing this task.

Element 3. UW will investigate the feasibility of establishing an Educational Health Center umbrella for both residency programs that is acceptable to the UW Board of Trustees (Option 2). A critical consideration in the feasibility study will be whether it is possible, under the Public Health Services Act cited above, to design a governance structure that will avoid conflicts between the clinical mission and the educational mission.

- Establishing an EHC may not be a panacea to all of the funding issues, but it may help address the need for additional funding, primarily by increasing Medicare reimbursement rates.
- UW has already contracted with Community Link Consulting to explore this option.
- UW plans to bring closure to this question by the end of FY 2013.

Element 4. UW will charge its faculty physicians and the appropriate medical education administrators to explore the logistics and fiscal viability of a faculty practice plan (Option 5).

- The purpose of this element is to investigate a possible vehicle for improving faculty salaries through appropriately managed mechanisms other than increased General Fund appropriations.
- The business constraints associated with UW's patient mix and the possible effects of such a plan on faculty incentives may make this option unrealistic.
- The deadline for this study will be the end of FY 2013.

Finally, we recommend that this report be used as a foundation for a Governor-convened summit of the major stakeholders, to discuss future legislative options. Among the stakeholders are:

- The University of Wyoming
- The Governor's office
- The Wyoming Medical Society
- A representative from the WWAMI medical program
- A representative of the Department of Health
- A representative of the Cheyenne Regional Medical Center
- A representative of the Wyoming Medical Center
- Representatives of the legislative delegations from Casper and Cheyenne.

The outcome that we seek from this summit is a multi-agency agreement regarding upcoming legislative measures, if any, needed to address the residencies' funding picture.

The university suggests that the summit and resulting recommendations could be completed in time for the Governor and legislators to consider them in developing the FY15-16 biennial budget.

It is often said that Wyoming should seek Wyoming solutions to providing healthcare. The two University of Wyoming Family Medicine Residency Programs have been a Wyoming solution for educating primary care physicians and for providing safety net medical care for over 30 years. Through their dual missions of providing healthcare and education they have served the state well. They are the safety-net provider for the populations of Wyoming's two largest cities and are often the only resource available to self-paying patients and those insured by Medicare or Medicaid. They educate medical school graduates to provide care in the rural and frontier environment of Wyoming and many of the graduates are located in the communities around the state. Additionally, they offer a strong interprofessional, team-oriented practice opportunity for educating many other UW health professional students. Since they are the only sites in Wyoming that offer all of these benefits, the University of Wyoming remains committed to their future success and to the pursuit of constructive avenues to achieve it.

Timeline of UW Family Medicine Residency Centers (FMRC — formerly FPRC)

Date	Action
1976	-Legislative appropriation for establishing a Family Practice Residency Program as a component of a medical school; authorization and funding remained in Governor's Office until 1980 -Casper FPRC began training family physicians for practices in rural Wyoming -State general fund dollars covered all costs; clinical income revenue generated not used to support program -From inception, Casper program designed to support 24 resident physicians (8 in each three year class)
1977-79	-State appropriation from general fund for construction of FPRC facilities in Casper and Cheyenne which opened in 1977 and 1979 respectively, with first graduates in 1979 and 1982, respectively. -State did not fund the medical school.
1978	-Cheyenne FPRC opened; supported 18 resident physicians (6 in each three year class)
1980	-UW assumed administrative responsibility for both Casper and Cheyenne FPRCs -FPRCs' funding also transferred to UW -State general fund dollars covered all costs; clinical income revenue generated not used to support program
1980s	-Attempts made by a minority group of legislators and some local physicians to reduce the size of the FPRCs. Multiple attempts throughout the 1980's were made by UW, some legislators and private entities to eliminate/reduce the size of the programs including suggested elimination of Cheyenne site -Board of Trustees maintained support for both FPRCs and efforts to close Cheyenne center did not succeed -FPRC funding folded into a UW block grant through the College of Human Medicine and subsequently the College of Health Sciences
1984-86	-Legislature, Board of Trustees, and independent studies called upon UW to consider phasing out the FPRCs based on state financial pressures and concerns about effectiveness in recruiting physicians to practice in rural areas of state
1991	-Both FPRCs established a "practice plan," allowing faculty to generate additional clinic revenues to augment their salaries
1993	-ACGME (medical education accrediting body) granted 'continuing full accreditation' to Cheyenne FPRC; raised questions about UW's sponsorship of the programs in graduate medical education, including financial support
1997	-FPRCs not generating enough in clinical revenues to meet budgeted expenses for operations -Undergraduate medical education contracts were changed from Creighton University to the University of Washington WWAMI program and the residencies became affiliated with a medical school for the first time.
1998	-With help from Legislature, UW increased investment in FPRCs by millions of dollars

2000	<p>-Casper center entered into affiliation agreement with the Community Health Center of Central Wyoming (subject to yearly renewal): CHCCW assumed daily medical clinic and facilities operations; UW continued to provide graduate medical education.</p> <p>-By assuming all costs of the residency program, CHCCW was able to receive reimbursements for the direct costs of graduate medical education under the rules governing Medicare (later rescinded and the CHCCW began charging the University for medical education even while receiving all clinical income generated by faculty and residents)</p>
2001	<p>-ACGME accreditation review team proposed 'probation' for Casper FPRC; cited 15 areas of non compliance</p> <p>-Residency Assistance Program (RAP) review was conducted in response and provided to ACGME; apparently resulted in favorable accreditation status for Casper from the ACGME</p> <p>-RAP review (September) identified strengths and concerns; concerns included data reporting, faculty development, some missing curricular elements, numbers of faculty, external reviews, relationship with Wyoming Medical Center, residents' health insurance coverage, and some other issues</p>
2002	<p>-Consultant review of FPRCs: identified problems with administrative oversight and faculty, marginal-to-failing accreditation, poor utilization of available resources, and poorly identified financial resources (<i>Note: Maybe this refers to the RAP review conducted in late 2001, but I can't match this information specifically with that report and can't find another.</i>)</p> <p>-Explored option of transitioning Casper FPRC into a "community-based, university-affiliated program" and strengthening the FPRC in dual role of resident education and primary health care for Casper area (<i>Likewise I can't find information that documents this discussion.</i>)</p>
2003	<p>-Resignation of Cheyenne director, both Centers at 50 percent physician staff levels, 'scrambling' to fill programs, residents excluded from free health coverage, block grant insufficient to maintain programs</p>
2004	<p>-UW requested and Governor approved \$2.067M in general fund appropriations for the 2005-2006 biennium to allow UW to continue at the current contract rate with the CHCCW.</p> <p>-ACGME granted continued full accreditation to Casper FPRC for five years; expressed some concerns, esp. resident attrition rate. Next site visit in September 2009.</p>
2004-2005	<p>-Rules for Medicare reimbursement changed, resulting in loss of reimbursement for direct costs of medical education by the CHCCW.</p> <p>-April 2005 the University accepted the full costs of the residency program and its educational mission, including costs of support services. CHCCW agreed to continue as a clinical services partner.</p> <p>-President requested a \$780K FY2006 budget authority increase for the Casper Center; to pay CHCCW for support of clinical activities to cover costs of uncompensated care.</p>

2005 -Board of Trustees reviewed proposal to extract medical education funding from UW's block grant and to create a new agency (#167) encompassing budgets for WWAMI and the two FPRC's.
 -Proposal would create operating budgets for the Cheyenne and Casper centers sufficient to cover costs of physician and other employee staffing (in accordance with ACGME minimum requirements for accreditation) and to adequately fund support services.

2006 Submission of 2007-2008 Biennium Budget request. Request cemented proposal for UW-Medical Education agency (#167)
 -Documented significant increases in patient visits and clinic revenues; projected continued increases
 -For Casper, UW requested and Governor recommended \$9,370,732 in general fund appropriations for the biennium, 35 full-time and 9 part-time positions
 -For Cheyenne, UW requested and Governor recommended \$7,381,291 in general fund appropriations for the biennium, \$2M in other funds, 46 full-time, and 7 part-time positions

2008 -UW requested Cheyenne FPRC biennium budget authorization be increased by \$4.79M to support salary and benefits for 20 additional full-time and 6 additional part-time positions
 -Request made under state's B-11 process under which the Governor may approve increased expenditures where additional revenues are anticipated.

2009 -Contract between UW and CHCCW rearticulated to provide for shared governance of Casper center and fiscal transparency
 -Competitive salary structures in place, physician retention issues addressed; Casper center has successfully matched its full complement of 8 residents per year without having to 'scramble' to fill slots.

2009 -Cheyenne FPRC received continued accreditation for 3 years by ACGE; but 16 citations
 -Cheyenne FPRC clinic revenue increased 50% over previous year, but fell short of projections in B-11 request
 -Not all authorized positions filled, so while clinic revenues were less than the estimates in the B-11, so were the expenditures
 -Financial shortfall was manageable 'in house' for FY 2009, but substantially less likely moving forward
 -All position vacancies and searches at Cheyenne FPRC frozen if offer(s) not already extended

2009 -Board of Trustees approved and UW submitted FY 2011-2012 budget request asking for additional state section 1 money to accommodate Cheyenne FPRC over-expansion to continue operation at same level (\$3.2 million in General Fund for FY 2011-2012 biennium)
 -Budget request includes an explicit agreement that UW will pay down any of the state funds appropriated from the 2011-2012 request if clinic revenues allow
 -Request also included an additional faculty line for the Casper center to provide an accreditation buffer against loss of faculty

2010

-UW officials meet with Noridian, Inc., a Medicare-Medicaid intermediary, to discuss past and future Medicare billing practices at the Cheyenne center. At issue is the correct procedure for documenting UW's requests for federal Medicare reimbursement, since the Family Medicine Residency Center does not fit any model for which federal guidelines exist. In January 2011, Noridian relays a determination on the correct billing documentation and relieves UW of any obligations for billing done prior to the university's adoption of the new documentation procedures.

2011

-CHCCW announces plans to develop a new facility on the east edge of Casper, to operate independently of UW's residency program. UW notifies CHCCW of its desire to review the affiliation agreement between the two organizations in light of CHCCW's plans.

-UW and CHCCW agree to dissolve their affiliation agreement, effective July 1, 2011. UW estimates that the transition to independent clinic operations will require \$1.22 million in one-time new equipment purchases and \$3.09 million/year in staffing (32 positions) and support, to offset the loss of staffing and support provided by CHCCW. UW administration allocates \$2.31 million in one-time, non-appropriated funds to cover the equipment costs and a portion of the staffing and support costs that estimated clinic revenues for FY 2012 will not cover. UW also requests and receives permission from the state to collect and spend clinic revenues formerly collected and spent by CHCCW, up to \$2 million/year.

- ACGME notifies the Cheyenne FMRC that it has granted continued accreditation for 3 years. The accreditation report cites 11 areas in which the program is not in substantial compliance with accreditation standards. ACGME notifies the Casper FMRC that has granted continued accreditation for 2 years and cites 10 areas in which the program is not in substantial compliance.

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 Lauer, Committee Chair

B. Fiscal and Legal Affairs Committee (Lowe)

Trustee Davis, Committee Chair

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

Trustee Willson, Committee Chair

D. Alumni Board

Trustee Lauer, Board Liaison

E. Foundation Board

Trustees Marsh and Willson, Board Liaisons

F. Ruckelshaus Institute of Environment and Natural Resources (RIENR) Board

Trustee Davis, Board Liaison

G. Energy Resources Council (ERC)

Trustee Palmerlee, Board Liaison

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)

August 2012

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
BASF Corporation	\$4,500	Kniss, Andrew		Plant Sciences	Weed Science Research in Agronomic Crops
Battelle Energy Alliance	\$50,000	Northam, Mark		School Energy Resource	Evaluate the use of nuclear high temperature gas-cooled reactors integrated with coal and natural gas conversions processes, and for base load electric power generation.
Black Diamond Minerals LLC	\$1,200	Beck, Jeffrey L		Ecosystem Science & Management	Factors Influencing Pronghorn Survival and Reproduction in South-central Wyoming
Blue Cross Blue Shield of Wy	\$19,200	Beshkov, Hristiyan		WY Survey & Analysis Center	Blue Cross Blue Shield Web Portal
UC Davis	\$19,959	Peck, Dannele Elaine		Ag Economics	Borlaug LEAP: Assessment of Socio-economic Indicators of Progress in the Implementation of Conservation Agriculture Practices in Western Kenya and Eastern Uganda: Moses Owori
UCLA	\$16,165	Legleiter, Carl		Geography/Recreation	Toward Hydrologic Understanding of the Greenland Ice Sheet
Colorado Historical Society	\$9,450	Waguespack, Nicole M		Anthropology	Site Testing of Barger Gulch (5GA195), Locality C
Corning Incorporated Foundation	\$40,000	Fertig, Ray		Mechanical Engineering	Computational Study of the Effects of Frictional Grain Boundary sliding in Porous Ceramics
Crop Research Foundation of Wy	\$9,000	Nachtman, Jerry		Cooperative Extension Service	Wheat Variety Trials, FY2013
Federal Communications Commission	\$62,336	Root-Elledge, Sandra Lee		Wyoming Institute for Disabilities	Wyoming Deaf-Blind Equipment Distribution Program

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Foundation for Informed Medical Decision Making	\$840	Anastasia, Trena		WY Survey & Analysis Center	Focus Group on Heart Failure Health Decision Making Aid
Houston, University of	\$6,527	Legleiter, Carl		Geography/Recreation	Remote Measurement of River Channel Bathymetry via LiDAR and Hyperspectral Image Data: An Evaluation of the NCALM Aquarius and CASI 1500 Systems on the Blue and Colorado Rivers, CO
University of Illinois at Urbana-Champaign	\$62,050	Houseal, Anne		Science & Mathematics Teaching Center	ISGS-UW Energy Curriculum Development Project
University of Illinois at Urbana-Champaign	\$75,042	Wang, Liqiang		Computer Science	Petascale Implementation and Optimization of LSQR and SeisSol
King Abdullah University of Science and Technology	\$192,705	Douglas, Craig C		Mathematics	Multiscale, Multi-Physics Simulation and Uncertainty Quantification for Porous Media
Monsanto Company	\$11,000	Kniss, Andrew		Plant Sciences	Graduate Assistantship Support for Sugarbeet Research
National Geographic Society	\$49,287	Webster, Gerald Raymond		Geography/Recreation	Wyoming Geographic Alliance 2012-13
New Mexico Department of Health	\$320,000	Costello, Humphrey		WY Survey & Analysis Center	Evaluation of the NM Tobacco Use Prevention and Control (TUPAC) Program, FY2013
Pacific Northwest National Lab	\$185,302	Parkinson, Bruce		Chemistry	The Center for Molecular Electrocatalysis
Police Executive Research Forum	\$17,000	Harnisch, Brian		WY Survey & Analysis Center	Survey of City of Austin, Texas Residents
Scientific Simulations	\$46,123	Mavriplis, Dimitri J		Mechanical Engineering	Sensitivity Analysis Methods for Complex Multidisciplinary Systems

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Simons Foundation	\$35,000	Hall, Christopher James	Jafari, Farhad	Mathematics	Compatible Systems and Big Monodromy
Syngenta Crop Protection, LLC	\$4,000	Kniss, Andrew		Plant Sciences	Agronomic Crop Research
Tennessee Technological University	\$6,000	Prager, Erika Katz		Provost	Administer Critical and Creative Thinking Assessment Test (CAT) Instruments to Undergraduate Students
The Nature Conservancy	\$1,000	Hufford, Kristina		Ecosystem Science & Management	An Investigation of Grassland Plant Diversity, Adaptation and Resilience: Implications for Restoration Success (graduate student award for Mollie Herget)
US Dept of Ag FS	\$24,000	Peacock, Cheryl		Inst Envir and Nat Res	Backcountry Trail Maintenance for Shoshone National Forest: Ramshorn Trail No. 819 Project with Wind River Back Country Horseman
US Dept of Ag FS	\$99,756	Jakle, Anne		Inst Envir and Nat Res-Research	Medicine Bow-Routt Bark Beetle Outreach
US Dept of Ag FS	\$3,500	Estes-Zumpf, Wendy		WY Natural Diversity Database	Medicine Bow National Forest Amphibian Monitoring
US Dept of Ag FS	\$6,050	Hartman, Ronald		Botany	Floristic Survey of the Beaverhead and Deerlodge National Forest
US Dept of Ag FS	\$1,500	Hartman, Ronald		Botany	Maintenance of the U. S. Forest Service Herbarium
US Dept of Ag NASS	\$3,250	Russell, Justina		Cooperative Extension Service	Wind River Agriculture Summit
US Dept of Ag NIFA	\$31,000	Miller, Myrna		Veterinary Science	National Animal Health Laboratory Network (NAHLN) Diagnostic Laboratory Testing for Animal Diseases of High Importance

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
US Dept of Ag NRC	\$5,000	Brown, Donna		Ag Dean	Student Engagement Networking Drive (SEND) Program
US Dept of Defense Air Force	\$327	Carter, Joanna		Student Financial Aid	Air Force ROTC Scholarship 11-12
US Dept of Defense Army	\$234,220	Carter, Joanna		Student Financial Aid	Army ROTC Scholarship 11-12
US Dept of Defense DLA	\$235,501	Jordan, Gregory		Wyoming Small Business Development Center	Wyoming Procurement Technical Assistance Center Government Contracting Assistance; & PTAC FY13 Program Income
US Dept of Education	\$500,000	Vinzant, Rebecca		VP-Student Affairs	Year 3 College Access Challenge Grant Non-Exempt; & Exempt
US Dept of Education	\$10,000	Wade, Michael		Student Educational Opportunity	Exempt Portion of Student Support Services 12-13
US Dept of Energy	\$209,205	Pendall, Elise		Botany	Data-model synthesis of grassland carbon metabolism: Quantifying direct, indirect and interactive effects of warming and elevated CO2
US Dept of Energy	\$24,453	Ginting, Victor E		Mathematics	Enabling Predictive Simulation and UQ of Complex Multiphysics Multiscale PDE Systems by the Development of Adjoint-based Sensitivity Analysis and Error Estimation Techniques
US Dept of Energy	\$185,000	Parkinson, Bruce		Chemistry	Studies of Photoinduced Electron Transfer from Dyes, Polymers and Quantum Confined Systems into Semiconducting Single Crystals
US Dept of Energy	\$50,731	Deng, Min		Atmospheric Science	Evolution in Cloud Population Statistics of the MJO: from AMIE Field Observation to Global Cloud-Permitting Models

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
US Dept of Health and Human Services NIH	\$372,049	Stewart, Larry Ray		Manufacturing Works	Manufacturing Works: The Wyoming Manufacturing Extension Partnership
US Dept of Health and Human Services NIH NIGMS	\$408,315	Zhu, Meijun		Animal Science	Maternal Obesity, AMPK and Development of Fetal and Neonatal Gut
US Dept of Health and Human Services NIH NIGMS	\$264,294	Gatlin, Jesse		Molecular Biology	Mechanics of Bipolar Mitotic Spindle Assembly
US Dept of Interior BLM	\$41,544	Heidel, Bonnie		WY Natural Diversity Database	Rare and Special Status Plant Species and Habitat Assessment 2012
US Dept of Interior BLM	\$38,000			Ecosystem Science & Management	Survey of Biotic Soil Crusts on BLM Lands in Wyoming
US Dept of Interior BLM	\$25,000	Kornfeld, Marcel		Anthropology	Last Canyon Cave Research in Montana
US Dept of Interior BLM	\$11,500	Bump, Benjamin	Peacock, Cheryl K.	Inst Envir and Nat Res	BLM WY Native Plant Seed Collection
US Dept of Interior BLM	\$65,000	Tanaka, John		Ecosystem Science & Management	Sustainable Rangelands Roundtable
US Dept of Interior FWS	\$75,000	Andersen, Mark		WY Natural Diversity Database	Model Validation for Migratory Bird Concentration Areas in Wyoming
US Dept of Interior FWS	\$2,000	Ben-David, Merav		Zoology	Polar Bears Blood Chemistry- Chuckchi Sea
US Dept of Interior FWS	\$6,000	Beauvais, Gary		WY Natural Diversity Database	Biological Support of the Laramie Plains and Pathfinder's NWRs
US Dept of Interior NPS	\$9,988	Newsome, Seth		Zoology	Stable Isotope Analysis of San Miguel and Santa Rosa Island Foxes and Their Prey: Characterizing Dietary Preferences Across Islands and Habitats

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
US Dept of Interior NPS	\$9,430	Tronstad, Lusha		WY Natural Diversity Database	Macroinvertebrates at Agate Fossil Beds National Monument, Phase 2
US Dept of Interior NPS	\$43,280	Kelly, Robert		Anthropology	Student Intern Opportunities at Bighorn Canyon NRA
US Dept of Interior NPS	\$25,000	Larson, Mary L.		Anthropology	Geological Studies on the North Entrance Road of Yellowstone National Park (Paul Sanders)
US Dept of Interior NPS	\$80,191	Larson, Mary L.		Anthropology	Moose Exhibit Site 48YE201: Artifact Analysis, Geoarcheological Report, Macrobotanical Analysis, Geochemical Research, and Final Data Recovery Report Production (Paul Sanders)
US Dept of Interior NPS	\$6,720	Robinson, Timothy J		Statistics	Statistical Consulting for Environmental Monitoring Projects, Phase 2
US Dept of Interior NPS	\$76,676	Larson, Mary L.		Anthropology	Data Recovery for Mitigation of Site 48YE128, Yellowstone National Park, Wyoming, Phase 2 (Paul Sanders, Wyoming State Archaeologist's Office)
US Dept of Interior NPS	\$50,000	Taylor, Patricia Ann		WY Survey & Analysis Center	Redefining Visitor Status in the Comprehensive Survey of the American Public
US Dept of Interior NPS	\$36,765	Kelly, Robert		Anthropology	Bad Pass Trail Ethnographic Research and Fieldwork for Revised National Register Nomination
US Dept of Interior NPS	\$52,000	Larson, Mary L.		Anthropology	Along the Trail with the Nez Perce: The Summer of 1877 in 2012, Yellowstone National Park (Paul Sanders, State Archaeologist's Office)

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
US Dept of Interior USGS	\$49,000	Kauffman, Matthew		Zoology	Assessment of Wildlife Vulnerability to Energy Development (AWVED)
US Dept of Interior USGS	\$20,000	Walters, Annika		Zoology	Effects of Wyoming Range Energy Development for Native Fish Communities
US Dept of Justice BJS	\$70,509	Butler, Steven		WY Survey & Analysis Center	State Justice Statistics (SJS) Program (FY2012-2013)
US Nat'l Aeronautics and Space Admin	\$860,000	Johnson, Paul E.		Physics/Astronomy	Wyoming NASA Space Grant Consortium 2010 Proposal
US Nat'l Science Foundation	\$33,953	Legleiter, Carl		Geography/Recreation	The Field Tradition in Geomorphology: 43rd Binghamton Geomorphology Symposium
US Nat'l Science Foundation	\$359,968	Shuman, Bryan		Geology/Geophysics	Collaborative Research: Interacting Influences of Climate, Land Use and Other Disturbances on Regime Shifts in Forest Ecosystems: Holocene Dynamics in the Northeastern US
US Nat'l Science Foundation	\$274,866	Deshler, Terry		Atmospheric Science	MRI: Development of New Particle Size Spectrometer for Rugged Deployments in the Antarctic, Tropics and Mid-latitudes: Measurements From the Surface to the Stratosphere
US Nat'l Science Foundation	\$127,112	Liberles, David		Molecular Biology	Collaborative Research: Developing a Probabilistic Model for Gene Family Evolution
US Nat'l Science Foundation	\$221,210	Clennan, Edward		Chemistry	2nd Generation Porylogen and 1st Generation Viologen Electron Transfer Catalysts
US Nat'l Science Foundation	\$25,000	Liu, Rongsong		Mathematics	Rocky Mountain Summer School 2012: Mathematical Modeling in Ecology and Epidemiology

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
US Nat'l Science Foundation	\$249,228	Myers, Adam D		Physics/Astronomy	Collaborative Research: The Hidden Side of Rapidly Growing Black Holes: Host Masses and Evolution of Obscured Quasars with SDSS and WISE; & Participant Support
US Nat'l Science Foundation	\$82,378	Shuman, Bryan		Geology/Geophysics	CAREER: Effects of Prolonged Drought, Fire, and Forest Parasites on Regional Ecosystem Pattern
US Nat'l Science Foundation	\$24,583	Anderson, David		Chemistry	Collaborative Research: Spectroscopy and Chemistry of Open-Shell Atoms in Solid Hydrogen Matrices
US Small Business Administration	\$3,234	Kline, Jill		WY Sm Bus Dev Ctr	Wyoming Small Business Development Center Cooperative Agreement; & Program Income and Match for SBDC
Various Sponsors	\$17,160	Stewart, Larry Ray		Manufacturing Works	Program Income for 1001178 NIST FY12 Business Services
Various Sponsors	\$750	Geiger, Milton E		Cooperative Extension Service	Program Income for Energy Efficiency 1001220
Various Sponsors	\$949	McEchron, Matthew		WWAMI	AHEC Program Income
Various Sponsors	\$12,841	Stewart, Larry Ray		Manufacturing Works	Program Income for MW NIST 12-13
Various Sponsors	\$7,000	Westlake, Laura Lea		Wyoming Inst for Disabilities	UW/WIND Vision Project
Various Sponsors	\$300	Williams, Karen		Family/Consumer Sci	FCS support
Various Sponsors	\$714	Ford, Stephen		Animal Science	Fetal Programming
Various Sponsors	\$3,250	Lake, Scott		Animal Science	Research Laboratory Expenses
Various Sponsors	\$180	Clarke, Pamela		School of Nursing	Various Nursing Schools Program Development
Various Sponsors	\$7,501	Redder, Alan		WY Natural Diversity Database	Database Management
Various Sponsors	\$84	Hamerlinck, Jeffrey		SVDC-Spons Proj	Spatial Data and Visualization Center

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Veterans Medical Research Foundation	\$29,532	Gray, Matthew James		Psychology	Adaptive Disclosure: A Combat-Specific PTSD Treatment
Virginia Polytech Inst	\$10,080	Norton, Jay		Ecosystem Science & Management	Conservation agriculture production systems in eastern Uganda and western Kenya
West Virginia University	\$21,288	Barker, Michael Gary		Civil Engineering	Technical Program Management For the Short Span Steel Bridge Alliance and Development of the Bridge Technology Center at WVU
West Virginia University	\$432,488	Northam, Mark		School Energy Resource	U.S. China Clean Energy Research Center Advanced Coal Technology Collaboration (CERC); & Non-Federal Portion
Wyoming Arts Council	\$7,000	Przygocki, James T.		Music	University of Wyoming String Project (Year 3 Continuation)
Wyoming Arts Council	\$6,892	Bredehoft, Wendy E		Art Museum	Look Deeply, Think Deeply, Create: Inquiry Learning at the UAM
Wyoming Arts Council	\$6,514	Wilson, Margaret Ann		Theatre/Dance	18th Annual Snowy Range Dance Festival
Wyoming Arts Council	\$6,235	Moldenhauer, Susan		Art Museum	A Series of Exhibitions, Public Programs and Interpretive Material by Artists Judy Pfaff, Carol Prusa, Gerald Lang & Jennifer Anne Tucker
Wyoming Arts Council	\$7,000	Bredehoft, Wendy E		Art Museum	Partnership: Artmobile Outreach Project 2012-2013
Wyoming Business Council	\$30,900	Harnisch, Brian		WY Survey & Analysis Center	Wyoming Women's Issues Survey 2012
Wyoming Community College Commission	\$187,844	Chytka, Evelyn Jo		VP-Student Affairs	State Longitudinal Data System-- Personnel Support

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Wyoming Cultural Trust Fund	\$38,000	Graham, Andrea M		American Studies	Art of the Hunt: Exhibit Concept and Video Production
Wyoming Cultural Trust Fund	\$15,000	Garnett, Rodney A.		Music	Moldovans to Wyoming
Wyoming Dept of Environmental Quality	\$20,000	Smutko, Leonard		Inst Envir and Nat Res	Upper Green River Basin Air Quality Citizens Advisory Task Force Assistance
Wyoming Dept of Health	\$120,000	Westlake, Laura Lea		Wyoming Inst for Disabilities	Early Childhood Vision Screening
Wyoming Dept of Health	\$1,580	Beshkov, Hristiyan		WY Survey & Analysis Center	Ranger maintenance 2012
Wyoming Dept of Health	\$33,600	Beshkov, Hristiyan		WY Survey & Analysis Center	Wyoming Court Assisted Supervised Treatment Information Management (WyCST) System Maintenance 2013
Wyoming Dept of Health	\$122,000	Despain, Laran		WY Survey & Analysis Center	Synar Study FY13-14
Wyoming Dept of Transportation	\$49,688	Harnisch, Brian		WY Survey & Analysis Center	Attitude and Awareness Surveys, 2012 and 2013
Wyoming Division of Victims Service	\$31,300	Beshkov, Hristiyan		WY Survey & Analysis Center	WyoSafe Maintenance FY13
Wyoming Game and Fish Dept	\$29,776	Bergman, Harold		Zoology	Endocrine Disrupting compounds in Wyoming Surface Waters: Assessment of potential presence, suspected sources and possible consequences for Wyoming fishes
Wyoming Game and Fish Dept	\$65,476	Keinath, Douglas		WY Natural Diversity Database	Western amphibian monitoring
Wyoming Game and Fish Dept	\$9,000	Beck, Jeffrey L		Ecosystem Science & Management	Evaluation of the Sage-Grouse Executive Order
Wyoming Game and Fish Dept	\$43,410	Miller, Scott		Ecosystem Science & Management	Beavers in the Laramie Range

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Wyoming Livestock Board	\$11,643	Miller, Myrna		Veterinary Science	Comparison of Bluetongue Virus Serotype 17 Vaccines in Sheep
Wyoming Livestock Board	\$20,000			Veterinary Science	Trichomoniasis in Wyoming Beef Cattle
Wyoming Livestock Board	\$218,000	Adamovicz, Jeffrey		Veterinary Science	Brucellosis Testing, Regulatory Serology and Other Brucellosis Related Services
Wyoming State Parks & Cultural Resources	\$100,000	Hopkins, Mary		Anthropology	Cultural Resource Internships
Wyoming State Parks & Cultural Resources	\$5,000	Walker, Danny		Anthropology	South Pass City Historical Site: Interns for Artifact Curation
Wyoming Weed and Pest District	\$28,000	Collier, Timothy		Ecosystem Science & Management	WY Weed Support for Biological Control Position
Wyoming Wildlife - The Foundation	\$20,000	Schumaker, Brant		Veterinary Science	The Relevant Vectors of <i>Elaeophora Schneideri</i> In Wyoming
Wyoming Wildlife - The Foundation	\$12,500	Kauffman, Matthew		Zoology	Wyoming Atlas of Ungulate Migration-A Prospectus
Wyoming Wildlife - The Foundation	\$3,000	Kauffman, Matthew		Zoology	Seasonal Habitat Use and Interchange of Elk On and Off Feedgrounds in the Southern Brucellosis Endemic Area of Wyoming
Wyoming Wildlife - The Foundation	\$20,000	Goheen, Jacob		Zoology	Habitat Requirements, Distribution, and Population Characteristics of the Sublette Moose Herd, Wyoming
Wyoming Wildlife - The Foundation	\$8,500	Monteith, Kevin		Zoology	Nutritional Carrying Capacity and Factors Limiting Population Growth of Mule Deer in the Wyoming Range

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Wyoming Wildlife - The Foundation	\$10,000	Beck, Jeffrey L		Ecosystem Science & Management	Habitat Ecology and Effects of Habitat Alteration for Bighorn Sheep Translocated to the Seminoe Mountains, Wyoming
Wyoming Workforce Services	\$48,486	Godby, Robert		Economics/Finance	Developing 2013 Prevailing Wage Estimates for Wyoming Department of Employment

Sponsored Programs

TOTAL 8/2012 **\$8,847,433**

**Total From
7/2012** **\$15,143,939**

**Total Year to
Date** **7/2012 -
8/2012** **\$23,991,372**

INSTITUTIONAL AWARDS FISCAL YEAR 2013

Carter, Joanna	Student Financial Aid	Direct Student Loan 12-13	US Dept of Education (#1001577)	\$25,912,880
Murdock, Margaret M.	School- Extended Studies	Wyoming Distance Learning Support FY 2013: 2012 legislative mandate for the support of the Wyoming Distance Learning Center through an MOU between UW and the Wyoming State Department of Administration and Information	Wyoming Dept Administration and Information (#1001585)	\$862,000.00
Northam, Mark	School Enrgy Resource	Wyoming Pipeline Authority for Permitting Carbon Dioxide Pipeline Network	Wyoming Dept of Environmental Quality (#1001564)	\$2,000,000.00
Galey, Francis	Ag Dean	Sheridan Agricultural Education Program	Wyoming Dept of Environmental Quality (#1001583)	\$3,500,000.00
Northam, Mark & Surdam,Ronald	School Energy Resources	FY2010 Clean Coal/Carbon Sequestration Funds; & Carbon Sequestration Funds from FY2010	Wyoming Dept of Environmental Quality (#1001584+A)	\$2,000,000.00
			TOTAL Inst 8/2012	<u>\$34,274,880</u>
GRAND TOTAL			\$58,266,252	

September 2012

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Agrigenetics, Inc.	\$17,327	Baumgartner, Robert		Ag Experiment Station	2012 UWY-DAS Limited Irrigation Trials: Evaluation of experimental corn seed
ARCTECH, Inc.	\$1,151	Stahl, Peter D.		Ag Ecosystem Science & Management	Actosol Humic Organic Product: Impacts on Plant Establishment and Soil Development
Cold Spring Harbor	\$451,643	Sylvester, Anne		Molecular Biology	TRPGR: Maize Cell Genomics: Resources for Visualizing Promoter Activity and Protein Dynamics using Fluorescent Protein Lines
University of Illinois at Urbana-Champaign	\$62,050	Houseal, Anne		Science & Mathematics Teaching Center	ISGS-UW Energy Curriculum Development Project
Johnson County	\$30,000	Wambeam, Rodney		WY Survey & Analysis Center	Substance Abuse Prevention Infrastructure/Readiness Interviews for Community Resource Center of Johnson County
Kansas State University	\$24,000	Franc, Gary		Plant Sciences	Great Plains Diagnostic Network-Wyoming Component 2012-2013
Marathon Oil Company	\$10,000	Hild, Angela		Ag Ecosystem Science & Management	Reclaiming Halogeton Invasions of Salt-Desert Shrublands in the Wyoming Basin
Maryland, University of	\$73,410	Mavriplis, Dimitri J		Mechanical Engineering	Vertical Lift Research Center of Excellence
Northern Colorado, University of	\$281,896	Parker, Sylvia D.		Science & Mathematics Teaching Center	Mathematics Teacher Leadership Center
US Dept of Ag FS	\$10,000	Jones, George		WY Natural Diversity Database	Lodgepole Pine Classification Project
US Dept of Ag NIFA	\$60,481	Schell, Scott		Ag Ecosystem Science & Management	Extensions Integrated Pest Management Coordination and Support Program
US Dept of Ag NIFA	\$39,998	Tanaka, John		Ag Ecosystem Science & Management	Rangeland Stewardship and Health Community of Practice
US Dept of Commerce EDA	\$110,000	Langley, Christine Fay		WTBC	Year 3 University Center Technical Assistance Program
US Dept of Defense NGIA	\$153,867	Prager, Steven D		Geography/Recreation	Biologically Inspired Approaches for Reasoning on Complex Functional Networks Yr 4
US Dept of Education	\$1,000,000	Vinzant, Rebecca		VP-Student Affairs	Year 3 College Access Challenge Grant Non-Exempt

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
US Dept of Education	\$79,200	Carter, Joanna		Student Financial Aid	Direct Student Loan 11/12
US Dept of Education	\$42,370	Carter, Joanna		Student Financial Aid	Pell Grant 11-12
US Dept of Education	\$4,951,120	Carter, Joanna		Student Financial Aid	Pell Grant 12-13
US Dept of Health and Human Services NIH NIGMS	\$312,919	Oakey, John		Chemical/Petroleum Engineering	Spindle Assembly and Scaling via Microfluidic Encapsulation of Xenopus Nuclei
US Dept of Interior BLM	\$155,000	Griscom, Hannah		WY Natural Diversity Database	WY Special Status Species Distribution and Habitat Data Collection; and Baseline Research for Long-term Effects of Wind Farms on Pollinators in Sage Grouse Habitat
US Dept of Interior BLM	\$10,000	Mealor, Brian		Plant Sciences	Herbicide and Seeding for Reclamation of Disturbed Lands
US Dept of Interior BLM	\$100,000	Field, Robert		Atmospheric Science	Air Quality Assessment and Outreach in Wyoming Areas of Oil and Gas Development
US Dept of Interior BLM	\$42,000	Heidel, Bonnie		WY Natural Diversity Database	Plant and Vegetation Surveys, BLM High Plains District
US Dept of Interior FWS	\$25,000	Beauvais, Gary		WY Natural Diversity Database	Federally Listed Species Surveys - Preble's Mouse
US Dept of Interior FWS	\$70,000	Rahel, Frank		Zoology	Captive Breeding of Wyoming Toads
US Dept of Interior NPS	\$13,000	Tronstad, Lusha		WY Natural Diversity Database	Macroinvertebrates at Agate Fossil Beds National Monument, Phase 2
US Dept of Interior USGS	\$189,854	Cornish, Todd		Veterinary Science	Chronic Wasting Disease (CWD) in Mule Deer
US Dept of Interior USGS	\$93,000	Kauffman, Matthew		Zoology	Mule deer migrations/energy development
US Nat'l Aeronautics and Space Admin	\$51,000	Wright, Cameron H G		Electrical Engineering	Bio-mimetic Optical Sensor for Real-time Measurement of Aircraft Wing Deflection
US Nat'l Science Foundation	\$246,749	Pendall, Elise		Botany	Plant-microbe feedback mechanisms affecting decomposition and nutrient availability and interactions with climate change

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
US Nat'l Science Foundation	\$39,620	Radosz, Maciej		Chemical/Petroleum Engineering	Encapsulating Hydrophobic Solutes in Self-Assembled Nanoparticles Formed by Decompressing Near Critical Micellar Solutions of Block Copolymers
US Nat'l Science Foundation	\$159,795	Brant, Jonathan		Civil Engineering	Quantifying Nanomaterial Dose in Drinking Water and Assessing the Environmental risks posed by residual waste streams rich in manufactured nanomaterials
US Nat'l Science Foundation	\$26,500	Ogden, Fred & Brant, Jonathan		Civil Engineering	NSF GRFP Guy Litt; and NSF GRFP Emily Huth
US Nat'l Science Foundation	\$15,750	Carling, Matthew & Goheen, Jacob		Zoology	GRFP Shawn Billerman; and GRFP Anne-Marie Hodge
US Small Business Administration	\$80,000	Jordan, Gregory		WY Sm Bus Dev Ctr	Federal and State Technology Partnership Program 2012-2013
Various Sponsors	\$50	Kline, Jill		WY Sm Bus Dev Ctr	Program Income and Match for SBDC
Various Sponsors	\$11,930	Stewart, Larry Ray		Manufacturing Works	Program Income for MW NIST 12-13
Various Sponsors	\$4,492	Johnson, Paul E.		Physics/Astronomy	Program Income for Space Grant Consortium
Various Sponsors	\$3,723	Root-Elledge, Sandra Lee		Wyoming Inst for Disabilities	Fee Book Income
Various Sponsors	\$12,064	Ford, Stephen		Animal Science	Fetal Programming
Various Sponsors	\$2,900	Clarke, Pamela		School of Nursing	Various Nursing Schools Program Development
Various Sponsors	\$338	Redder, Alan		WY Natural Diversity Database	Database Management
Various Sponsors	\$300	Hamerlinck, Jeffrey		SVDC-Spons Proj-Research	Spatial Data and Visualization Center
University of Washington, Seattle	\$6,368	Zajacova, Anna		Sociology	Establishing the Feasibility of Functional Data Analysis for Determining the Health Consequences of Body Weight Changes Among Older Adults
Wyoming Dept of Health	\$227,000	MacLean, William		Wyoming Inst for Disabilities	Administration of the Inventory for Client and Agency Planning (ICAP) Assessment Tool for the Developmental Disabilities Division
Wyoming Dept of Health	\$994,765	Cook, Tiffany		WY Survey & Analysis Center	Wyoming Tobacco Prevention and Control Program Evaluation

Sponsor	Amount	Principal Investigator (PI)	Co-PI	Dept	Description
Wyoming Dept of Transportation	\$254,348	Kunkel, Paul		Fleet Operations	5311 FTA Albany County Transportation Authority: Gem City Grand Bus Service and ADA Paratransit Service; and 5311-13-FTA-52 - Admin 5311, Capital 5311 and Maintenance 5311
Wyoming Dept of Transportation	\$1,170,067	Kunkel, Paul		Fleet Operations	FY13 Wyoming Rural Public Transportation Operating Funds: Fixed-route, ADA Paratransit and Demand Response Services; and 5311-13-FTA-02 - FY13 Transportation Admin Funds and Maintenance Funds
Wyoming Dept of Transportation	\$200,000	Ksaibati, Khaled		Civil Engineering	Wyoming Rural Road Safety; and NonFed Portion of Rural Road Safety Program
Wyoming Game and Fish Dept	\$50,000	Kauffman, Matthew		Zoology	Evaluating the Influence of Development on Ungulate Migrations
Wyoming Game and Fish Dept	\$150,000	Monteith, Kevin		Zoology	Nutritional Carrying Capacity and Factors Limiting Population Growth of Mule Deer in the Wyoming Range
Wyoming Game and Fish Dept	\$9,900	Walters, Annika		Zoology	Burbot Migration and Movement: The Impact of a Managed Flow Regime
Wyoming Game and Fish Dept	\$28,000	Kauffman, Matthew		Zoology	Evaluating the Influence of Development on Mule Deer Nutrition in the Pinedale Anticline Project Area
Wyoming Game and Fish Dept	\$11,500	Peacock, Cheryl		Inst Envir and Nat Res	Whiskey Basin Conservation Camp maintenance
Wyoming Wildlife - The Foundation	\$5,000	Kauffman, Matthew		Zoology	Effects of Habitat Conditions, Predation Risk, Age Structure, Brucellosis, and Supplemental Feeding on Elk Pregnancy Rates in Wyoming Elk
Wyoming Wildlife - The Foundation	\$20,000	Goheen, Jacob		Zoology	Moose Statewide Habitat Study 2012
Wyoming, State of	\$1,778	Northam, Mark		School Enrgy Resource	Clean Coal Technology

Sponsored Programs

TOTAL 9/2012	\$12,193,223	
Total From 7/2012	\$15,143,939	
Total From 8/2012	\$8,847,433	
Total Year to Date	7/2012-9/2012	\$36,184,595

INSTITUTIONAL AWARDS FISCAL YEAR 2013

Carter, Joanna	Student Financial Aid	Direct Student Loan 12-13	US Dept of Education (#1001577)	\$25,912,880
Murdock, Margaret M.	School- Extended Studies	Wyoming Distance Learning Support FY 2013: 2012 legislative mandate for the support of the Wyoming Distance Learning Center through an MOU between UW and the Wyoming State Dept nt of Administration and Information	Wyoming Dept of Administration and Information (#1001585)	\$862,000.00
Northam, Mark	School Enrgy Resource	Wyoming Pipeline Authority for Permitting Carbon Dioxide Pipeline Network	Wyoming Dept of Environmental Quality (#1001564)	\$2,000,000.00
Galey, Francis	Ag Dean	Sheridan Agricultural Education Program	Wyoming Dept of Environmental Quality (#1001583)	\$3,500,000.00
Northam, Mark & Surdam,Ronald	School Enrgy Resource	FY2010 Clean Coal/Carbon Sequestration Funds; & Carbon Sequestration Funds from FY2010	Wyoming Dept of Environmental Quality (#1001584+A)	\$4,106,325
	GRAND TOTAL	\$72,565,801	TOTAL Inst 9/2012	\$36,381,205

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. Administrators

Academic Affairs

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
Frost, Carol	Associate Provost	\$167,784	12/01/2012 to 6/30/2013

Dr. Frost (Ph.D. Cambridge University) is a tenured professor in the Department of Geology and Geophysics, and a George Duke Humphrey Distinguished Faculty award recipient (2008). Her many contributions to UW include launching the university's School of Energy Resources as its founding director (2006-2007). Dr. Frost has served as Vice President for Special Projects since her appointment to this position in September 2010. This change in title more accurately aligns her reporting line with the scope of projects for which she is responsible and comes without change in salary.

1. Faculty

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

College of Arts & Sciences

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
<i>Department of Communication & Journalism</i>			
Li, Li	Assistant Professor	\$60,000/AY	08/27/2012 to 06/30/2013

Li Li received a B.A. (2001) in English Language Education from Hebei Normal University in Shijiazhuang, China, an M.A. (2004) in English Language and Literature from China University of Mining and Technology, an M.A. (2010) in Communication Studies from Ohio University, and a Ph.D. (2012) in Communication Studies from Ohio University. Dr. Li has been a graduate teaching associate at Ohio University since 2008.

Department of Modern & Classical Languages

Alexandrova, Ekaterina R	Assistant Professor	\$55,008/AY	08/21/2012 to 06/30/2013
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Ekaterina Alexandrova received a B.A. (2003) in French and International Relations from Saint Joseph's University, an M.A. (2004) in Comparative Literature (French and Russian) from Dartmouth College, and a Ph.D. (2012) in French from the University of Pennsylvania. Dr. Alexandrova has been teaching at the Universite Paris since 2007.

Checa-Garcia, Irene Assistant Professor \$55,008/AY 08/27/2012 to 06/30/2013
Irene Checa-Garcia received a B.A. (1997) in Hispanic Philology and an M.A. (1999) in Linguistics from the Universidad de Granada, and a Ph.D. (2004) in Linguistics from Universidad de Almeria. Dr. Checa-Garcia has been an adjunct faculty member at Santa Barbara City College since 2010.

College of Engineering and Applied Science

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Department of Civil & Architectural Engineering

Ng, Kam Weng Assistant Professor \$74,700/AY 08/21/2012 to 06/30/2013
Kam Ng received a B.S. (1996), an M.S. (1997), and a Ph.D. (2011) in Civil Engineering from Iowa State University. Dr. Ng has been an Instructor at Iowa State University since 2011.

Ohara, Noriaki Assistant Professor \$74,700/AY 08/21/2012 to 06/30/2013
Noriaki Ohara received a B.A. (1997) in Civil Engineering, an M.A. (1999) in Civil Engineering from Chuo University, and a Ph.D. (2003) in Civil Engineering from University of California, Davis. Dr. Ohara has been an Assistant Development Engineer at UC Davis since 2004.

Zhu, Jianting Associate Professor \$85,008/AY 08/21/2012 to 06/30/2013
Jianting Zhu received a B.S. (1983) in Fluid Mechanics from Zhejiang University, an M.S. (1985) in Fluid Mechanics from Peking University, and a Ph.D. (1996) in Computational and Environmental Hydrology from Dalhousie University. Dr. Zhu has been the Maki Chair of Hydrologic Sciences at the Desert Research Institute in Las Vegas, Nevada since 2010.

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 Arts & Sciences

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Department of Modern & Classical Languages

Heinz, Petra J Assistant Lecturer \$44,004/AY 08/21/2012 to 06/30/2013
Petra Heinz received an M.A. (1990) in Romance Languages from Ludwig Maximilian Universitaet in Munich Germany. Ms. Heinz has been the ESL coordinator at the University of Wyoming since 2011.

Department of Theatre & Dance

Robertson, Ginger Assistant Lecturer \$52,032/AY 08/21/2012 to 06/30/2013
Ginger Robertson received a B.A. (1999) in Spanish from Boise State University, and an M.F.A. (2002) in Costume Technology from North Carolina School of the Arts. Ms. Robertson has been an Assistant Professor at Louisiana State University since 2003.

Religious Studies Program

Fall, Tyler S. Assistant Lecturer \$40,008/AY 08/21/2012 to 06/30/2013
Tyler Fall received a B.A. (1999) in History from Mary Washington College, an M.A. (2004) in History from the University of Oregon, and an M.F.A. (2009) in Creative Writing from the University of Wyoming. Mr. Fall has been an Adjunct Assistant Lecturer at the University of Wyoming since 2008.

College of Engineering and Applied Science

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Dean's Office

Davis, John Assistant Lecturer \$45,000/AY 08/21/2012 to 06/30/2013
John Davis received a B.S. (2000) in Computer Engineering from the University of Oklahoma, and M.S. (2004) in Electrical Engineering from the University of Wyoming. Mr. Davis has been an Engineering Scientist at the University of Texas since 2006.

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.

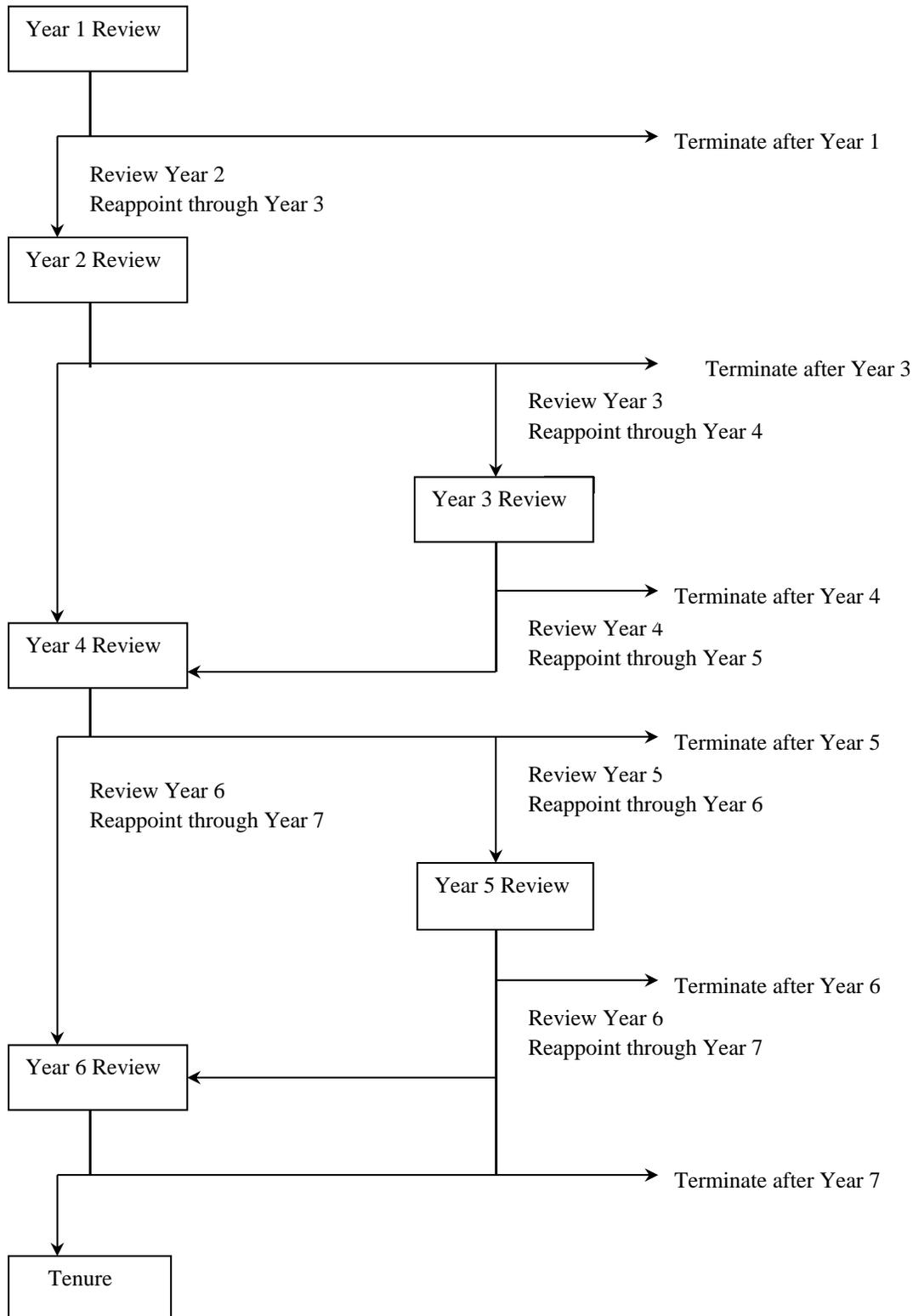
Terminal Degree

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. Administrators

College of Agriculture and Natural Resources

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Academic Programs

Brown, Donna M.	Associate Dean	\$126,300/FY	09/10/2012 to 06/30/2013
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Dr. Brown will serve as Associate Dean and Director of Academic Programs for the College of Agriculture and Natural Resources. She retains her tenured professor appointment in the Department of Family and Consumer Sciences.

2. Faculty

Academic Affairs

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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School of Environment & Natural Resources

Martinez del Rio, Carlos	Wyoming Excellence Chair	\$125,328/AY	09/01/2012 to 06/30/2013
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Dr. Martinez del Rio will serve as Director of the Biodiversity Institute and Wyoming Excellence Chair.

College of Agriculture and Natural Resources

<u>Name</u>	<u>Rank</u>	<u>Salary</u>	<u>Appointment Period</u>
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Department of Family & Consumer Sciences

Cameron, Bruce A.	Department Head	\$76,260/FY	08/30/2012 to 06/30/2013
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Dr. Cameron is serving as Department Head in the Department of Family and Consumer Sciences.

3. Committee of the Whole- CONSENT AGENDA

Approval of Revisions to UW Regulations:

- a. **Revisions of UW Regulation 4-2, "Employment Provisions Applicable to All Personnel," and UW Regulation 5-173, "Regulations Governing Vacation, Sick Leave, and Compensation for Faculty and University Officers," Ballenger/Weidel**

- b. **Revisions of UW Regulation 1-3, "Equal Employment Opportunity/ Diversity (Affirmative Action) Program", UW Regulation 1-5, "Civil Rights Discrimination", UW Regulation 4-2, "Employment Provisions Applicable to All Personnel", and UW Regulation 8-250, "Regulations of the University Division of Placement Service", Weidel**

CHECK THE APPROPRIATE BOX(ES):

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

- a. **Revisions of UW Regulation 4-2, "Employment Provisions Applicable to All Personnel," and UW Regulation 5-173, "Regulations Governing Vacation, Sick Leave, and Compensation for Faculty and University Officers," Ballenger/Weidel**

BACKGROUND AND POLICY CONTEXT OF ISSUE:

UW Regulations 4-2 (which pertains to all employees) and 5-173 (which pertains to faculty and university officers) both contain criteria by which UW employees become eligible for Board of Trustee ("Board") retirement benefits. The UW administration proposes changing these regulations for clarity and to extend spousal survivor benefits as described below.

Board benefits accrue only to employees with 25 years of UW service. The benefits include a number of UW-administered privileges such as access to UW recreation facilities and UW courses at preferred rates. Among the Board benefits is the conversion of up to 960 hours of accrued sick leave to a contribution to group health insurance premiums upon retirement. This sick leave conversion benefit is also available to UW retirees who worked at UW for 15 consecutive years immediately prior to retirement. Both Regulation 4-2 and Regulation 5-173 indicate that Board retirement and sick-leave conversion benefits are transferable to the surviving spouses of retirees following a retiree's death. *Currently, however, if an employee dies prior to retiring from UW--but eligible at the time of death for Board and sick-leave conversion benefits—that employee's spouse is not entitled to receive survivor benefits.* Several recent cases of deaths by long-time employees prior to retirement have called attention to this issue.

This proposal has three components:

- a. **A substantive change in Board retiree benefits:** Extend all Board retiree benefits and the sick-leave conversion benefit to the surviving spouses of employees who die while still employed by UW but eligible at the time of death for these benefits.
- b. **Ministerial changes to the regulations:** Reorganize and consolidate the retirement benefit information contained in these two regulations to improve accessibility and transparency. In particular, the complete list of Board retiree benefits would appear in Regulation 4-2 rather than 5-173, because most of these specific benefits are available to all employees, not just to faculty and university officers.
- c. **Clarification:** Clarify the current list of surviving spouse benefits to eliminate ambiguities that can create inequities in administering the regulations.

WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees must approve all changes to UW Regulations.

ARGUMENTS IN SUPPORT:

- The proposed change in benefit rules would address a potentially paradoxical element of the current rules. The current retirement provisions can effectively penalize surviving spouses of employees who choose to continue working (e.g. teaching courses, training graduate students, and providing leadership for their units) despite being eligible for Board retirement. If these employees die while still working, their surviving spouses cannot receive benefits that would have been available to them had the employee retired before dying. Many employees work beyond the 25 years required for Board retirement benefits, and the university greatly benefits from their continuing service.
- The proposed change in benefit rules would have modest cost implications. Over the past five years, just five active employees (one per year) have died while eligible for Board retirement benefits. We estimate that the extension of sick-leave conversion benefits—at the maximum available rate—to the surviving spouse of one person per year, on average, would cost at most \$30K per year. This expected cost is small compared with the employee benefits budget and compared with the importance of the benefit to the surviving spouse.
- The proposed change in benefit rules has the strong support of the Faculty Senate and the Staff Senate.
- The proposed ministerial changes and clarifications would make Board retirement and sick-leave conversion information more readily accessible for employees looking for this information. At the same time, the proposed edits would clarify some ambiguities found in the current language.
- Board retirement and sick-leave conversion benefits are UW policies. They do not affect costs or benefits associated with UW's participation in the Wyoming State Retirement System.

ARGUMENTS AGAINST:

- The extension of Board and sick-leave conversion benefits to surviving spouses of eligible employees who die while still employed at UW may require a modest increase in annual expenditures for surviving spouse benefits.

ACTION REQUIRED AT THIS BOARD MEETING:

The proposed revisions to these Regulations appear on the consent agenda for approval by the Board.

PRESIDENT'S RECOMMENDATION:

President Buchanan recommends immediate approval.

UW REGULATION 4-2

Employment Provisions Applicable to All Personnel

A. EQUAL EMPLOYMENT OPPORTUNITY

The University's policy is one of equal opportunity for all persons in all facets of the University's operations. Equal opportunity is offered to all officers, academic personnel and staff members, and applicants for employment on the basis of their demonstrated ability and competence and without regard to such matters as race, color, religion, national origin, sex, religion, political belief, age, veteran status or handicap.

B. NEPOTISM

University employees may not be immediate supervisors to their relatives. This category includes parents, spouses, children, siblings (or the forgoing as in-laws), domestic partners, grandparents, grandchildren, uncles/aunts, nephews/nieces, and first cousins. Employees who find themselves in a work situation that conflicts with the foregoing statement shall have the remainder of the fiscal year to work with UW Administration to find alternative solutions, which may involve changes in the lines of supervision for their relatives.

Employees shall recuse themselves from formal discussions, votes, and/or decisions affecting the appointment, tenure, promotion, performance evaluation or other personnel status of a relative as defined above.

No provision of this Section shall be interpreted or applied so as to prevent the hiring, admission to degree candidacy, or award of a scholarship, fellowship, or graduate assistantship to a person who is a relative of any employee of the University or of the Trustees. Nor shall this regulation bar any employee from (1) reporting concerns about sexual harassment, unfair discrimination, procedural violations, or other inappropriate workplace behavior; (2) inquiring about the possibility of university employment for a family member; or (3) seeking supervisory positions and discussing alternatives for managing family-related conflicts of interest.

C. COMPENSATION

1. Salary Payment. The base salary for most members of the faculty, some members of academic professionals, and of the staff is for work performed and work obligations incurred during the academic year, defined as the period beginning with the first day of the Fall semester registration and ending with Spring semester commencement. The base salary for certain members of the faculty performing administrative duties and other duties beyond the usual academic assignments and for most other salaried employees is for the fiscal year.

All base salaries shall be paid in twelve (12) monthly installments except as specified in University Regulation 173. Required deductions shall be taken from salary payments for Federal withholding taxes, Social Security, retirement, and for such additional purposes as may be authorized by the individual, or as required by law.

2. Supplementary Compensation.

1. From funds disbursed through the University. Full-time employees during their regular terms of service shall not have their salaries supplemented from University grants, contracts, or other University sources except for:

(A) Employment in extension classes, noncredit programs, and similar activities scheduled through adult education programs.

(B) Occasional employment at University sponsored events such as ticket selling at athletic events, or similar duties.

(C) Overtime payments when required by the contract of the employee or by applicable State or Federal law.

(D) Employment as part-time instructor, lecturer or professional employee, where the appointing department, with the approval of the employee's cognizant vice president or administrative officer, determines that:

(a) The employment will not interfere with the performance of the employee's regularly assigned duties;

(b) The part-time duties to which the employee is assigned on a supplementary basis require instructional or professional expertise that is not available through regularly appointed academic personnel or professional employees or through part-time appointment of non-University personnel.

(c) The supplementary assignment does not ordinarily exceed the equivalent of one regularly scheduled three-hour credit course in any calendar year; and

(d) The supplementary assignment shall normally not be recurring and shall not be in addition to the maximum time allowed for consulting in Chapter VII. (C.2.(c)).

(E) Employment on grants, contracts and like University-funded activities where the work is in addition to the individual's regularly assigned duties under limited conditions and for a limited period of time. Such employment may be approved when:

(a) The essential services cannot be provided by persons employed or receiving salary support under the grant;

(b) It is not possible to relieve the employee of part of usual duties;

(c) The project is one for which another department has principal responsibility; and

(d) The overload will not exceed twenty (20) days per academic year or twenty-four (24) days per fiscal year as determined by the employee's period of appointment and shall not be in addition to the maximum time allowed for consulting in Chapter VII. (C.2.(c)).

(F) When approved by the appropriate University authorities, full-time employees on academic year appointments may earn up to one-third (1/3) of their base salary for services rendered during the period from Spring commencement to reporting date.

(G) When approved by the appropriate University authorities, employees who have been granted a sabbatical leave may receive compensation from sponsored research grants and contracts awarded to the university, up to a maximum of 40 percent of their approved academic year salary, if funding from the grant or contract is an integral component of the sabbatical proposal.

2. From State Agency Sources. The University recognizes a particular obligation to make its resources available to the various agencies of State government; however, the costs of such services normally are not included within the University budget and must, accordingly, be covered by funds from the agencies or from other non-University sources. The performance of professional and consulting work by a University employee for any Wyoming State agency shall, in general, be covered by the regulations that cover work for other outside agencies, i.e., the employee must obtain approval of the appropriate University officers and adhere to the maximum period for which additional compensation may be accepted. When an individual's services are required for a longer period, the University will make every effort to release the individual to the State agency for the time required with appropriate salary adjustment to be made between the agency and the University.

D. CONSULTING

1. During the period of full-time University employment a member of academic personnel, athletic coaching and training personnel and University officers may, with prior approval of the president or the president's designee, perform professional and consulting work with or without compensation.

2. The commitment to professional and consulting work shall not normally exceed thirty-nine (39) calendar days per academic year for academic year employees and forty-eight (48) calendar days per fiscal year for fiscal year employees.

3. The work must not interfere with normal University duties, including those extra responsibilities expected of all such employees, and must be in addition to rather than a part of normal full-time University duties. Such work must also be related to the employee's regular campus duties and must contribute to the effectiveness of the employee's regular work.

4. When members of academic personnel or University officers perform professional and consulting work, they must furnish written statements signed by them and the clients attesting that the efforts are independent of the University employment and any affiliation thereto, that the University will be held harmless in relation to any product thereof, and that the University is not to be connected with the results and may not be involved in publicity, advertising or other activities related to the work, except for publication of scholarly works. In those instances where client confidentiality is a necessary and customary practice of the profession, the academic personnel

member or University officer shall furnish assurance that such signed, written statements are maintained in the member's or officer's client file.

5. A determination that the foregoing requirements have been met shall be made by the appropriate dean, director or principal University officer. The President of the University shall receive notification of each request prior to initiation of the professional or consulting work.

6. In engaging in outside work, University personnel shall not unreasonably compete with the private sector.

7. The facilities of the University may not be used for outside work without the recommendation of the appropriate dean or director and approval of the Vice President for Administration and Finance who shall establish the compensatory schedule for facilities used.

8. This regulation shall not apply to work

- a. Which does not involve use of University facilities, and
- b. Does not represent the University, and
- c. Which is performed outside an individual's overall commitment of time and effort to the University, or conducted during approved vacation or leave without pay.

Paid professional or consulting activities undertaken outside the individual's overall commitment to the University will be disclosed to the appropriate dean, director, or University President.

9. Failure to comply with this regulation shall constitute a conflict of commitment and shall be cause for disciplinary action.

E. CONFLICT OF INTEREST/CONFLICT OF COMMITMENT

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.

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 policies, will result in appropriate sanctions, including the termination of employment, if warranted.

F. MILITARY LEAVE

Regular employees are eligible for a leave of absence from the University to serve in the armed forces during a period of national or state emergency or for training.

1. Active Duty for War or National or State Emergency. Regular employees who shall have been employed for eleven months who leave the University to go on active duty with the armed forces, voluntarily or involuntarily, during a state of war or declared national or state emergency will be given a leave of absence without pay. Application for such leave must be made to the individual's immediate supervisor and transmitted through regular channels to the President for approval by the Trustees. The time spent in national or state service shall count toward University retirement.

2. Active Duty for Training. Employees eligible for vacation privileges may have an additional fifteen (15) working days leave with pay per calendar year for active duty for training in addition to any other leave or vacation with pay to which the employee is entitled.

G. RETIREMENT

Employees of the University are automatically included by state law in the Wyoming Retirement System and participation in the Federal Social Security program (FICA). As an alternative to participation in the Wyoming Retirement System program, University employees may participate in a legislatively approved plan which is available pursuant to agreement with the Teachers Insurance Annuity Association-College Retirement Equities Fund (TIAA-CREF).

Any employee who has completed twenty-five (25) years of full- or part-time benefitted service with the University or who has attained the age of 60 with fifteen (15) years of immediately preceding University full- or part-time benefitted service or who elects an early retirement program authorized by state statute shall be designated Board Retired at the time of retiring. A list of Board Retired personnel shall be maintained in the Human Resources office; each Board Retiree shall ~~receive such University privileges as have been customary and as may appear appropriate from time to time in the future.~~ be eligible for the following benefits:

1. Conversion of up to 960 hours of accrued sick leave to a state contribution for group health insurance. The conversion rate is 1.5 months of coverage for each 40 hours of accrued sick leave. If the employee dies, the sick leave conversion benefit shall be transferred to the surviving spouse.
2. Payment for half the premium for state life insurance, if elected, for the remainder of the retiree's life. The employee's spouse or surviving spouse is not eligible for this benefit.
3. Access to recreation facilities without charge. The employee's spouse or surviving spouse may purchase access.

4. A campus parking permit without charge. The employee's spouse or surviving spouse may purchase a permit.
5. Season tickets to athletic events, at the same discount provided to benefited personnel. The employee's spouse or surviving spouse may receive the same discount.
6. UW library privileges, including all electronic files available to UW personnel. The employee's spouse or surviving spouse will only receive the same library privileges as all members of the public.
7. Computer account on the UWYO domain, without charge. The employee's spouse or surviving spouse is not eligible for this benefit.
8. Defensive driving course, without charge, once every three years, as long as UW continues to offer the course. The employee's spouse or surviving spouse may also take this course without charge, once every three years.
9. UW classes, at no tuition cost, provided space is available. The spouse of an eligible retiree may receive a fifty (50) percent tuition discount and a surviving spouse may receive the employee's full tuition discount provided space is available.
10. Office space, provided (a) space is available, (b) there is legitimate regular use, and (c) the appropriate department head and dean agree. The benefit is only available to retiring faculty members and academic professionals who receive emeritus status under UW Regulations 4-2 and 5-1. The employee's spouse or surviving spouse is not eligible for this benefit.

If an employee eligible for Board Retirement dies prior to retiring from the University, the Board Retiree benefits, including the sick leave conversion benefit, shall be made available to his or her surviving spouse, including any spousal provisions listed above.

Eligible part-time employees shall receive the sick-leave conversion in proportion to the percent of the appointment.

Retiring faculty members and academic professionals who receive emeritus status under UW Regulations 4-2 and 5-1 shall be eligible for the benefits numbered 3 through 10 above, whether or not they are eligible for Board Retirement.

Any employee who retires, but is not eligible for Board Retirement as defined above, and has completed ~~twenty-five (25) years of service with the University or has~~ fifteen (15) years of University service immediately preceding the date of retirement shall receive a benefit of conversion of up to 960 hours of accrued sick leave to a state contribution for group health insurance. The conversion rate is 1.5 months of coverage for each 40 hours of accrued sick leave. The amount of the state contribution shall be equal to the employer's contribution for the coverage the employee had while employed reduced by the amount of any state funded health

insurance contributions for the retiree. If the retiree dies before the full amount of this benefit is paid, the balance of the benefit shall be transferred to the surviving spouse as a contribution toward state group health insurance payments. If an employee eligible for this conversion benefit dies prior to retiring from the University, the conversion benefit due this employee shall be transferred to his or her surviving spouse.

Employees receiving official Board Retirement status shall be responsible for initiating the process to receive the paid-up health insurance through established personnel policies and guidelines. At the conclusion of any paid-up health insurance, the Board Retiree shall be eligible to participate in the group health insurance plan pursuant to the current personnel policies and/or insurance carrier's contracts.

H. EMERITUS DESIGNATION FOR ACADEMIC PERSONNEL

The emeritus designation shall be conferred upon academic personnel who retire after long and distinguished service to the University. For faculty, ~~minimal~~ qualifications normally will include tenure, associate rank, fifteen (15) years of service, and extraordinary performance in one or more of the following: teaching, advising, research/creative endeavors, professional and/or public service, or administration at the University of Wyoming.

For academic professionals (lecturers, extension educators and research scientists), ~~minimal~~ qualifications normally will include an extended term appointment, associate rank, fifteen (15) years of service, and extraordinary performance in one or more areas of their job duties.

Nominations for emeriti status shall be initiated by the department head and/or dean; the nomination shall then be forwarded ~~through the appropriate University officer~~ to the Provost, who shall add ~~their~~ a recommendations. The President of the University shall then forward ~~his~~ her recommendation to the Trustees.

Academic personnel officially retired from the University of Wyoming may be recalled annually by the Trustees. Request for recall shall be made by the appropriate University officers with the consent of the retiree.

I. POLITICAL ACTIVITIES

The political rights and privileges of all employees of the University are the same as those of any other citizen of the State. However, exercise of those rights and privileges shall not involve the use of University funds, time, services and facilities unless University authorized as part of the educational process. Any such use may be subject to disciplinary action, including discharge.

J. PATENTS AND COPYRIGHTS

The obtaining of patents or copyrights for the mutual benefit of the University and its employees and for making the results of intellectual inquiry available to society is an objective of the Trustees.

To accomplish this objective and to protect the interests of the parties, whenever a patent or copyright is to be sought, as a result of research or development sponsored in whole or in part, by or through the University, such work shall be reported to a University officer designated by the President. That officer shall cause an evaluation to be made of the respective interests of the University and the employee and make written recommendations to the President. The manner in which this determination shall be made, any conditions for support of further development, resources for obtaining a patent or copyright, and division of any royalties or other income resulting from a patent or copyright shall be subject to terms set forth in University Regulations or in written agreements authorized by the Trustees.

Use of University resources to develop or market any patentable invention or copyrightable work shall minimally entitle the University to exercise a perpetual, royalty-free, nonexclusive shopright to practice in the patented invention or to use the copyrighted work.

Further interest of the University shall be limited to those cases where there has been substantial use of University resources in developing the patentable invention or the copyrightable work and shall exclude articles published in scholarly professional journals. The extent of the University's and the employee's interest shall be determined with regard for the benefit to the parties.

K. CLASSIFIED RESEARCH AND SECURITY CLEARANCE

The University of Wyoming does not prejudice the appropriateness of participating in classified research. Rather, it reserves the right to examine each proposed project in the context of scientific merit as well as contributions the research may make to the general welfare of the state, the nation and the whole of humankind. As the governing body for the University, the trustees have authority to accept or reject all research grants, contracts and gifts. In order to make special judgments about research projects, the Trustees must have access to research protocols, including classified research to be conducted at the University of Wyoming.

1. The Trustees shall be fully apprised of the character of all proposed classified research to be conducted at the University of Wyoming. The University, its academic personnel and staff, shall enter into contracts for classified research only with the express approval of the Trustees. (Amended, 2/16/91)

2. A Security Management Team (SMT) shall be designated for each classified research project to be conducted at the University of Wyoming. All members of the SMT shall be subject to security clearance investigation by the Defense Investigation Service and must be awarded clearance at the appropriate level in order to function as a member of the team.

The Security Management Team will consist of the President of the University, the Vice President for Research and Economic Development, the Associate Vice President for Research (as Security Officer), two representatives from membership of the Trustees, the faculty involved in the research and others as may be required by the grantor or contractor.

L. SAFETY

Safety is the responsibility of every employee. Each employee shall conduct their activities in compliance with applicable governmental, university, and campus unit safety and health policies, procedures and regulations. This includes abiding by safety rules, participating in safety training as required and reporting hazards and potential violations. Any employee who believes there is a safety problem in his/her work environment or elsewhere in the University is obligated to bring the problem to the attention of the immediate supervisor, the Environmental Health and Safety Department or the Department of Risk Management and Insurance as appropriate. The Director of Environmental Health and Safety has primary responsibility for employee safety activities of the University and all such workplace health and safety programs, policies and procedures. These documents will be available through the Environmental Health and Safety Department office or web site and available for inspection by University employees and the public during normal business hours. The Environmental Health and Safety Director is charged with the planning and implementation of actions to meet the requirements of all applicable state and federal environmental health and safety legislation and all associated rules and regulations. The Environmental Health and Safety Director shall have the authority necessary to ensure the safety of the University community, including the authority to vacate and close down University facilities, projects or activities. Such decisions are subject only to review by the President or his/her designee.

The Director of Risk Management and Insurance has primary responsibility for the University's insurance and for protecting the University from liability. Employees shall comply with all Risk Management policies and procedures and make all reports required by the Director of Risk Management and Insurance.

The University shall maintain an alcohol and drug testing program that complies with federal and state law. When federal or state law or University Regulation makes such program applicable to an employee, that employee shall comply with the requirements of the University program.

Source:

Trustee Regulation VII; adopted 7/17/08 Board of Trustees meeting
Revisions adopted 3/4/11 Board of Trustees meeting
Revisions adopted 5/6/11 Board of Trustees meeting
Revisions adopted 9/9/11 Board of Trustees meeting

UW REGULATION 5-173
Regulations Governing Vacation, Sick Leave, and Compensation
for Faculty and University Officers

1. BENEFITS PRESERVED.

Faculty or University officers whose anniversary date precedes January 20, 1996, shall retain any accrued benefits of employment which may have been earned by such individual while governed by the preceding regulations.

2. VACATION LEAVE.

A. ENTITLEMENT

- a. Each full-time faculty and University officer appointed to a fiscal year contract is entitled to twenty-two (22) working days of vacation leave with pay annually, accrued at the rate of 1.834 working days per month.
- b. Each part-time faculty or University officer appointed to a fiscal year contract for the equivalent of twenty (20) to thirty (30) hours per week is entitled to accrue vacation leave with pay at the rate of fifty (50) percent of the full-time accrual rate.
- c. Each part-time faculty or University officer appointed on a fiscal year contract for the equivalent of thirty (30) to forty (40) hours per week is entitled to accrue vacation leave with pay at the rate of seventy-five (75) percent of the full-time accrual rate.
- d. Faculty and University officers whose contract periods are less than twelve (12) months, irrespective of the fact that their salaries may be paid in twelve (12) monthly installments, are not entitled to vacation leave with pay. This includes nine-month faculty and University officers who receive time-off periods at Christmas, between school terms, etc.

B. USE OF VACATION LEAVE CREDITS.

- a. Accrued vacation leave credits may not be utilized until six (6) months of University service have been completed, except as approved by the President for the health and safety of the University. After six (6) months of University service have been completed, vacation leave credits may be utilized when requested in advance and with the approval of the appointing authority.
- b. Vacation leave credits may not accrue beyond the maximum amount which may be earned over two years. Employees terminating for all reasons other than disciplinary

may elect a lump sum payment and/or terminal leave; an employee released for disciplinary reasons must take the accrued annual leave in a lump sum. No other type of leave may be used during terminal annual leave except holiday leave.

- c. Vacation leave credits may be used within the year in which they are earned. In addition, vacation leave credits earned and unused in the immediately preceding anniversary year which are not utilized in the current anniversary year shall be lost and no compensation shall be paid to faculty or University officers who fail to use their vacation leave entitlement.

C. CHANGES IN APPOINTMENT.

- a. A faculty and University officer accepting appointment to a position which is eligible for accrual of vacation leave under this regulation shall begin accruing vacation leave credits as described in the regulation as of the effective date of such appointment.
- b. The vacation leave credit of faculty or University officer accepting an appointment to a position which is eligible for accrual of vacation leave shall be transferred to the department in which he/she is appointed and the vacation leave becomes an obligation of this department.
- c. A faculty or University officer accepting an appointment to a position which is not eligible for accrual of vacation leave shall utilize accrued vacation leave credits prior to the effective date of the new appointment.

D. PAYMENT OF UNUSED VACATION LEAVE CREDITS.

- a. Faculty and University officers separating from University service through resignation, termination, permanent disability, or retirement are entitled to be paid for unused vacation leave credits or terminal leave provided six (6) months of service has been completed at the time of separation.
- b. The value of unused vacation leave credits earned by a faculty or University officer who dies in University service will be paid as an amount owed to the descendent.

E. OTHER.

- a. A faculty or University officer is not entitled to accrue vacation leave credits while on leave without pay, during a break in service or after the last day that service is performed.

- b. A faculty member or University officer on a sabbatical leave at full pay is eligible to accrue vacation leave credits at a rate of 1.834 working days per month, and a faculty member or University officer on a sabbatical leave at half pay is eligible to accrue vacation leave credits at a rate of .917 working days per month.
- c. Holidays which occur during vacation leave periods will not be charged to vacation leave credits

3. SICK LEAVE

A. ENTITLEMENT.

Each faculty or University officer appointed on a continuing or temporary basis is eligible to accrue sick leave as follows:

- a. A regular full-time faculty member or University officer appointed on a continuing or temporary basis shall be eligible to accrue sick leave at a rate of eight (8) hours per paid month of service.
- b. A regular part-time faculty member or University officer appointed on a continuing or temporary basis for the equivalent of twenty (20) to thirty (30) hours per week shall be eligible to accrue sick leave at a rate of four (4) hours per paid month of service.
- c. A regular part-time faculty member or University officer appointed on a continuing or temporary basis for the equivalent of thirty (30) to forty (40) hours per week shall be eligible to accrue sick leave at a rate of six (6) hours per paid month of service.
- d. Faculty or University officers entitled to accrue sick leave under the provisions of this section are permitted unlimited accrual, except that no faculty member or University officer is entitled to receive credit for more than one hundred and twenty (120) days (24 months) or actual accrual, whichever is less.
- e. A faculty member or University officer on a sabbatical leave at full pay is eligible to accrue sick leave at a rate of eight (8) hours per paid month, and a faculty member or University officer on a sabbatical leave at half pay is eligible to accrue sick leave at a rate of four (4) hours per paid month.
- f. A faculty member or University officer is not eligible to accrue sick leave during a leave without pay or a break in continuous service.

B. USAGE.

Accrued sick leave may not be utilized until one month of service has been completed and then only for that portion which has actually accrued. Sick leave may only be used as it is accrued, except when approved by the President for the health and safety of the University.

Faculty and University officers are entitled to utilize accrued sick leave credits whenever they are unable to perform their duties because of temporary disability caused by illness, injury, pregnancy and/or childbirth. Such credits may also be used for medical, psychological, dental or optical examinations or treatment; death in the employee's or employee's spouse's immediate family, including and limited to parent, wife, husband, children, brother, sister, grandmother, grandfather, grandchildren, son-in-law, daughter-in-law, or another member of the immediate household; medical care of a member of the employee's immediate family, including and limited to parent, wife, husband, children or another member of the immediate household; or when an employee is exposed to a contagious disease and the employee's physician submits a written recommendation that the employee's presence at work would constitute a health hazard to fellow employees or students. An employee may be required to submit to a medical examination at University expense by a physician selected by the University.

- a. Faculty and University officers are eligible to use all sick leave credits accrued (in current and previous years) at full pay.
- b. The use of sick leave credits is subject to verification by the appointing authority. Failure to provide appropriate written medical documentation when requested in writing may result in the faculty member or University officer being placed on leave without pay for the period in question, or disciplinary action may be initiated by the appointing authority.
- c. A faculty member or University officer unable to report to work and planning to utilize sick leave credits must notify his or her immediate supervisor as soon as possible on the first day of absence, and on subsequent days of absence if unable to determine an exact date of return due to the nature/seriousness of the situation.
- d. Sick leave credits will not be charged against the accrued balance whenever a University observed holiday or other non-working day occurs during sick leave.
- e. If approved by the appointing authority or designated supervisor, a faculty member or University officer may use sick leave credits instead of vacation credits if the employee becomes disabled or ill while on vacation provided satisfactory medical verification is submitted upon return to work.
- f. If a faculty member or University officer has accrued a minimum of eighty (80) hours of sick leave, they may donate up to sixteen (16) hours of sick leave in any calendar year to another benefitted University employee who has an immediate and reasonable need for such assistance, has exhausted his/her available sick leave and vacation leave, and has a minimum of six months benefitted service to the

University of Wyoming. The Director of Personnel Services must receive a written statement specifying the number of hours donated and the name and department of the employee to whom the donation is made. A copy of this statement is retained by the appointing authority. Donations of sick leave will be used in the order they are received. Unused sick leave donations are credited back to the original donor(s) when the recipient returns to work or no longer has an immediate and reasonable need for the leave.

C. REAPPOINTMENTS.

Faculty or University officers appointed to a benefited position on or after January 1, 1996, after a break in service of less than five (5) years from a previous benefited appointment will be credited with their previously unused accrued sick leave.

D. SEPARATION FROM UNIVERSITY SERVICE.

- a. When a faculty member, academic professional, or University officer is separated from University service because of termination, resignation, permanent disability or death, no cash payment shall be made to the employee, his or her beneficiaries and/or estate for unused sick leave accrual balance.
- b. When a faculty member, academic professional, or University officer is granted ~~an official Trustees retirement~~Board Retirement under UW Regulation 4-2.4 he or she shall be eligible for the ~~following~~ benefits listed in UW Regulation 4-2 G.:
 - i. ~~Conversion of up to 960 hours of accrued sick leave to a state contribution for group health insurance. The conversion rate is 1.5 months of coverage for each 40 hours of accrued sick leave.~~
 - ii. ~~Payment for half the premium for state life insurance, if elected, for the remainder of the retiree's life.~~
 - iii. ~~Access to recreation facilities without charge. The employee's spouse or surviving spouse, if any, may purchase access.~~
 - iv. ~~A campus parking permit without charge. The spouse or surviving spouse may purchase a permit.~~
 - v. ~~Season tickets to athletic events, at the same discount provided to benefited personnel. The spouse or surviving spouse may receive the same discount.~~
 - vi. ~~UW library privileges, including all electronic files available to UW personnel.~~
 - vii. ~~Computer account on the UWYO domain, without charge.~~

~~viii. Defensive driving course, without charge, once every three years.~~

~~ix. UW classes, at no cost, provided space is available.~~

~~x. Office space, provided (a) space is available, (b) there is legitimate regular use, and (c) the appropriate department head and dean agree.~~

~~If the employee dies, the benefit shall be transferred to the spouse, if any survives. Eligible part-time employees shall receive the sick leave conversion in proportion to the percent of the appointment.~~

~~Retiring faculty members and academic professionals who receive emeritus status under UW Regulation 4-1 shall be eligible for the benefits numbered iii through x above, whether or not they are eligible for an official Trustee retirement.~~

~~e. Faculty or University officers receiving official Trustee retirement status shall be responsible for initiating the process to receive the paid-up health insurance through established personnel policies and guidelines. At the conclusion of any paid-up health insurance, the retiree shall be eligible to participate in the group health insurance plan pursuant to the current personnel policies and/or insurance carrier's contracts.~~

A. REPORTING. Each faculty member or University officer missing work due to illness; injury; pregnancy; childbirth; medical, dental or optical examinations/treatment; death in the employee's family or medical care of a family member; or when exposed to a contagious disease, shall be responsible for completing the approved sick leave record for the appointing authority who must submit the record to the Human Resources Office pursuant to established personnel policies and procedures.

B. OTHER. A faculty member or University officer is eligible to use sick leave credits only during his or her obligated period of service which terminates the last day that service is performed.

4. COMPENSATION

A. INITIAL APPOINTMENT.

The initial appointment, including designation of the starting salary or rate of pay, for newly appointed faculty and University officers shall be authorized as follows:

a. Faculty

i. Full time members of the faculty are subject to appointment by the Trustees. Recommendations for such appointments shall be initiated by the head of the unit in which the appointment occurs, after full consultation with members

of the unit. Recommendations shall then be forwarded through the appropriate academic and/or administrative officers, who shall add their recommendations, to the President of the University for recommendation to the Trustees.

The recommendation for appointment of a full time faculty member submitted by the head of the unit through appropriate academic and/or administrative channels to the Trustees shall be accompanied by a recommendation for a starting salary or rate of pay. The recommendation for a starting salary or a rate of pay shall be based upon academic rank, academic assignment, academic credentials and market conditions.

- ii. Part time members (including summer school) of the faculty shall be appointed by the President of the University. Recommendations for such appointments shall be initiated by the head of the unit in which the appointment occurs. Recommendations shall then be forwarded through the appropriate academic and/or administrative officers, who shall add their recommendations.

The recommendation for appointment of a part time faculty submitted by the head of the unit through appropriate academic and/or administrative channels to the president shall be accompanied by a recommendation for a starting salary or rate of pay. The recommendation for a starting salary or rate of pay shall be based upon academic assignment, academic credentials and market conditions.

- iii. An adjunct or clinical appointment, and starting salary or rate of pay, if any, shall be made in the same manner provided for the initial appointment of a full time member of the faculty.

b. University Officers

- i. A full time continuing University officer, as defined in the Regulations of the Trustees of the University of Wyoming, Chapter I., Section 1, shall be subject to appointment by the Trustees. Recommendations for such appointments shall be initiated by the head of the unit in which the appointment occurs, except that:
 - (1) The President shall be responsible for initiating the recommendation for a vice president and an assistant to the president, including a special assistant or any other University officer reporting directly to the President;
 - (2) The chair of a search committee established by the President shall be responsible for submitting recommendations to the President for an

appointment of a vice president or such other University officers as the President may designate;

- (3) The chair of a search committee established by a cognizant vice president shall be responsible for submitting recommendations to the cognizant vice president for an appointment of a dean or director reporting to the cognizant vice president, or such other University officers as the cognizant vice president may designate; and
- (4) The chair of a search committee established by a cognizant dean shall be responsible for submitting recommendations to the cognizant dean for an appointment of a department head or director reporting to the cognizant dean, or such other University officers as the cognizant dean may designate
- (5) The recommendation for an appointment of a full time University officer initiated by the head of a unit shall be forwarded through the appropriate administrative officers, who shall add their recommendations, to the President of the University for recommendation to the Trustees.

The recommendation for appointment of a full time University officer submitted by the head of the unit through appropriate administrative channels to the Trustees shall be accompanied by a recommendation for a starting salary or rate of pay. The recommendation for a starting salary or rate of pay shall be based upon level of responsibility, appropriate credentials and market conditions.

- ii. A part time, temporary or fixed term University officer shall be subject to appointment by the Trustees, and shall comply with the provisions of the appointment process for a full time University officer, except that the President of the University may authorize the waiver of the requirement for a search committee for a part-time, temporary or fixed term University officer. The President may not authorize a waiver of the requirement of a search committee for the appointment of a University officer to be appointed to a fixed term of more than two years.

B. CHANGES IN SALARY RATES.

Prior to the beginning of each fiscal year, faculty and administrative officers shall be advised by the President, or the President's designee, of any changes in individual salary rates being recommended to and subsequently approved by the Trustees of the University of Wyoming.

In order to receive a uniform salary increase, a faculty member or a University officer on a continuing full time or part time appointment shall not have received less than a satisfactory performance rating for the last performance appraisal period, shall not have had disciplinary

action imposed during the preceding six (6) months, and shall have completed a minimum of one academic term of six months, whichever is less, of continuous employment with the University.

In order to receive a merit salary increase, a minimum of one academic term of employment at the University shall have been completed.

In order to receive a salary increase for a promotion in rank, a faculty member must be recommended for promotion as prescribed by UW Regulation 5-1.

The effective employment date for continuing faculty and administrative officers, whether academic year or fiscal year appointments, is July 1, and any changes in individual salary rates authorized by the Trustees are effective on July 1 for continuing faculty and administrative officers.

All changes in salary rates provided in this section are subject to the availability of funds and the adoption of a salary administration policy by the Trustees.

1. CHANGES IN APPOINTMENT. A faculty member appointed to a position as a University officer, or a University officer transferred or promoted to another position as a University officer is subject to the appointment procedures for University officers, including the establishment of the starting salary or rate of pay, as prescribed by this section.

A University officer appointed to a faculty position or reappointed to a faculty position or terminating a University officer position but retaining a faculty position shall be subject to the following provisions:

- a. The reassignment or assignment or retention of a full time or part time faculty position shall be on the basis of an academic year appointment as defined by UW Regulation 4-1 except when the standard appointment in the academic unit in which the appointment occurs is other than an academic year appointment; and
- b. The salary rate for the position into which the individual is reassigned, assigned or retained is determined by the following formula:
 - i. Conversion from a full time fiscal year appointment to an academic year appointment: the annual salary rate multiplied by 0.833;
 - ii. Conversion from full time fiscal year appointment to other than an academic year appointment: the full time fiscal year salary as a University officer multiplied by a factor calculated by dividing the number of months of required service as a faculty member by twelve (12) months.
 - iii. The salary of a University officer reassigned, assigned or retained in a faculty position may, by mutual agreement with the President, be established

at a rate other than prescribed by Sections 4.B.2.b.(1) and 4.B.2.b.(2), except that the rate may not exceed the rate provided in Sections 4.B.2.b.(1) and 4.B.2.b.(2); the salary rate of such a University officer may also be established by the Trustees of the University, regardless of the provisions of this section.

2. SABBATICAL LEAVES. The salary rate for sabbatical leaves for faculty, as authorized by the UW Regulation 5-1 are:

- a. A sabbatical leave for a full contract year shall be compensated at a rate equal to sixty (60) percent of the faculty member's annual salary rate;
- b. A sabbatical leave for half of a contract year shall be compensated at the annual salary rate.

While on sabbatical leave, grants and other forms of non-University compensation may be accepted. The University shall not, however, be obligated to pay the individual more than the amount of sabbatical compensation which, when added to the non-University sources of compensation, will equal the faculty member's full regular salary for the period of the sabbatical leave.

A faculty member who fails to return to the University for at least one academic year immediately following their sabbatical leave shall be obligated to repay the amount of compensation received from the University during the period of sabbatical leave.

University officers, in their capacity as University officers, are not generally eligible for University sabbatical leaves.

3. SUMMER SCHOOL

- a. Faculty members shall be appointed to the Summer School by the President of the University upon the recommendation of the Provost. Recommendations for such appointments shall be initiated by the head of the unit in which the appointment occurs and are submitted to the Provost through the regular academic and/or administrative process.
- b. The salary for regular University faculty members appointed to summer school positions is determined on the basis of twenty-two and two-tenths (22.2) percent of an academic year salary for a six credit hour load.
- c. The salary rate for faculty members who are not regular University faculty but are appointed to summer school positions is subject to the approval of the President upon the recommendation of the Provost. The recommendation for the appointment initiated by the head of the unit in which the appointment occurs shall be accompanied by a recommendation for a salary rate. The recommendation is submitted to the Provost through the regular academic and/or

administrative process. The recommended salary rate shall be based upon academic assignment, academic credentials and market conditions.

4. **REAPPOINTMENTS.** A faculty member or University officer reappointed by the University following a break in service is not entitled to any appointment or salary considerations, and is subject to all provisions of the initial appointment section of this regulation.
5. **TEMPORARY SALARY INCREASE.** A temporary increase in salary rate may be recommended for a faculty member or a University officer designated to perform the duties and responsibilities of a faculty member or University officer to be absent for two months or more but less than two (2) years or to temporarily fill a vacant position.

Temporary increases for a faculty member or a University officer for up to four (4) months may be authorized by the President upon the recommendation of the cognizant vice president. Temporary increases for a faculty member and a University officer for a period in excess of four (4) months require authorization from the Trustees of the University.

6. SALARY PAYMENT

- a. The salaries of full time faculty and University officers on either academic year or fiscal year appointments shall be paid in twelve (12) monthly installments.
- b. The salaries of part time faculty and University officers employed for the equivalent of half time or more on either academic year or fiscal year appointments shall be paid in twelve (12) monthly installments.
- c. The salaries of part time faculty and University officers employed for the equivalent of less than half time on either academic year or fiscal year appointments shall be paid in monthly installments during the period of active employment.
- d. Exceptions to paragraphs a, b and c of Section 7 include, and are limited to, faculty and University officers appointed on a fixed term basis not to exceed one academic year or summer session; salaries of such faculty or University officers shall be paid in monthly installments during the period of active employment.
- e. Salaries of faculty members on academic year appointments who terminate at the conclusion of an academic year and are not continuing on either a summer school appointment or an academic year appointment may request payment in full of all earned salary at the conclusion of the academic year. All such requests are contingent upon the authorization of the cognizant dean and vice president. The faculty member requesting and receiving payment in this manner forfeits

University payment of all benefits which normally accrue to faculty whose salaries are paid in twelve (12) monthly installments.

- f. Salaries of faculty members on academic year appointments who terminate at the conclusion of an academic year will normally, except as provided in paragraph e of this section, be paid in twelve (12) monthly installments, and, therefore, will continue to receive all benefits normally accruing to faculty whose salaries are paid in twelve (12) monthly installments.

7. OTHER.

- a. Faculty and University officers are not eligible for overtime compensation.
- b. Supplementary income provisions are described in the UW Regulation 4-1.

Source:

University Regulation 5-173; adopted November 20, 2009 Board of Trustees meeting

- b. Revisions of UW Regulation 1-3, "Equal Employment Opportunity/ Diversity (Affirmative Action) Program", UW Regulation 1-5, "Civil Rights Discrimination", UW Regulation 4-2, "Employment Provisions Applicable to All Personnel", and UW Regulation 8-250, "Regulations of the University Division of Placement Service", Weidel**

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Under federal law (The Genetic Information Nondiscrimination Act) it is illegal to discriminate against employees or applicants because of genetic information which includes an individual's genetic tests and tests of family members as well as information about disease, disorder or condition of an individual's family member. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

The changes to the UW Regulations add protection from discrimination based on "genetic information" to UW's EEO statement and standardize the clauses contained in various UW Regulations related to civil rights discrimination.

WHY THIS ITEM IS BEFORE THE BOARD:

The Board of Trustees must approve all changes to UW Regulations, including substantive changes (genetic information language) and clean-up language (standardization of civil rights clauses).

ARGUMENTS IN SUPPORT:

The University is required to follow federal law

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

The proposed changes in the Regulations appear on the consent agenda for approval by the Board.

PRESIDENT'S RECOMMENDATION:

President Buchanan recommends immediate approval.

UW REGULATION 1-3
Equal Employment Opportunity/Diversity (Affirmative Action)
Program

A. POLICY.

The University is committed to equal opportunity for all persons in all facets of the University's operations. The University's policy has been, and will continue to be, one of nondiscrimination, offering equal opportunity to all employees and applicants for employment on the basis of their demonstrated ability and competence without regard to such matters as race, sex, gender, color, religion, national origin, disability, age, veteran status sexual orientation, genetic information political belief, or other status protected by state and federal statutes or University Regulations. ~~color, religion, sex, national origin, disability, age, veteran status, sexual orientation, or political belief.~~ It shall also be the policy of the University to utilize an affirmative action approach in the recruiting, hiring and promotion of women, people of color and other persons from designated groups covered by federal statutes, executive orders and implementing regulations in order to achieve a diverse workforce and student body.

B. RESPONSIBILITY FOR IMPLEMENTING THE POLICY AND PROGRAM.

The Director of Employment Practices/Diversity is responsible for implementing and administering this program. It is the Director's responsibility to publish instructions as required to implement the steps of the program outlined below.

It is the continuing, active, individual responsibility of each principal Administrative Officer, Dean, Department and Division Head or Supervisor to assure that the University's Equal Employment Opportunity policy is followed when making decisions relating to recruiting, hiring or promoting qualified persons.

C. DISSEMINATION OF THE POLICY AND PROGRAM.

To assure that the University's commitment to equal employment opportunity is communicated to all involved with recruiting, selecting, hiring, training and promoting employees, the University will disseminate the policy and program both internally and externally.

a. In addition to the normal distribution of this University Regulation through the Employment Practices/Diversity Office, General Counsel and Human Resources websites, a copy will also be distributed in employee orientation and training sessions and through other University publications as developed and distributed.

b. The policy and program will be discussed in meetings with faculty, staff and supervisory personnel to assure that the intent of the policy and individual responsibility are clearly understood.

c. The policy will be included in the Staff and Faculty Handbooks given to new employees at the time they are hired.

d. Recruiting sources will be informed of the University's policy of nondiscrimination and affirmative action.

e. An appropriate statement concerning nondiscrimination, adherence to Equal Employment Opportunity regulations and the University's commitment to the goal of creating a diverse community of scholars and students will be included in letters, brochures and announcements of position vacancies intended to recruit applicants for employment.

f. The Equal Employment Opportunity and Non-Discrimination clause will be incorporated in all invitations to bid, purchase orders, leases, contracts, etc., covered by federal laws, executive orders, and implementing regulations.

D. RECRUITING.

a. The University will continue to recruit applicants for employment on the basis of their demonstrated ability and competence and will make affirmative and positive efforts to include individuals without regard to such matters as race, color, religion, sex, national origin, disability, age, veteran status, sexual orientation or political belief.

b. Sources likely to yield qualified people of color, women, and applicants from other designated groups covered by federal statutes, executive orders and implementing regulations will be identified and included in all recruiting efforts.

E. EMPLOYMENT AND PLACEMENT.

a. All applicants for employment will continue to be considered and placed on the basis of their qualifications without regard to race, color, religion, sex, national origin, disability, age, veteran status, sexual orientation or political belief. Similarly, self-identified disabled applicants who request an accommodation in order to complete the application process or to perform the essential functions of the job in question, shall be given the appropriate consideration in accordance with applicable ADA guidelines. Employment decisions are therefore based on an individual's qualifications.

b. Employment procedures will be reviewed periodically to insure that they do not constitute inadvertent discrimination.

F. TRAINING.

a. All University employee training programs will be administered and conducted in conformance with the University's policy of non-discrimination.

b. Selection of employees for training will be on the basis of merit without discrimination.

c. Employees having supervisory responsibilities (regardless of title, rank, or classification) are required to attend a session on the prevention of sexual harassment.

G. PROMOTIONS, TRANSFERS, DEMOTIONS AND LAYOFFS.

a. As opportunities for promotions and transfers occur, measures will be taken to assure that all qualified employees are afforded equal access to the opportunity and that the decisions are in accord with the principles of equal employment opportunity.

b. During any retrenchment plans, the retrenchment plans will be reviewed to insure that decisions are made without regard to race, color, religion, sex, national origin, disability, age, veteran status, sexual orientation or political belief.

H. CONTRACTORS AND SUBCONTRACTORS.

a. All prime contractors on University federally assisted construction contracts will be notified of the University's firm commitment to the principle of equal employment and of their non-discrimination and affirmative action responsibilities under existing laws, executive orders and implementing regulations.

b. Where the University is a subcontractor to a prime contractor on government contracts, the prime contractor will be informed of the University's non-discrimination policy.

I. FACILITIES, SOCIAL AND RECREATION ACTIVITIES.

a. All University facilities will continue to be maintained on a non-discriminatory basis.

b. All University sponsored social and recreational activities will continue to be conducted on a non-discriminatory basis.

J. REPORTS AND DOCUMENTATION.

Reporting and record keeping systems will be developed by the Director of Employment Practices/Diversity.

K. GOALS AND TIMETABLES.

The University is a complex and diversified institution, therefore, attainment of the ultimate goal – a fully diverse community of qualified persons, who fall within previously described classifications, in each position category in numbers reasonably expected by their availability - is a long-range undertaking. Nevertheless, the University

will continue to direct its efforts in good faith toward attainment of the objectives of its policy.

Results achieved under this program will be evaluated periodically and the program revised as required.

Source: University Regulation 3; adopted January 22, 2010 Board of Trustees meeting

UW REGULATION 1-5 Civil Rights Discrimination

A. DEFINITIONS.

a. Discrimination includes:

- i. **Civil Rights Discrimination** – Adverse treatment and harassment on the basis of race, sex, gender, color, religion, national origin, disability, age, veteran status, sexual orientation, genetic information, political belief, or other status protected by state and federal statutes or University Regulations.
- ii. **Employment Discrimination** – Civil rights discrimination in hiring, discharge, compensation, promotion, terms and conditions of employment or other treatment which adversely affects employment status.
- iii. **Program Discrimination** – Civil rights discrimination that serves to exclude from or deny to its clientele equal access to the University's programs, activities or benefits.
- iv. **Sexual harassment** - Unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature.
- v. **Retaliation** –Adverse action or threat made in reprisal against any individual who participates as an actual or potential party, witness or representative relating to a report of discrimination or harassment as authorized by this policy.

B. POLICY.

It is a violation of University policy to interfere with or circumvent in an inappropriate manner the employment or educational pursuits of any member of the University community. Discrimination and retaliation are specifically prohibited. Violations of this policy will be addressed promptly, with appropriate corrective action taken; violations of a severe or persistent nature are considered serious and may result in separation from the University.

C. RESPONSIBILITY.

It is the responsibility of any person subjected to discrimination or retaliation to promptly report the occurrence of the offending remarks or behavior, to the Director of Employment Practices or other appropriate University officials. University officials include every administrative officer, dean, director, department head, supervisor, and all instructional personnel. A report of discrimination or retaliation made to a University official shall be referred to the next administrative level of the University and to the Director of Employment Practices, who is responsible for coordination of this policy. Requests for confidentiality or anonymity shall be respected consistent with the University's obligation to investigate all reports of discrimination or retaliation.

D. PROCEDURES.

The University will respond to all reports of discrimination or retaliation.

- a. Acts of discrimination or retaliation should be reported promptly and without unreasonable delay. Student complaints should normally be reported within one semester following any occurrence.
- b. The University's Employment Practices Director will be responsible for administering a complaint investigation process.
- c. All parties have responsibility for ensuring full cooperation with the investigator.
- d. The vice president or appropriate dean shall promptly address any instance of discrimination or retaliation identified in the investigation.
- e. The vice president must authorize any disciplinary action.
- f. The vice president or appropriate dean may meet with any individual accused of discrimination or retaliation to discuss issues raised in the investigation and any disciplinary action which might be contemplated.
- g. The vice president shall provide written notice of any disciplinary action imposed.
- h. Any corrective action or discipline imposed as a result of substantiated discrimination or retaliation shall be consistent with applicable faculty, staff and student dispute resolution, grievance or appeals processes.

E. DISPOSITION OF THE RECORD.

All records concerning a discrimination or retaliation complaint shall be considered a Personnel record and closed to the public in accordance with Wyoming law. Records involving students shall be forwarded to the Dean of Students and shall be closed in accordance with Federal and Wyoming law.

Source: University Regulation 5, Revision 1; adopted July 17, 2008, Board of Trustees meeting

UW REGULATION 4-2

Employment Provisions Applicable to All Personnel

A. EQUAL EMPLOYMENT OPPORTUNITY

The University's policy is one of equal opportunity for all persons in all facets of the University's operations. Equal opportunity is offered to all officers, academic personnel and staff members, and applicants for employment on the basis of their demonstrated ability and competence and without regard to such matters as race, sex, gender, color, religion, national origin, disability, age, veteran status, sexual orientation, genetic information, political belief, or other status protected by state and federal statutes or University Regulations. ~~color, religion, national origin, sex, religion, political belief, age, veteran status or handicap.~~

B. NEPOTISM

University employees may not be immediate supervisors to their relatives. This category includes parents, spouses, children, siblings (or the forgoing as in-laws), domestic partners, grandparents, grandchildren, uncles/aunts, nephews/nieces, and first cousins. Employees who find themselves in a work situation that conflicts with the foregoing statement shall have the remainder of the fiscal year to work with UW Administration to find alternative solutions, which may involve changes in the lines of supervision for their relatives.

Employees shall recuse themselves from formal discussions, votes, and/or decisions affecting the appointment, tenure, promotion, performance evaluation or other personnel status of a relative as defined above.

No provision of this Section shall be interpreted or applied so as to prevent the hiring, admission to degree candidacy, or award of a scholarship, fellowship, or graduate assistantship to a person who is a relative of any employee of the University or of the Trustees. Nor shall this regulation bar any employee from (1) reporting concerns about sexual harassment, unfair discrimination, procedural violations, or other inappropriate workplace behavior; (2) inquiring about the possibility of university employment for a family member; or (3) seeking supervisory positions and discussing alternatives for managing family-related conflicts of interest.

C. COMPENSATION

1. Salary Payment. The base salary for most members of the faculty, some members of academic professionals, and of the staff is for work performed and work obligations incurred during the academic year, defined as the period beginning with the first day of the Fall semester registration and ending with Spring semester commencement. The base salary for certain members of the faculty performing administrative duties and other duties beyond the usual academic assignments and for most other salaried employees is for the fiscal year.

All base salaries shall be paid in twelve (12) monthly installments except as specified in University Regulation 173. Required deductions shall be taken from salary payments for Federal withholding

taxes, Social Security, retirement, and for such additional purposes as may be authorized by the individual, or as required by law.

2. Supplementary Compensation.

1. From funds disbursed through the University. Full-time employees during their regular terms of service shall not have their salaries supplemented from University grants, contracts, or other University sources except for:

(A) Employment in extension classes, noncredit programs, and similar activities scheduled through adult education programs.

(B) Occasional employment at University sponsored events such as ticket selling at athletic events, or similar duties.

(C) Overtime payments when required by the contract of the employee or by applicable State or Federal law.

(D) Employment as part-time instructor, lecturer or professional employee, where the appointing department, with the approval of the employee's cognizant vice president or administrative officer, determines that:

(a) The employment will not interfere with the performance of the employee's regularly assigned duties;

(b) The part-time duties to which the employee is assigned on a supplementary basis require instructional or professional expertise that is not available through regularly appointed academic personnel or professional employees or through part-time appointment of non-University personnel.

(c) The supplementary assignment does not ordinarily exceed the equivalent of one regularly scheduled three-hour credit course in any calendar year; and

(d) The supplementary assignment shall normally not be recurring and shall not be in addition to the maximum time allowed for consulting in Chapter VII. (C.2.(c)).

(E) Employment on grants, contracts and like University-funded activities where the work is in addition to the individual's regularly assigned duties under limited conditions and for a limited period of time. Such employment may be approved when:

(a) The essential services cannot be provided by persons employed or receiving salary support under the grant;

(b) It is not possible to relieve the employee of part of usual duties;

(c) The project is one for which another department has principal responsibility; and

(d) The overload will not exceed twenty (20) days per academic year or twenty-four (24) days per fiscal year as determined by the employee's period of appointment and shall not be in addition to the maximum time allowed for consulting in Chapter VII. (C.2.(c)).

(F) When approved by the appropriate University authorities, full-time employees on academic year appointments may earn up to one-third (1/3) of their base salary for services rendered during the period from Spring commencement to reporting date.

(G) When approved by the appropriate University authorities, employees who have been granted a sabbatical leave may receive compensation from sponsored research grants and contracts awarded to the university, up to a maximum of 40 percent of their approved academic year salary, if funding from the grant or contract is an integral component of the sabbatical proposal.

2. From State Agency Sources. The University recognizes a particular obligation to make its resources available to the various agencies of State government; however, the costs of such services normally are not included within the University budget and must, accordingly, be covered by funds from the agencies or from other non-University sources. The performance of professional and consulting work by a University employee for any Wyoming State agency shall, in general, be covered by the regulations that cover work for other outside agencies, i.e., the employee must obtain approval of the appropriate University officers and adhere to the maximum period for which additional compensation may be accepted. When an individual's services are required for a longer period, the University will make every effort to release the individual to the State agency for the time required with appropriate salary adjustment to be made between the agency and the University.

D. CONSULTING

1. During the period of full-time University employment a member of academic personnel, athletic coaching and training personnel and University officers may, with prior approval of the president or the president's designee, perform professional and consulting work with or without compensation.

2. The commitment to professional and consulting work shall not normally exceed thirty-nine (39) calendar days per academic year for academic year employees and forty-eight (48) calendar days per fiscal year for fiscal year employees.

3. The work must not interfere with normal University duties, including those extra responsibilities expected of all such employees, and must be in addition to rather than a part of normal full-time University duties. Such work must also be related to the employee's regular campus duties and must contribute to the effectiveness of the employee's regular work.

4. When members of academic personnel or University officers perform professional and consulting work, they must furnish written statements signed by them and the clients attesting that the efforts are independent of the University employment and any affiliation thereto, that the University will be held harmless in relation to any product thereof, and that the University is not to be connected with the results and may not be involved in publicity, advertising or other activities related to the work, except for publication of scholarly works. In those instances where client confidentiality is a necessary and customary practice of the profession, the academic personnel

member or University officer shall furnish assurance that such signed, written statements are maintained in the member's or officer's client file.

5. A determination that the foregoing requirements have been met shall be made by the appropriate dean, director or principal University officer. The President of the University shall receive notification of each request prior to initiation of the professional or consulting work.

6. In engaging in outside work, University personnel shall not unreasonably compete with the private sector.

7. The facilities of the University may not be used for outside work without the recommendation of the appropriate dean or director and approval of the Vice President for Administration and Finance who shall establish the compensatory schedule for facilities used.

8. This regulation shall not apply to work

a. Which does not involve use of University facilities, and

b. Does not represent the University, and

c. Which is performed outside an individual's overall commitment of time and effort to the University, or conducted during approved vacation or leave without pay.

Paid professional or consulting activities undertaken outside the individual's overall commitment to the University will be disclosed to the appropriate dean, director, or University President.

9. Failure to comply with this regulation shall constitute a conflict of commitment and shall be cause for disciplinary action.

E. CONFLICT OF INTEREST/CONFLICT OF COMMITMENT

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.

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 policies, will result in appropriate sanctions, including the termination of employment, if warranted.

F. MILITARY LEAVE

Regular employees are eligible for a leave of absence from the University to serve in the armed forces during a period of national or state emergency or for training.

1. Active Duty for War or National or State Emergency. Regular employees who shall have been employed for eleven months who leave the University to go on active duty with the armed forces, voluntarily or involuntarily, during a state of war or declared national or state emergency will be given a leave of absence without pay. Application for such leave must be made to the individual's immediate supervisor and transmitted through regular channels to the President for approval by the Trustees. The time spent in national or state service shall count toward University retirement.

2. Active Duty for Training. Employees eligible for vacation privileges may have an additional fifteen (15) working days leave with pay per calendar year for active duty for training in addition to any other leave or vacation with pay to which the employee is entitled.

G. RETIREMENT

Employees of the University are automatically included by state law in the Wyoming Retirement System and participation in the Federal Social Security program (FICA). As an alternative to participation in the Wyoming Retirement System program, University employees may participate in a legislatively approved plan which is available pursuant to agreement with the Teachers Insurance Annuity Association-College Retirement Equities Fund (TIAA-CREF).

Any employee who has completed twenty-five (25) years of service with the University or who has attained the age of 60 with fifteen (15) years of immediately preceding University service or who elects an early retirement program authorized by state statute shall be designated Retired at the time of retiring. A list of retired personnel shall be maintained in the Human Resources office; each retiree shall receive such University privileges as have been customary and as may appear appropriate from time to time in the future.

Any employee who retires and has completed twenty-five (25) years of service with the University or has fifteen (15) years of University service immediately preceding the date of retirement shall receive a benefit of conversion of up to 960 hours of accrued sick leave to a state contribution for group health insurance. The conversion rate is 1.5 months of coverage for each 40 hours of accrued sick leave. The amount of the state contribution shall be equal to the employer's contribution for the coverage the employee had while employed reduced by the amount of any state funded health insurance contributions for the retiree. If the retiree dies before the full amount of this benefit is paid, the balance of the benefit shall be transferred to the surviving spouse as a contribution toward state group health insurance payments.

H. EMERITUS DESIGNATION FOR ACADEMIC PERSONNEL

The emeritus designation shall be conferred upon academic personnel who retire after long and distinguished service to the University. For faculty, minimal qualifications normally will include tenure, associate rank, fifteen (15) years of service, and extraordinary performance in one or more of the following: teaching, advising, research/creative endeavors, professional and/or public service, or administration at the University of Wyoming.

For academic professionals (lecturers, extension educators and research scientists), minimal qualifications normally will include an extended term appointment, associate rank, fifteen (15) years of service, and extraordinary performance in one or more areas of their job duties.

Nominations for emeriti status shall be initiated by the department head and/or dean; the nomination shall then be forwarded through the appropriate University officers, who shall add their recommendations. The President of the University shall then forward his/her recommendation to the Trustees.

Academic personnel officially retired from the University of Wyoming may be recalled annually by the Trustees. Request for recall shall be made by the appropriate University officers with the consent of the retiree.

I. POLITICAL ACTIVITIES

The political rights and privileges of all employees of the University are the same as those of any other citizen of the State. However, exercise of those rights and privileges shall not involve the use of University funds, time, services and facilities unless University authorized as part of the educational process. Any such use may be subject to disciplinary action, including discharge.

J. PATENTS AND COPYRIGHTS

The obtaining of patents or copyrights for the mutual benefit of the University and its employees and for making the results of intellectual inquiry available to society is an objective of the Trustees. To accomplish this objective and to protect the interests of the parties, whenever a patent or copyright is to be sought, as a result of research or development sponsored in whole or in part, by or through the University, such work shall be reported to a University officer designated by the President. That officer shall cause an evaluation to be made of the respective interests of the University and the employee and make written recommendations to the President. The manner in which this determination shall be made, any conditions for support of further development, resources for obtaining a patent or copyright, and division of any royalties or other income resulting from a patent or copyright shall be subject to terms set forth in University Regulations or in written agreements authorized by the Trustees.

Use of University resources to develop or market any patentable invention or copyrightable work shall minimally entitle the University to exercise a perpetual, royalty-free, nonexclusive shopright to practice in the patented invention or to use the copyrighted work.

Further interest of the University shall be limited to those cases where there has been substantial use of University resources in developing the patentable invention or the copyrightable work and shall exclude articles published in scholarly professional journals. The extent of the University's and the employee's interest shall be determined with regard for the benefit to the parties.

K. CLASSIFIED RESEARCH AND SECURITY CLEARANCE

The University of Wyoming does not prejudice the appropriateness of participating in classified research. Rather, it reserves the right to examine each proposed project in the context of scientific merit as well as contributions the research may make to the general welfare of the state, the nation and the whole of humankind. As the governing body for the University, the trustees have authority to accept or reject all research grants, contracts and gifts. In order to make special judgments about research projects, the Trustees must have access to research protocols, including classified research to be conducted at the University of Wyoming.

1. The Trustees shall be fully apprised of the character of all proposed classified research to be conducted at the University of Wyoming. The University, its academic personnel and staff, shall enter into contracts for classified research only with the express approval of the Trustees. (Amended, 2/16/91)

2. A Security Management Team (SMT) shall be designated for each classified research project to be conducted at the University of Wyoming. All members of the SMT shall be subject to security clearance investigation by the Defense Investigation Service and must be awarded clearance at the appropriate level in order to function as a member of the team.

The Security Management Team will consist of the President of the University, the Vice President for Research and Economic Development, the Associate Vice President for Research (as Security Officer), two representatives from membership of the Trustees, the faculty involved in the research and others as may be required by the grantor or contractor.

L. SAFETY

Safety is the responsibility of every employee. Each employee shall conduct their activities in compliance with applicable governmental, university, and campus unit safety and health policies, procedures and regulations. This includes abiding by safety rules, participating in safety training as required and reporting hazards and potential violations. Any employee who believes there is a safety problem in his/her work environment or elsewhere in the University is obligated to bring the problem to the attention of the immediate supervisor, the Environmental Health and Safety Department or the Department of Risk Management and Insurance as appropriate. The Director of Environmental Health and Safety has primary responsibility for employee safety activities of the University and all such workplace health and safety programs, policies and procedures. These documents will be available through the Environmental Health and Safety Department office or web site and available for inspection by University employees and the public during

normal business hours. The Environmental Health and Safety Director is charged with the planning and implementation of actions to meet the requirements of all applicable state and federal environmental health and safety legislation and all associated rules and regulations. The Environmental Health and Safety Director shall have the authority necessary to ensure the safety of the University community, including the authority to vacate and close down University facilities, projects or activities. Such decisions are subject only to review by the President or his/her designee.

The Director of Risk Management and Insurance has primary responsibility for the University's insurance and for protecting the University from liability. Employees shall comply with all Risk Management policies and procedures and make all reports required by the Director of Risk Management and Insurance.

The University shall maintain an alcohol and drug testing program that complies with federal and state law. When federal or state law or University Regulation makes such program applicable to an employee, that employee shall comply with the requirements of the University program.

Source:

Trustee Regulation VII; adopted 7/17/08 Board of Trustees meeting
Revisions adopted 3/4/11 Board of Trustees meeting
Revisions adopted 5/6/11 Board of Trustees meeting
Revisions adopted 9/9/11 Board of Trustees meeting

UW REGULATION 8-250

Regulations of the University Division of Placement Service

1. PURPOSE.

To establish principles and objectives to serve as guidelines for all members of the University community for the conduct of matters pertaining to employment referral, recruiting, and interviewing activities on campus and through University facilities for employment of students and alumni in career, summer, and part-time off-campus positions.

2. GENERAL INFORMATION.

The policy of the University is one of equal opportunity for all persons in all facets of University operations. All prospective employers seeking referrals, recruiting, or interviewing on campus and through University facilities must offer equal opportunity for employment to all applicants on the basis of demonstrated ability and competence and without regard to such matters as race, color, national origin, sex, genetic information, religion, political belief, or handicap. All interviewing, job listings, and referral activities related to placement are the responsibility of the Division of Placement Service.

Internship experiences which are academic or scholarly in nature (these usually involve credit and are considered to be a part of the student's academic program) are generally the responsibility of the academic unit or the academic unit's designee. Internship experiences sponsored by an organization which are designed to evaluate UW students as future full-time employees are the responsibility of the Division of Placement Service.

3. GENERAL PRINCIPLES.

- a. Students should have sufficient career and employment information available to help them understand the implications of their educational program decisions.
- b. Students should receive assistance in seeking off-campus part-time temporary employment.
- c. Graduating students and alumni should be assisted in obtaining employment commensurate with their academic preparation, talents, interests, capabilities, and career and life goals.
- d. The social and economic well-being of public and private institutions and employing organizations will be prompted by a continuous supply of contributive talent graduating from the University.

4. ADMINISTRATIVE FUNCTIONS OF THE DIVISION OF PLACEMENT SERVICE.

The Division shall function as an integral part of the University's instructional, student affairs, and general services to help students and graduates of all disciplines in vocational development and placement. Division personnel shall:

- a. provide general information concerning the functions of the Division to students, faculty, and administration;
- b. establish a close liaison with each division, school, and department and with appropriate student organizations within the University;
- c. assist in general orientation and instructional programs related to vocational and professional preparation and training;
- d. work in unison with all student services on campus to accommodate the needs of students;
- e. furnish requested advice and resources to faculty members on matters which affect both educational and vocational outcomes;
- f. cooperate in academic and institutional research which has a bearing on career development and placement; and
- g. provide the Institution with reports and data on various aspects of the program and on the employment of students and graduates.

5. CAREER EMPLOYMENT SERVICES.

Division personnel shall furnish requested assistance to seniors, graduate students, and alumni in search of career employment in business, industry, government, and higher education. To this end, Division personnel shall:

- a. apprise them of various placement resources;
- b. inform them of employers generally receptive to candidates with similar training and education;
- c. assist them in applying for jobs;
- d. support their candidacies with placement credentials;

- e. maintain a Career Resource Center with information regarding employers, career fields, qualifications, salary information, job market and employment outlook information and other appropriate resources;
- f. refer them to vacancies which match their needs and qualifications, or come closest to meeting their basic need for gainful employment; and
- g. schedule them for on-campus employment interviews.

6. TEMPORARY EMPLOYMENT SERVICES.

Division personnel shall assist students in their search for off-campus part-time, temporary, or vacation employment by:

- a. providing them with general job information;
- b. informing them of normal application procedures;
- c. advising them of scheduled on-campus employment interviews; and
- d. referring them to vacancies off-campus which offer them the best combination of financial support and general or pre-professional work experience.

7. CAREER DEVELOPMENT FUNCTIONS.

Division personnel shall furnish requested counsel, guidance, and information to University students and graduates to provide each an opportunity to:

- a. understand individual needs, characteristics, values, interests, and capacities;
- b. appraise personal training and acquired skills;
- c. evaluate personal work experiences;
- d. relate individual ideas, expectations, and potentials to a wide range of employment opportunities;
- e. acquire knowledge of select vocations and techniques useful in seeking a job;
- f. further their formal education, as required;
- g. pursue part-time, summer, or internship experiences; and

- h. seek entrance or advancement in a position or field most compatible with their personal and societal goals.

8. COORDINATION FUNCTIONS.

Division personnel shall actively develop and maintain working relationships with employers whose job requirements, conditions of employment, and location are likely to be of interest to students or graduates of the University. Division personnel shall:

- a. provide potential employers with general information on the services offered by the Division;
- b. apprise such employers of the University's academic programs and of availability of persons educated and trained in each discipline;
- c. request the employer to inform the staff of current and anticipated vacancies and of special internships, and to supply full supporting information;
- d. refer suitable candidates to suitable employers;
- e. arrange for employers to conduct employment interviews and recruit on campus through University facilities;
- f. provide the employer, upon request, credentials of each student and alumnus to be considered or interviewed for a job;
- g. arrange for employers to meet with appropriate faculty members to discuss experiences, problems, and matters of mutual concern relating to University applicants and graduates;
- h. visit employers to observe operations, to review personnel needs, and to keep abreast of changes affecting the training, employment, and work of college-trained personnel;
- i. invite the participation of likely employers in group guidance activities held in conjunction with the vocational counseling and guidance work of the University staff and faculty;
- j. participate in programs of professional associations composed of college placement and employer representatives; and
- k. form or participate in such placement advisory groups or committees with employer representation.

9. PROFESSIONAL FUNCTIONS.

In addition to the other functions of the Division, its personnel shall:

- a. cooperate with community services for job-seekers and employers;
- b. participate in on- and off-campus activities which enhance the value of the program to all constituencies;
- c. adhere to the codes of ethical conduct subscribed to by members of the professional associations; and
- d. evaluate each service periodically and redirect the program as required.

10. RESPONSIBILITIES OF THE DIRECTOR.

- a. The Director of the Division of Placement Service is the Administrative Officer responsible for implementation of the policies and programs of the Division pursuant to this regulation.
- b. The Director, or the Director's designee, is responsible for the arranging and coordinating of all position referrals, on-campus recruiting, and interviewing.

Source:

University Regulation 250; adopted 7/17/08 Board of Trustees meeting

4. Committee of the Whole- CONSENT AGENDA
Annual Audited Financial Statements, Lowe

CHECK THE APPROPRIATE BOX(ES):

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

5. Committee of the Whole- CONSENT AGENDA
Approval of Construction Contracts

- a. Arena Auditorium Phase 1 Renovation Architect/Engineer, Collins/Burman
- b. Biological Sciences Construction Manager at Risk (CMAR), Collins
- c. Performing Arts Center (Fine Arts Building) Guaranteed Maximum Price (GMP), Collins

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
Fiscal Year 2013 Operating Budget Increase, Lowe

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
Revision to Presidential Search Process Resolution (originally approved at the October 12, 2012, "Special" Board of Trustees Meeting), Trustee Bostrom

CHECK THE APPROPRIATE BOX(ES):

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

1. INFORMATION ONLY ITEM

Progress Report/Change Orders, Collins

CHECK THE APPROPRIATE BOX(ES):

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

**Capital Construction
 Progress Report as of October 23, 2012**

The following is 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. Visual Arts Facility

Construction Manager at Risk	G E Johnson Construction Company
	Jackson, WY
Guaranteed Maximum Price	\$26,673,930
Contract Substantial Completion Date	October 28, 2011
Extended	December 18, 2011

(In Thousands)	Total	Admin	Constr	Design	Tech	FF&E	Misc	Cntngcy
Budget	36,350	1,076	26,964	3,236	712	2,860	215	1,287
Expended	32,662	793	26,962	3,183	47	1,583	94	0
Obligated	148	9	2	0	0	1	0	136
Un-obligated	3,540	274	0	53	665	1,276	121	1,151

Remarks Building is under warranty.

2. Energy Innovation Center

Construction Manager at Risk	G E Johnson Construction Company
	Jackson, WY
Guaranteed Maximum Price	\$18,926,514
Contract Substantial Completion Date	June 4, 2012
Extended	September 24, 2012

(In Thousands)	Total	Admin	Constr	Design	Tech	FF&E	Misc	Cntngcy
Budget	25,400	686	19,348	1,855	1,070	1,007	507	927
Expended	21,804	392	18,468	2,095	0	786	34	29
Obligated	2,260	119	1,897	0	0	50	0	194
Other Funding	1,257	0	1,017	240	0	0	0	0
Un-obligated	2,593	175	0	0	1,070	171	473	704

Remarks Finish work is progressing throughout the building. Exterior work is nearing completion with landscaping currently underway. Preparation for start of 3D visualization and research labs installation has started.

3. White Hall Renovation

Contractor Sampson Construction Company, Inc.
 Cheyenne, WY
 Bid Price \$10,355,500
 Contract Substantial Completion Date Various phases – final phase August 7, 2015

(In Thousands)	Total	Admin	Constr	Design	FF&E	Misc	Cntngcy
Budget	14,000	790	11,185	553	440	311	721
Expended	2,005	152	1,159	375	0	200	8
Obligated	9,482	16	9,255	160	0	111	51
Un-obligated	2,513	622	771	18	440	0	662

Remarks Electrical and renovation demolition is nearly complete on all floors. New installation continues on 9th thru 12th floors. Excavation for a new transformer vault on the east side of White Hall is scheduled to begin.

CHANGE ORDERS

1. Visual Arts Facility

Item 1 Modifications to lockset on doors	Add:	1,683
Item 2 Modifications to landscaping	Add:	4,777
Item 3 Modifications for sound attenuation	Add:	28,295
Item 4 Add vertical control joints at north wall of the lobby	Add:	1,547
Item 5 Adjust CMAR fee for change orders #17 - #20	Add:	5,532
<u>Total Change Order No. 20</u>	Add:	41,834

Item 1 Reduce the amount of training for lighting control	Deduct:	934
Item 2 Modifications to landscaping	Add:	62,457
Item 3 Modifications to glaze mixing table exhaust design	Add:	54,997
Item 4 Modifications to clay mixer exhaust	Add:	34,392
Item 5 Modification to heating water control valves	Add:	5,389
<u>Total Change Order No. 21</u>	Add:	156,301

Item 1 Add automatic control interlock at foundry	Add:	6,942
Item 2 Modifications to west side grading and add drainage system	Add:	19,889
Item 2 Adjust CMAR fee for change orders #21 - #22	Add:	<u>5,494</u>
<u>Total Change Order No. 22</u>	Add:	32,325

Statement of Contract Amount

Original Contract	\$26,673,930
Change Orders 1-22	+ <u>426,922</u>
Adjusted Contract	27,100,852

Add 51 calendar days

2. Energy Innovation Center

Statement of Contract Amount

Original Contract	\$18,926,514
Change Orders 1 - 26	+ <u>1,482,724</u>
Adjusted Contract	\$20,409,238

3. White Hall Renovation

Item 1 Provide power for relocated repeater in Penthouse	Add:	1,274
Item 2 Modification to elevators	Add:	6,523
Item 3 Provide power for existing elevator equipment AC unit	Add:	801
Item 4 Provide new electrical pull vault	Add:	7,046
Item 5 Credit for wire size modifications	Deduct:	7,896
Item 6 Provide elevator jam wraps at first floor	Add:	<u>1,327</u>
<u>Total Change Order No. 2</u>	Add:	9,075

Item 1 Remove existing valves and replace	Add:	13,258
Item 2 Provide additional matching locks	Add:	<u>19,923</u>
<u>Total Change Order No. 3</u>	Add:	33,181

Statement of Contract Amount

Original Contract	\$10,355,500
Change Order 1-3	+ <u>57,732</u>
Adjusted Contract	\$10,413,232

2. 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 FY 2013 Monthly Giving Report through September. 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 2013 Monthly Giving Report through October 25, 2012
All Gifts

FUND	Current Month Gifts Received		FY 2013 to date							FY 2012 Commitments YTD		
	DONORS	GIFTS	Cash & Cash equivalent			New Commitments YTD				STATE MATCHING	DONORS	GIFTS
			DONORS	OUTRIGHT	GIK	PLEDGE PMTS	NEW PLEDGES	PLANNED GIFTS	TOTAL			
AGRIC	128	\$57,059	206	\$167,489	\$33,500	(\$11,000)	\$5,000	\$0	\$194,989	\$0	316	\$221,017
AHC	17	\$1,215	48	\$23,700	\$0	(\$17,400)	\$0	\$0	\$6,300	\$0	123	\$16,284
ALUMNI	44	\$3,585	53	\$4,598	\$0	\$0	\$0	\$0	\$4,598	\$0	110	\$17,850
A & S	270	\$251,862	622	\$1,358,458	\$24,611	(\$622,858)	\$0	\$5,001	\$765,213	\$0	868	\$269,639
ATHLETICS	259	\$75,543	1548	\$1,036,556	\$93,159	(\$428,331)	\$55,000	\$0	\$756,384	\$0	1362	\$773,249
BUSINESS	115	\$11,315	203	\$1,096,580	\$12,778	(\$1,048,000)	\$500	\$0	\$61,858	\$0	314	\$220,640
EDUCATION	105	\$6,578	161	\$114,977	\$0	(\$25,000)	\$0	\$0	\$89,977	\$50,000	370	\$299,152
ENERGY	8	\$250	10	\$833,583	\$0	(\$833,333)	\$0	\$0	\$250	\$0	7	\$1,127,125
ENGINEERING	213	\$61,505	307	\$141,559	\$0	(\$25,231)	\$25,000	\$10,000	\$151,328	\$10,000	494	\$91,379
IENR	8	\$50,400	12	\$62,475	\$0	\$0	\$0	\$0	\$62,475	\$0	11	\$100,681
HEALTH SCI	116	\$8,630	338	\$335,478	\$0	(\$250,000)	\$0	\$0	\$85,478	\$0	264	\$502,243
LAW	53	\$30,200	154	\$77,280	\$0	(\$15,500)	\$252,500	\$0	\$314,280	\$0	180	\$71,650
LIBRARY	37	\$52,740	84	\$89,682	\$0	\$0	\$0	\$0	\$89,682	\$0	82	\$113,205
OUTREACH	1327	\$113,847	2948	\$253,338	\$3,065	(\$4,043)	\$0	\$0	\$252,360	\$0	4125	\$306,974
STU AFFRS	21	\$34,390	45	\$21,656	\$33,500	\$0	\$0	\$0	\$55,156	\$0	352	\$21,648
UW ART MUS	102	\$28,139	156	\$55,104	\$0	\$0	\$0	\$0	\$55,104	\$0	166	\$59,472
UNIV. FUND	188	\$15,505	236	\$24,598	\$0	\$0	\$0	\$0	\$24,598	\$0	268	\$27,847
OTHER	139	\$31,503	285	\$1,107,925	\$0	(\$588,035)	\$17,183,000	\$185,000	\$17,887,891	\$0	314	\$767,165
GIFTS NOT YET BOOKED												
TOTAL	2,957	\$834,265	6,787	\$6,805,037	\$200,613	(\$3,868,730)	\$17,521,000	\$200,001	\$20,857,920	\$60,000	25,432	\$5,007,219
				Funds Not Deposited at Foundation								
				Foundation								
				Cash In	\$6,120,604							
TOTAL YTD GOAL \$40,000,000							Total Count of All Planned Gifts		5			
**Total Donors does reflect Column totals. Donors may give to more than one unit/division.												

University of Wyoming, Foundation
FY 2013 Monthly Giving Report through October 25, 2012
Annual Gifts

FUND	FY 2013 GOALS	Current Month		FY 2013 to date		FY 2012 to same date		FY 2013 AF % of Goal
		DONORS	AMOUNT	DONORS	TOTAL	DONORS	TOTAL	
AGRIC	\$ 100,000	105	\$11,895	139	\$19,700	263	\$21,219	19.70%
AHC	\$ 47,000	14	\$615	32	\$4,630	108	\$11,100	9.85%
ALUMNI	\$ 10,000	11	\$750	14	\$1,363	7	\$800	13.63%
A & S	\$ 407,000	247	\$34,432	481	\$82,583	761	\$90,447	20.29%
ATHLETICS	\$ 2,800,000	207	\$19,316	1410	\$348,193	1271	\$324,888	12.44%
BUSINESS	\$ 150,000	110	\$8,565	163	\$16,333	280	\$30,270	10.89%
EDUCATION	\$ 71,000	105	\$6,578	153	\$13,380	268	\$18,622	18.85%
ENERGY	\$ 5,000	8	\$250	8	\$250	1	\$125	5.00%
ENGINEERING	\$ 300,000	179	\$21,842	224	\$42,113	385	\$45,547	14.04%
IENR	\$ 60,000	6	\$400	9	\$2,475	8	\$681	4.13%
HEALTH SCI	\$ 131,000	103	\$8,100	173	\$14,045	241	\$34,500	10.72%
LAW	\$ 73,000	42	\$7,825	101	\$27,730	120	\$17,476	37.99%
LIBRARY	\$ 31,000	34	\$2,740	73	\$15,490	69	\$8,643	49.97%
OUTREACH	\$ 900,000	1315	\$96,362	2936	\$231,181	4123	\$297,432	25.69%
STU AFFRS	\$ 35,000	18	\$890	39	\$2,556	298	\$10,092	7.30%
UW ART MUS	\$ 49,000	19	\$3,875	59	\$7,700	80	\$18,522	15.71%
UNIV. FUND	\$ 93,000	188	\$15,505	0	\$1,045	265	\$27,747	1.12%
OTHER	\$ 38,000	67	\$13,428	104	\$27,858	178	\$13,925	73.31%
GIFTS NOT YET BOOKED								
TOTAL	\$5,300,000	2,654	\$253,367	6,001	\$858,624	23,554	\$972,035	16.20%

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