

THE UNIVERSITY OF WYOMING
BOARD OF TRUSTEES' REPORT

Conference Call Meeting
Monday, April 13, 2015

The final report can be found on the University of Wyoming Board of Trustees website at
<http://www.uwyo.edu/trustees/>

THE UNIVERSITY OF WYOMING
BOARD OF TRUSTEES MEETING REPORT

April 13, 2015
8:00-9:30 a.m.
Conference Call in Old Main Boardroom

Agenda Items for Discussion

I. Update from Vice President for Student Affairs Sara Axelson.....	1
II. Change Order Process Clarification, Mai.....	1
III. Phase II of the Arena Auditorium (procurement process), Mai	1
IV. Tenure and Promotion Briefing, Jones.....	2

Consent Agenda Items for Approval

(Trustees are able to pull items off this list for discussion and/or separate vote.)

I. Approval of Revisions to UW Regulations 8-1, Axelson	26
II. Approval of Revisions to UW Regulations 4-175, Miller.....	32

Agenda Items for Discussion (cont.)

I. Search Process Discussion, Palmerlee/McGinity.....	25
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I. AGENDA ITEM TITLE: Update from Vice President Student Affairs Sara Axelson

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Vice President for Student Affairs Sara Axelson will give the Board an update on recent events on campus.

II. AGENDA ITEM TITLE: Change Order Process Clarification, Mai

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Vice President of Administration Bill Mai will discuss with the Board the change order process that was approved at the March 2015 Board of Trustees meeting.

III. AGENDA ITEM TITLE: Phase II of the Arena Auditorium (procurement process), Mai

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Vice President for Administration Bill Mai will provide an update to the Board regarding Phase II of the Arena Auditorium project.

IV. AGENDA ITEM TITLE: Tenure and Promotion Briefing, Jones

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Vice President for Academic Affairs David Jones will brief the Board on the Tenure and Promotion process. Please see the power point below.

Academic Personnel 101

An Introduction to Hiring, Reappointment, Tenure and Promotion

David Jones
Tami Benham Deal
Office of Academic Affairs

- I. Hiring Academic Personnel
 - The search
 - The job description
- II. Reappointment, Tenure and Promotion
 - A. What is Tenure?
 - B. Standards and Criteria
 - C. Faculty Career Path
 - D. Portfolios
 - E. Review Process
- III. Post-Tenure Review



UNIVERSITY OF WYOMING

**I. Hiring
 Academic
 Personnel**

*The
 Search
 Process*

<i>Task Progression</i>	<i>Timeline*</i>
Begins with position authorization from Office of Academic Affairs	Oct 14, 2014
Submit Search Plan to EEO (committee, advertising plan, preliminary screening criteria)	Oct 27, 2014
Position announcement posted (UW website, professional organization websites, journals, etc.)	Oct 27, 2014 – Jan 12, 2015
Review and evaluate applicant pool	Jan 12-26, 2015
Select applicants to be interviewed <ul style="list-style-type: none"> By telephone/video 	Jan 12, 2015
Select applicants to be interviewed <ul style="list-style-type: none"> In person 	Jan 12-26, 2015
Select applicants to be interviewed <ul style="list-style-type: none"> In person 1-2 day on-campus (meet with faculty, students, administrators; research/teaching presentations) 	Feb 10, 2015 Feb 18, 2015 – March 10, 2015
Dept/College completes EEO Search Results (including recommendation to hire)	March 16, 2015
Final disposition before offer made (Office of Academic Affairs/President)	March 16, 2015

* Sample timeline from a AY 2015 search for a tenure-track Assistant Professor position



The Job Description

Tenure Track Faculty Job Duties
Teaching⁺ (Preparation, direct/indirect instruction, direct UG/G learning & research, supervising clinical internships & programs, evaluating artistic presentations, etc.)
Advising (Time spent meeting with students regarding academic, curricular & career matters)
Research and Creative Activity⁺⁺ (Creating/adding to knowledge in a field, including the advancement of new theories & principles; Expansion & interpretation of existing ideas, theories, & principles; Improvement & application of knowledge, especially in new settings; Sustained artistic endeavor in composition, production or performance)
Service (Serving on Faculty Senate and university, college & departmental committees; using academic & professional expertise to serve the profession, community, state, nation and world)
Cooperative Extension (Identifying current needs, communicating research results, and applying expertise to support Extension Educators; providing leadership, research-based information & education to people of the state; developing interdisciplinary approaches and collaborations, etc.)
Administration (Major service assignments within a department or college, such as acting as a department/division/school head or associate dean)

Sample Job Descriptions % of Effort	
65%	6%
5%	4%
25%	25%
5%	5%
NA	60%
NA	NA

⁺ Teaching is a fundamental responsibility of all faculty member. Adjustments to teaching responsibilities are made based on college's workload policy regarding type of courses taught and extent of responsibilities in other areas.

⁺⁺ Open dissemination and professional peer review are essential features of research productivity and creative activity.



Academic Professional Job Duties	Sample Job Descriptions % of Effort	
Teaching⁺ (Preparation, direct/indirect instruction, direct UG/G learning & research, supervising clinical internships & programs, evaluating artistic presentations, etc.)	70%	17%
Advising (Time spent meeting with students regarding academic, curricular & career matters)	5%	NA
Research and Creative Activity⁺⁺ (Creating/adding to knowledge in a field, including the advancement of new theories & principles; Expansion & interpretation of existing ideas, theories, & principles; Improvement & application of knowledge, especially in new settings; Sustained artistic endeavor in composition, production or performance)	NA	60%
Service (Serving on Faculty Senate and university, college & departmental committees; using academic & professional expertise to serve the profession, community, state, nation and world – could be differentiated into administrative duties within college/department)	5%	18%
Cooperative Extension and Outreach (Identifying current needs, communicating research results, and applying expertise to support Extension Educators; providing leadership, research-based information & education to people of the state; developing interdisciplinary approaches and collaborations, etc.)	NA	NA
Professional Development (Lecturers are engaged in the teaching mission of the University and are expected to demonstrate continuing professional development that conforms to standards in academic field)	5%	5%
Administration (Major service assignments within a department or college, such as acting as a department/division/school head or associate dean)	15%	NA

⁺ Teaching is a fundamental responsibility of all faculty member. Adjustments to teaching responsibilities are made based on college's workload policy regarding type of courses taught and extent of responsibilities in other areas.

⁺⁺ Open dissemination and professional peer review are essential features of research productivity and creative activity.



II. Reappointment, Tenure and Promotion

American Association of University Professors (AAUP)

Recommended Institutional Regulations on Academic Freedom and Tenure

(<http://www.aaup.org/report/recommended-institutional-regulations-academic-freedom-and-tenure>)

University Regulations (<http://www.uwyo.edu/generalcounsel/new-regulatory-structure/index.html>)

UW 5-1 *Academic Personnel*

UW 5-803 *Reappointment, Tenure and Promotion Procedures for Academic Personnel*

UW 5-408 *Guidelines for Establishing Academic Professionals*

UW 7-631 *Regulations of the University Libraries*

UW 7-490 *Regulations of the American Heritage Center*

UW Pythian Papers on Academic Careers (http://www.uwyo.edu/acadaffairs/faculty-resources/tenure_promotion.html)

Best Practices for Making Tenure Decisions: Philosophy, Criteria, and Expectations

Best Practices for Promotion to Full Professor

Considering Collegiality and Service as Components of Academic Performance

UW College and Department Expectations for Reappointment, Tenure and Promotion



A. *What is Tenure?*

Legal view: Tenure is an employment contract

- Has no specified end date
- Can be ended only for specific reasons (cause, financial exigency)

Principles recognized in case law:

- There is no guarantee of tenure.
- The review takes many factors into account.
- There are many levels of review and recommendation.
- Only the governing board can confer tenure.



A. *What is Tenure (Why do we have Tenure?)*

Philosophic view: Tenure and Academic Freedom

“Academic freedom and tenure ... exist in order that society may have the benefit of honest judgment and independent criticism which otherwise might be withheld because of fear of offending a dominant social group or transient social attitude.”

Clark Byse and Louis Joughin, *Tenure in American Higher Education: Plans, Practices, and the Law* (Ithaca: Cornell University Press, 1959), p. 4.



B. Standards and Criteria

From UW Regulation 5-1.D:

“The main criteria for reappointment, tenure and promotion decisions are **creative development, advancement of knowledge, and dissemination of knowledge.**”

In short, the land-grant mission

Teaching

Research

Service



The key question:

Does the candidate's record reflect both the commitment and the promise to sustain a career-long record of effective teaching, scholarship at the forefronts of knowledge, and effective service?

It's not a matter of clearing the bar.

Tenure is not the finish line.

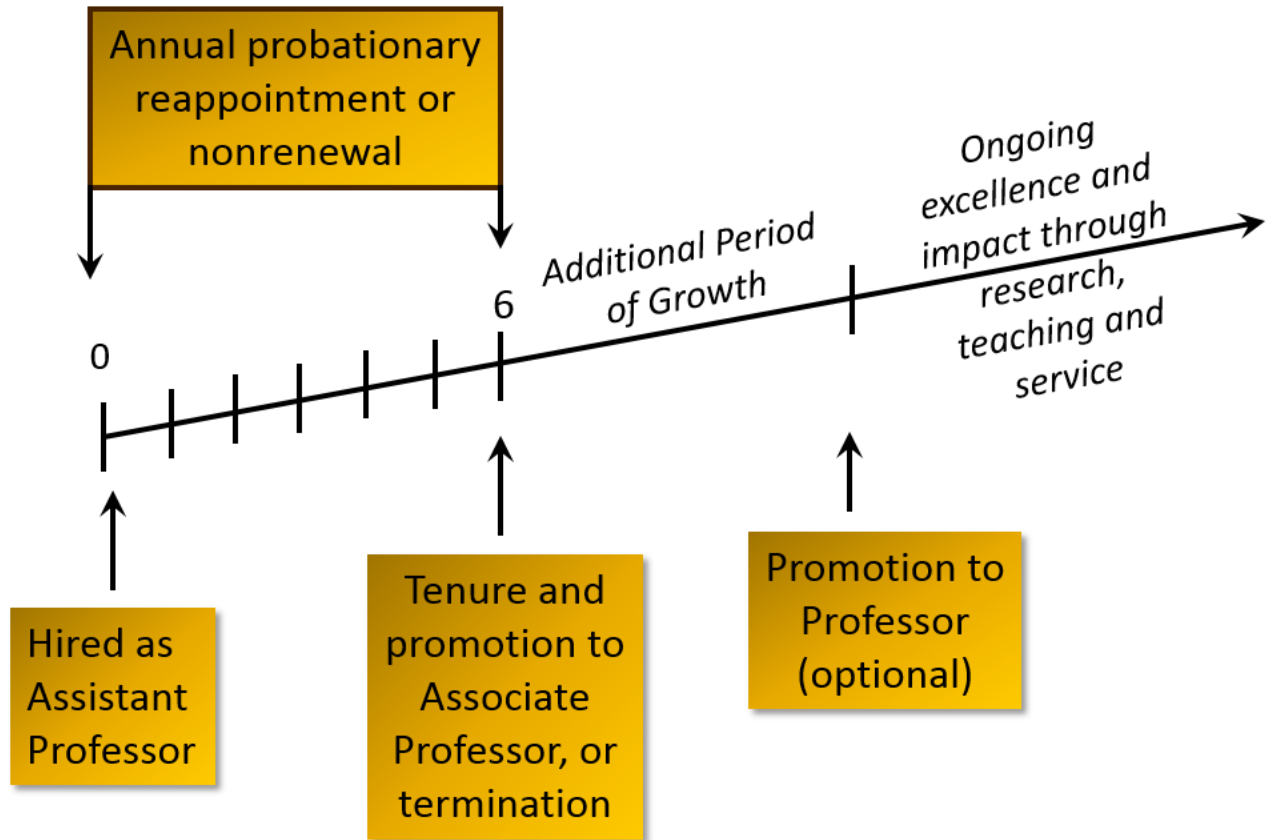


How do we answer this question?

- Strong teaching, demonstrated *early* in the career.
- Strong scholarship, critical for faculty to remain effective as their disciplines evolve.
- Peer review by nationally or internationally recognized experts, as well as by UW students and faculty.
- What about Collegiality?



C. Tenure Track Faculty Career Path⁺



⁺ Similar Career Path for Academic Professionals on Extended Term Track (6-year probationary period, 6-year extended terms with review for next term in year 5, promotion in rank tied to productivity and not years of service)



D. *Portfolio (or "Packet")*

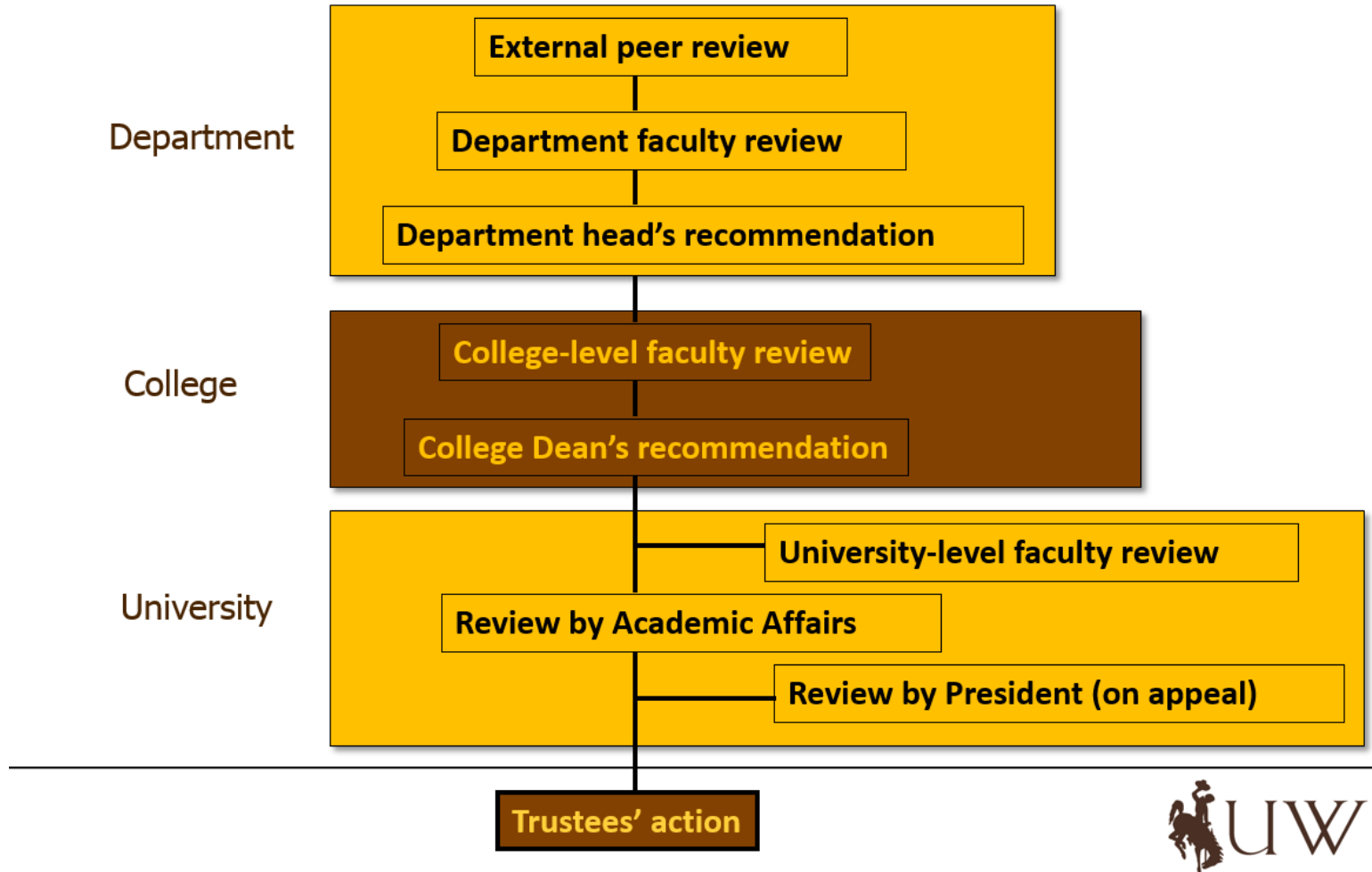
Annual documentation of:

- **Teaching** effectiveness (student, peer, and administrative evaluations; self-reflection)
- Record of **Research/Scholarly Activity** (peer-reviewed publications, books, grants, creative work, plus external peer reviews for tenure decision)
- **Service** (UW committees, statewide service, professional organizations, extension/outreach)

Cumulative record of previous years' evaluations at department, college and university levels



E. Review Processes



Department-level review

- Solicitation of external letters (T&P cases)
- Review and vote by faculty peers
- Recommendation by Department Head

Example peer remark (2nd-year reappointment):

“For someone with a 60% teaching split, who has taught for two years in another institution before coming to the University of Wyoming, her progress in teaching is unsatisfactory.”

TEACHING COUNTS!
And the pressure to perform comes early



Tenure Review

UW Regulation 5-803 requires a minimum of 4 external letters from “arm’s-length” experts.

External references chosen by Department Head

“[The] scholarship is bold in treating major authors and issues, careful in its close reading of primary texts and its consideration of secondary literature, and scrupulous in its honesty and clarity. I have found his work of genuine value for my own teaching and writing.” [From Duke University]



College-level review

- Review and vote by faculty-elected college committee
- Recommendation by Dean

Example remark from college committee:

“It is clear from _____’s packet, especially the comments made by the external reviewers, that he has achieved a regional, national, and international reputation for his work... . His record of securing external funding and publishing his work are exceptional. Student evaluations of his teaching have consistently been positive and his graduate students have been very successful in terms of their ability to produce peer-reviewed products.”

University-level review

Review by faculty-elected university committee

- Conflicted cases
- Early tenure cases
- Cases recommendation by Provost

Good performance in one dimension of the job doesn't trump inattention to other dimensions.

Example University T&P comment:

"This case presents an all-too-familiar pattern: fine teacher, great citizen who is ... succeeding at tasks necessary for the department, college, and university, but doing so at the expense of ... research development."

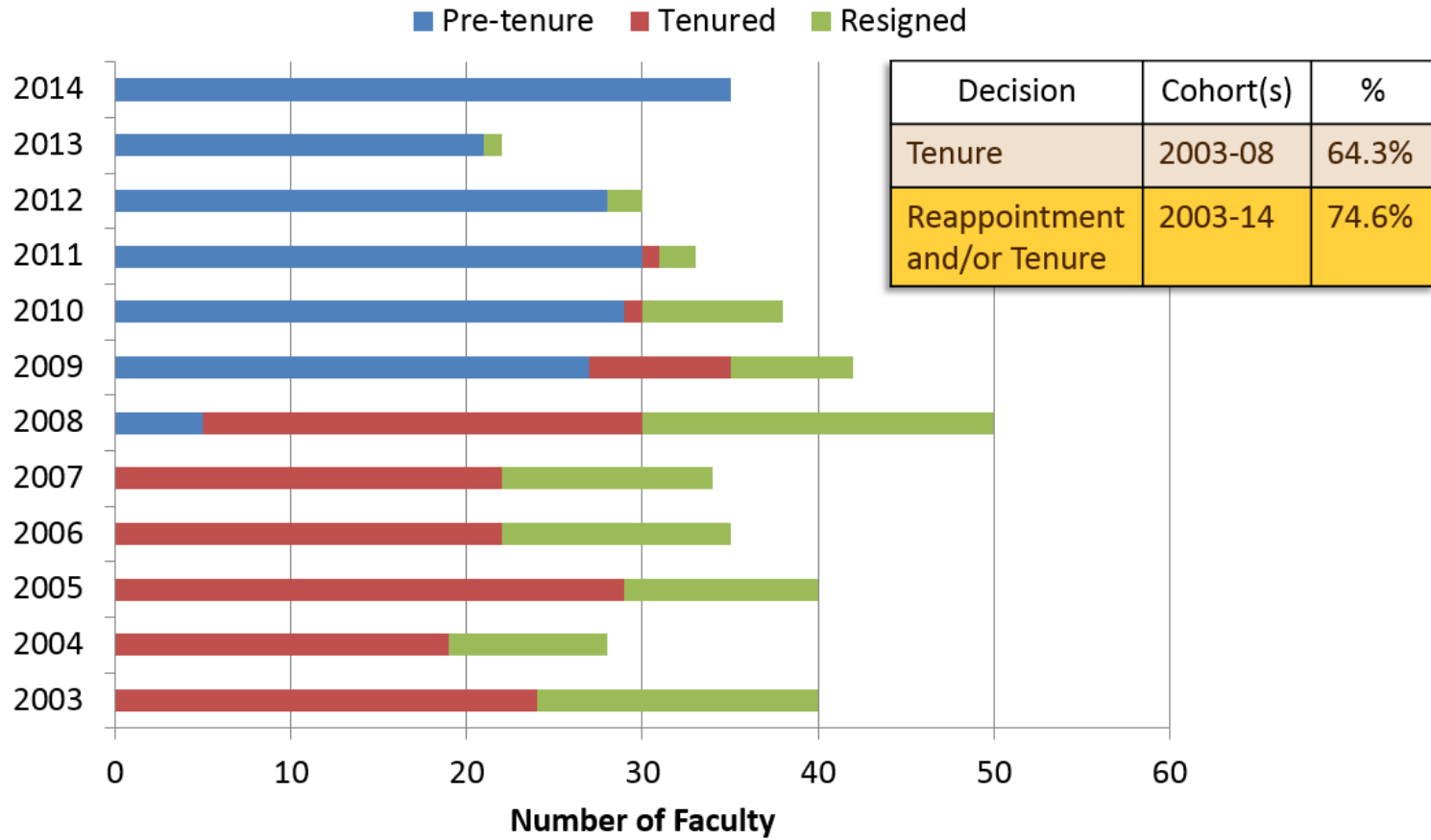
Trustees' action

- Only positive cases forwarded
- Cases presented as a slate
- Negative decisions in executive session
- March for first-year cases; May for all others

There is no tenure until the Trustees confer it.



Retention and Tenure, by year of hire



What happens after a faculty member receives tenure?



III. *UW's post-tenure review policy*

University Regulation 5-808

- All faculty members have regular performance evaluations.
- Results affect salary and future promotions.
- There are corrective measures for cases when performance falls below expectations.
- When these measures fail, dismissal is possible.

QUESTIONS?



I. AGENDA ITEM TITLE: Search Process Discussion, Palmerlee/McGinity

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

University of Wyoming President Dick McGinity and Trustee President Dave Palmerlee will lead a discussion with the Board on this topic.

I. AGENDA ITEM TITLE: Approval of Revisions to UW Regulations 8-1, Axelson

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The President proposes modifications to UW Regulation 8-1 for the Board's consideration.

The proposed changes to this Regulation incorporate changes to the criteria for veterans to receive in-state tuition at the University of Wyoming. The revised language in the Regulation mirrors the changes, as enacted in the last legislative session, to Wyoming Statute 21-17-105 (e) and are in compliance with the Federal requirements of Section 702 of the Veterans Access, Choice and Accountability Act of 2014.

Prior Related Board Discussions/Actions:

The Board adopted UW Regulation 8-1 on July 17, 2008 and made revisions to this Regulation on November 18, 2010, November 12, 2014 and January 15, 2015.

WHY THIS ITEM IS BEFORE THE BOARD:

UW Regulation 1-101 requires that any modification to UW Regulations must be approved by the Board.

ACTION REQUIRED AT THIS BOARD MEETING:

Board approval or disapproval of the modifications to the Regulations.

PRESIDENT'S RECOMMENDATION:

The President recommends approval.

UW REGULATION 8-1 Students

I. ADMISSION

Admission and programs of the University of Wyoming are offered to all eligible people without regard to race, gender, religion, color, national origin, disability, age, protected veteran status, sexual orientation, gender identity, genetic information, creed, ancestry, political belief, or any other applicable protected category. Requirements for admission to the University shall be established by regulations of the University. The Director of Admissions, through the Vice President for Student Affairs, is responsible for the admission of students. Admission of graduate students must also be approved by the faculty of an applicable graduate program.

II. FEES

Student tuition fees, and charges (Fees) shall be established by the Trustees, and shall be published by the University. All Fees are payable in advance, and no student shall be admitted to classes until Fees have been paid or a deferred payment plan has been established. Payment must be received by the University before any transcripts will be released. In accordance with the University refund policy, if a student formally withdraws from the University, the University shall refund tuition, minus any late fees.

III. STUDENT CLASSIFICATION FOR FEE PURPOSES

Individuals who qualify as Wyoming Residents shall pay the in-state tuition rate, as established by the Board of Trustees. All other individuals shall pay the out-of-state tuition rate, as established by the Board of Trustees. For the purposes of determining whether a student qualifies for in-state or out of state tuition, the following guidelines apply:

- A. Residing in Wyoming primarily as a student will not support a claim for resident status. The following students are considered Wyoming residents:
 - 1. Individuals who are financial dependents or under the age of 24 with a parent, guardian or spouse who lives in the State of Wyoming.
 - 2. Graduates of a Wyoming high school.
 - 3. Active Wyoming National Guard members and U.S. Armed Forces members stationed in Wyoming, and their dependents.
 - 4. Graduate students with University-funded fellowships.

5. Wyoming residents temporarily absent from the State due to military service, attendance at an educational institution, or other type of documented temporary sojourn.
6. Individuals who have been awarded resident tuition status at a Wyoming Community College and who attend the University within one year of leaving the Wyoming Community College.
7. The spouse or financial dependent of an individual who is determined to be a Wyoming resident pursuant to this Regulation.
8. Individuals with a permanent home in Wyoming. To determine if a permanent Wyoming home has been established, a variety of factors are considered including evidence that any former home has been abandoned, full-time employment in Wyoming for one continuous year, ownership of home or property in Wyoming, one year of continual presence in Wyoming, former Wyoming residency and maintaining state ties, reliance on Wyoming resources for full financial support, Wyoming vehicle registration, Wyoming address on most recent federal income tax return, a valid Wyoming driver's license, and Wyoming voter registration. No one factor determines residence status.
9. Effective for the 2015 summer school session and each semester thereafter, an applicant for resident tuition who is a veteran or eligible individual, as described in 38 U.S. C. 3679(c)(2), shall qualify as a resident for purposes of tuition at the University of Wyoming if the applicant provides:
 - a. A certificate or other evidence of the veteran's qualifying service in the uniformed services of the United States;
 - b. Documented evidence at the time of enrollment that:
 - (1) The applicant for resident tuition intends to live in Wyoming during the term of enrollment;
 - (2) The veteran was discharged or released from a qualifying period of service in the active military, naval or air service before the date of enrollment;

(3) If the applicant is a spouse or a child of the veteran the applicant is a transferee pursuant to 38 U.S.C. 3311(b)(9) or 3319 of the veteran's eligibility for educational benefits.

c. A person who has qualified for resident tuition pursuant to the above requirements of this section, shall remain qualified in subsequent years if the person pursues one or more courses of education while remaining continuously enrolled, other than during regularly scheduled breaks, lives in the state during the term of enrollment, and, if the person is eligible through a transfer of eligibility pursuant to 38 U.S.C. 3319, the transfer has not been validly revoked.

B. The following students are considered non-residents:

1. Individuals who do not qualify under Section A above; and
2. Individuals who are not U.S. citizens or permanent residents except as provided by Section A2above.

IV. APPEALING TUITION DETERMINATIONS

Students may appeal their classification as a resident or a non-resident through the following process:

- A. A student assigned a non-resident classification may submit a request for reclassification to the Registrar or designee. The student must submit the request and accompanying documentation on or before the first day of classes.
- B. If the Registrar or designee does not grant reclassification, the student may appeal that decision to the Residence Classification Committee within twenty (20) calendar days of the date of the Registrar's or designee's decision. The Committee is chaired by the Registrar or designee, who is a nonvoting member, and consists of three voting members appointed by the President or designee. In addition to reviewing student residency classification appeals, the Committee also has the authority to:
 1. Render interpretations and rulings at the request of the Registrar; and

2. Consider University policies in the area of residence classification and make recommendations to the Board of Trustees.

C. Individuals may be reclassified for the following term when facts indicate that a change in residency has occurred since the time of original residence classification or since their most recent appeal. Reclassification as an in-state student will not be applied retroactively to previous terms.

V. REDUCED TUITION

The following non-resident individuals shall receive reduced tuition rates calculated at one hundred fifty percent (150%) of resident tuition:

- A. Graduates of the University;
- B. Spouses of graduates of the University; and
- C. Children of graduates of the University.

VI. SCHOLARSHIPS

Scholarships, other than those from external sources, are established by the Trustees or by Statute. A listing of such scholarships shall be published on the University Student Financial Aid website.

VII. DISMISSAL

Dismissal of students shall be governed by UW Regulation 8-30 and/or UW Regulation 8-229.

VIII. STUDENT EMPLOYMENT

The University may provide work opportunities for students to assist in meeting costs associated with progress toward their educational objectives and educational benefits. See the University Employee Handbook for rules, policies, and procedures governing student employees.

IX. STUDENT ORGANIZATIONS

The Associated Students of the University of Wyoming (ASUW) is hereby recognized as an official organization of the University (see UW Regulation 8-249). All other campus student organizations must apply annually for official University recognition in accordance with the policies and procedures outlined in UW Regulation 8-234.

X. STUDENT PUBLICATIONS

All student publications supported by University facilities or funds shall be approved by, and subject to the direction of, the University Student Media Board. The Board shall report to the President of the University (see UW Regulation 8-38).

XI. ADMINISTRATION

The Vice President for Student Affairs shall administer this Regulation.

Source:

Trustee Regulation VIII; adopted 7/17/08 Board of Trustees meeting

Revisions adopted 11/18/10 Board of Trustees meeting

Revisions adopted 11/12/14 Board of Trustees meeting

Revisions adopted 1/15/15 Board of Trustees meeting

[Revisions adopted xx/xx/15 Board of Trustees meeting](#)

II. AGENDA ITEM TITLE: Approval of Revisions to UW Regulations 4-175, Miller

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The President proposes modifications to UW Regulation 4-175 (Tuition Privileges of University Employees and Other Eligible Personnel) for the Board's consideration.

UW Regulation 4-175 outlines when and for whom the University will waive tuition and mandatory student fees. Currently, eligible individuals are defined as:

- 1) Benefited University employees who are employed on at least a half-time (0.5 full time equivalent) basis during the semester or summer session during which the course is offered.
- 2) Full-time employees of state and federal government agencies rendering significant educational services to the University, as determined by the President of the University.
- 3) Professional persons, other than University employees, rendering teaching or research services in University-approved credit programs when recommended by an appropriate Appointing Authority or University Officer.

The President proposes expanding the definition of eligible individuals to include employees of cooperating agencies. The University has entered into, and continues to enter into, agreements with cooperating agencies to facilitate ongoing relationships and responsibilities with those agencies. The vast majority of these agreements are with governmental agencies which are already covered under #2 above. However, Western Research Institute is not a government agency. Given its affiliation with the University, the change to this regulation is proposed so that there is a basis in regulation for a longstanding practice. The University would like to be able to offer a tuition waiver benefit to employees of certain cooperating agencies if the waiver is consistent with past practice and if the Vice President for Administration approves.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

The Board adopted UW Regulation 4-175 on July 17, 2008 and approved changes to the regulation on September 12, 2014.

WHY THIS ITEM IS BEFORE THE BOARD:

UW Regulation 1-101 requires that any modification to UW Regulations must be approved by the Board.

ACTION REQUIRED AT THIS BOARD MEETING:

Board approval or disapproval of the modifications to the Regulations.

PRESIDENT'S RECOMMENDATION:

The President recommends approval.

UW REGULATION 4-175

Tuition Privileges of University Employees and Other Eligible Personnel

I. PURPOSE

To establish the policy relating to University tuition privileges of University employees, spouses of University employees, other persons with teaching roles, ~~and~~ certain full-time state and federal employees, and other eligible individuals as determined by the Vice President for Administration.

II. POLICY

A. For eligible individuals, the University will waive tuition and mandatory student fees for one course of up to six (6) semester hours of University enrollment in college credit courses (including Outreach courses) during each regular semester and regular summer session. Eligible individuals shall pay applicable student and course fees. Eligible individuals include:

1. Benefited University employees who are employed on at least a half-time (0.5 full time equivalent) basis during the semester or summer session during which the course is offered.
2. Full-time employees of state and federal government agencies rendering significant educational services to the University, as determined by the President of the University.
3. Professional persons, other than University employees, rendering teaching or research services in University-approved credit programs when recommended by an appropriate Appointing Authority or University Officer and approved by the Vice President for Administration.
4. Employees of cooperating agencies when approved by the Vice President for Administration.

B. The University shall waive:

1. One-half the tuition (exclusive of any student fees and course fees) for college credit courses, including Outreach courses, each regular semester and summer session for a spouse or domestic partner of a full-time benefited University employee, when the spouse or domestic partner is enrolled as a part-time or full-time University student.

2. One-fourth of the tuition (exclusive of any student fees and course fees) for college credit courses, including Outreach courses, each regular semester and summer session for the spouse or domestic partner of a part-time benefited employee, when the spouse or domestic partner is enrolled as a part-time or full-time University student and has met the residency requirements for in-state tuition (eligible for only one-half of the above tuition benefit).
- C. The definition of “domestic partner” can be found in the University’s Domestic Partner Health Insurance Benefit Policy, which is available on the Department of Human Resources’ website.
 - D. Except as provided in Section 3, a University employee eligible for the tuition and fee waiver under this Regulation shall be released from assigned duties for actual attendance at classes of up to a maximum of six (6) semester hours of University enrollment during a regular semester and summer session in order to attend classes that meet during regular duty hours.

III. ADMINISTRATION

Eligible employees applying for a tuition waiver under this Regulation shall submit an application through their Appointing Authority to the Director of Human Resources on forms provided by the Human Resources Department. The Vice President or the Director of Intercollegiate Athletics may disapprove an application under this section if the Vice President or the Director of Intercollegiate Athletics, in consultation with the Appointing Authority, finds the Employee’s absence during work hours would significantly impair the unit’s ability to accomplish its mission. If a Vice President or the Director of Intercollegiate Athletics makes such a determination, the Vice President or the Director of Intercollegiate Athletics shall take action to ensure the employee is able to take the desired course during work hours as soon as practicable at a subsequent semester or summer session.

Source:

University Regulation 175, Revision 2; adopted 7/17/08 Board of Trustees meeting
Revisions adopted 9/12/14 Board of Trustees meeting