

THE UNIVERSITY OF WYOMING
BOARD OF TRUSTEES' REPORT
Wednesday, December 14, 2016

The final report can be found on the University of Wyoming Board of Trustees Website at
<http://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
Wednesday, December 14, 2016
Conference Call
Old Main Boardroom

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AGENDA ITEM TITLE: **Results of the WySAC Survey on UW**, Nichols

CHECK THE APPROPRIATE BOX(ES):

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

University President Laurie Nichols will update the Board on the results of the WySAC Survey.
See survey information below.

By

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November 14, 2016

Statewide Perceptions of the University of Wyoming

From October 5th to 11th, 2016, the Wyoming Survey & Analysis Center (WYSAC) at the University of Wyoming conducted a biennial Wyoming statewide telephone survey. The survey was sponsored by the University of Wyoming Political Science Department and the Wyoming Survey & Analysis Center. The survey instrument features questions that focus on attitudes toward government, contemporary policy issues, elected

officials, candidates for office, and the University of Wyoming. Cellular and landline telephone numbers were randomly generated to ensure equal probability of selection for all Wyoming residents. The survey was completed by 722 Wyoming residents, resulting in a margin of error of approximately ± 3.6 percentage points.

Performance of the University of Wyoming

All survey respondents were asked to rate the performance of the University of Wyoming on a number of items. For each item, respondents could answer *excellent*, *good*, *fair*, *poor*, or offer that they *don't know/are not sure*. The University of Wyoming's performance was rated highest with regard to "Maintaining a safe campus for students, employees, and visitors," with 23% of residents rating the performance of the University as *excellent*, and 50% rating it as *good* (73% combined). Next, 27% of residents rated the performance of the University as *excellent* with regard to "Providing an excellent undergraduate education," with an additional 44% rating it as *good* (71% combined).

When asked to rate the University on its performance with regards to "Educating young people to participate in Wyoming's workforce", 19% of residents gave it the highest rating of *excellent*, with another 47% rating the performance as *good* (66% combined). With regard to the University "Being responsive to the needs of the state and its citizens," 14% give it a rating of *excellent*, and 52% a rating of *good* (66% combined).

Ratings by Wyoming residents for performance on "Having a strong level of engagement with your community" varied, with 19% rating the University's performance as *excellent*, 42% rating it as *good* (61% combined), followed by 20% rating it as *fair*, and 9% rating it as *poor*.

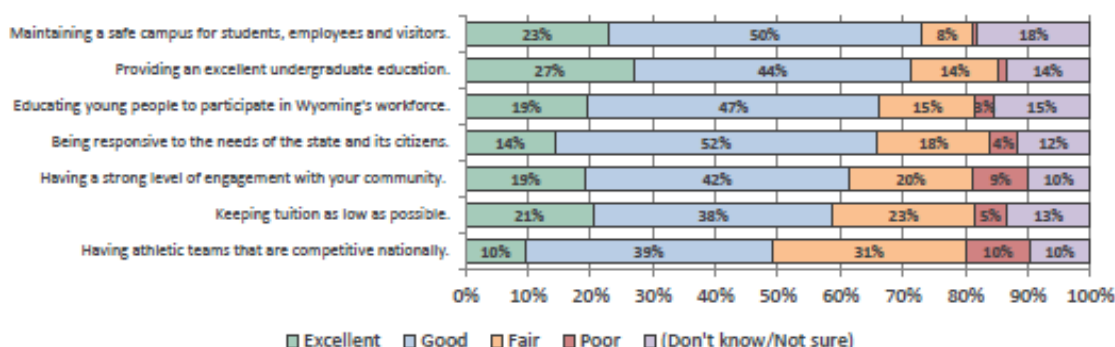
Just over one-fifth (21%) of Wyoming residents rate the University as *excellent* with regard to "Keeping tuition as low as possible," with an additional 38% rating it as *good* (59% combined). Nearly a quarter (23%) of Wyoming residents rate the University on this item as *fair*, with another 5% rating it as *poor*.

WY SAC ISSUE BRIEF

When asked to rate the performance of the University of Wyoming with regard to "Having athletic teams that are competitive nationally", 10% of Wyoming residents say it is *excellent*, while 39% say it is *good* (49% combined). Nearly a third (31%) of residents rate the University as *fair* on this item, while 10% of residents rate their performance as *poor*.

Figure 1

Please rate the performance of the University of Wyoming on the following activities:



Note: Items are displayed in descending order of their rank as the sum of *excellent* and *good* ratings.

Source: Biennial Election Survey (2016). 722 Wyoming residents, resulting in a margin of error of ± 3.6 percentage points.

WYOMING SURVEY & ANALYSIS CENTER

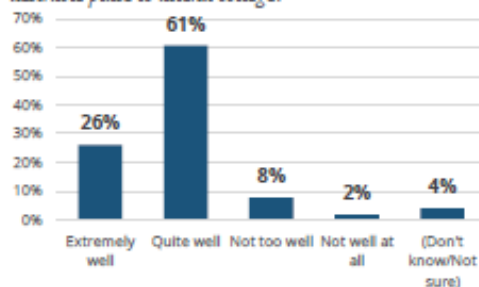
Appeal of the University of Wyoming

Respondents were asked "How well do you think the University of Wyoming appeals to Wyoming students and their families as a desirable place to attend college?" Over a quarter (26%) of residents say *extremely well*, while 61% say the University does this *quite well*. Only 8% of residents say *not too well*, with another 2% saying *not well at all*.

A majority (86%) of survey respondents did not have a degree from the University of Wyoming. Those who had received a degree from the University were asked two additional questions regarding their perceptions of the University. When asked to report their perception of the quality of their educational experience, 35% indicated it was *excellent*, while 52% indicated it was *good*. When asked about their perception of the *relevance* of their educational experience, 22% indicated that it was *excellent*, and 63% that it was *good*.

Figure 2

How well do you think the University of Wyoming appeals to Wyoming students and their families as a desirable place to attend college?



Source: Biennial Election Survey (2016). 722 Wyoming residents, resulting in a margin of error of ± 3.6 percentage points.

WYOMING SURVEY & ANALYSIS CENTER

AGENDA ITEM TITLE: **Status of Strategic Plan**, Miller

CHECK THE APPROPRIATE BOX(ES):

- ☒ Work Session
- ☐ Education Session
- ☐ Information Item
- ☐ Other Specify: Item for Approval

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Provost and Vice President for Academic Affairs Kate Miller will provide an oral update regarding status of the University's Strategic Plan, statewide travel, listening sessions, and timeline for spring 2017. No materials will be included prior to the meeting.

AGENDA ITEM TITLE: **Science Initiative Update**, McKinley/Boswell

CHECK THE APPROPRIATE BOX(ES):

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Trustee John McKinley and Vice President for Governmental and Community Affairs Chris Boswell will provide an oral update to the Board on the Science Initiative. No materials will be included prior to the meeting.

AGENDA ITEM TITLE:

Approval of Professor of Practice [Revisions to UW Regulations 5-1, Academic Personnel], Bostrom

CHECK THE APPROPRIATE BOX(ES):

- | | | |
|-------------------------------------|-------------------|----------------------------|
| <input checked="" type="checkbox"/> | Work Session | |
| <input type="checkbox"/> | Education Session | |
| <input type="checkbox"/> | Information Item | |
| <input checked="" type="checkbox"/> | Other | Specify: Item for Approval |

BACKGROUND AND POLICY CONTEXT OF ISSUE:

UW Regulation 5-1, Academic Personnel, stipulates that faculty status shall be granted at the appropriate professorial rank to individuals engaged in teaching or research in the colleges at the University and to such other groups or individuals as the Trustees may designate. Current designations include: Instructor, Assistant Professor, Associate Professor, Professor, Research Professor and Clinical Professor. In summer 2015, the Dean of the College of Engineering and Applied Sciences, on behalf of faculty and students in the college, asked the Vice President of Academic Affairs to consider the adoption of a new faculty designation, Professor of Practice. On September 15, 2015 the Deans' Council unanimously supported the new designation and proposed language change for the regulation.

In a joint charge from Faculty Senate Chair, Tucker Ready, and Associate Vice President of Academic Personnel, Tami Benham Deal, on October 13, 2015, the University Reappointment, Tenure and Promotion Committee, a standing committee of Faculty Senate, was asked to provide input on the proposed change. The committee returned a recommendation to Faculty Senate that the new designation of Professor of Practice be adopted. Faculty Senate took action on the proposed change on March 28, 2016. The vote was 18 in favor and 28 opposed.

Following the Faculty Senate vote, the proposed change was distributed to Staff Senate and ASUW by Provost Miller for feedback. Student Senate Resolution #2531, Statement in Support of Amendments to UW Regulation 5-1 Concerning the Faculty Designation for Professors of Practice was approved unanimously on November 29, 2016.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

Discussion/updates about Professor of Practice has occurred at the March, May, July, August, September, and November 2016 Board of Trustees meetings.

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 recommended modifications to the Regulation.

PRESIDENT'S RECOMMENDATION:

The President recommends approval.

UW REGULATION 5-1 Academic Personnel

A. ACADEMIC FREEDOM

Education flourishes only when academic personnel have both freedom and responsibilities in the conduct of their official duties. These duties include: teaching activities, including extension and outreach; research and other scholarly work; service; and shared governance. Adopting a system of freedoms and responsibilities helps ensure that the university can serve as a forum in which ideas may be examined openly and rigorously, without implying institutional endorsement. Although many of these freedoms are protected by the First Amendment of the Constitution, they also exist as a fundamental requirement of the mission of the university.

The university adheres to the principles of the 1940 “Statement of Principles on Academic Freedom and Tenure,” by the American Association of University Professors. The following expresses the meaning of that statement, updated for current values.

Academic freedom in teaching protects the rights of teachers to teach according to their expertise. Teachers are entitled to freedom in discussing their subject. Teachers have a responsibility to ensure that their teaching is effective and consistent with the standards of the discipline, understanding that disciplines may have diverse points of view on any given subject. Teaching may involve controversial material; however, with academic freedom in the classroom, teachers also have the responsibility to respect others’ freedom to express disagreement and alternate opinions.

Academic freedom in research is fundamental to the advancement of truth. Academic personnel are entitled to full freedom in research, publication of the results, and other scholarly activities that are part of their employment. Academic personnel have the responsibility to pursue research and scholarship with integrity and fidelity to their profession and the institution.

Academic freedom does not negate the rights of students and the public to disagree with academic personnel’s work, although students are expected to learn material with which they may disagree. Nor does academic freedom shield academic personnel’s work from the consequences of expert review by colleagues in their field of study, which is essential to the rigorous evaluation of teaching, research, and creative activity.

Freedom in university governance entails the rights of academic personnel to express their judgments about administrative matters that bear on the university’s mission. It includes the right to express agreement or disagreement with institutional policies and the positions of others, including university officials. Academic personnel have the responsibility to participate in university governance and service for the maintenance, health and improvement of the institution.

Freedoms of academic personnel also include the ability to invite guest speakers and artists, who are afforded the same academic freedoms and responsibilities of resident academic personnel. Invitation of guest speakers and artists does not imply university approval or endorsement of the expressed views.

When academic personnel speak or write as citizens, they should be free from institutional censorship or discipline. They should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, exercise appropriate restraint, show respect for others' right to disagree, and make it clear that they are not speaking for the institution.

B. FACULTY

1. DESIGNATION

Faculty status shall be granted at the appropriate professorial rank to those individuals engaged in teaching or research in the colleges of the University and to such other groups or individuals as the Trustees may designate. The general qualifications for the various faculty ranks shall be as follows:

- a. Instructors normally shall have a master's degree and preferably at least one year of additional study or professional experience in the field in which the instructorship is granted.
- b. Assistant professors shall normally hold the terminal qualification in their discipline (e.g., Ph.D., Ed.D., MFA, etc.), and shall have demonstrated ability, through appropriate experience, to perform the functions of the position they are to hold.
- c. Associate professors shall normally hold the terminal qualification in their discipline (e.g., Ph.D., Ed.D., MFA, etc.), shall have established a reputation in scholarship, teaching, artistic creation, or other productive activity in the field in which they are to serve.
- d. Professors, in addition to having the qualifications of associate professors, have demonstrated superior performance overall, being highly successful in the following areas where appropriate:
 - 1.) direction of graduate and undergraduate work and research,
 - 2.) scholarship or other creative work,
 - 3.) teaching,
 - 4.) extension,
 - 5.) service to the university as well as other communities and professional organizations, which may include administrative leadership.

- e. Research professor shall be the title granted to persons who have demonstrated superior capacity for research contributions and are employed fully on external research funding; in addition, these individuals must hold the terminal qualification in their discipline (e.g., Ph.D., Ed.D., MFA, etc.). Such appointments shall be only at the professorial rank and for not more than one year in duration; however, one may be reappointed annually by the Trustees subject to a satisfactory annual performance evaluation and the availability of external funding from contracts and grants. Service as a research professor does not entitle one to tenure and its privileges.
- f. Clinical professor shall be the title granted to those employed to teach in health care related programs offered by the University; the college dean and other appropriate academic officers will determine the appropriate academic qualifications and professional experience for these faculty. Such appointments shall be for not more than one year in duration; however, one may be reappointed annually subject to a satisfactory annual performance evaluation and available funding. Service as a clinical professor does not entitle one to tenure and its privileges.
- g. Professor of practice shall be the title granted to persons who have had distinguished careers and have made substantial impact on fields and disciplines that are important to academic programs at the University of Wyoming. The primary function is intended to be instructional; however, duties and responsibilities may also include some research and advising. Such appointments shall be only at the professorial rank and for not more than one year in duration; however, one may be reappointed annually subject to a satisfactory annual performance evaluation and available funding. Service as a professor of practice does not entitle one to tenure and its privileges, nor does it provide an alternative route or structure for conventional tenure track positions.

The general qualifications for faculty designation defined above may be waived or modified at the discretion of the President and the Trustees.

C. FACULTY APPOINTMENT

1. FULL-TIME FACULTY APPOINTMENTS

Faculty members shall be appointed 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. The recommendations shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President of the University will then forward his/her

recommendation to the Trustees. No appointment shall be binding upon the University unless accepted in writing by the faculty member within the time specified for response, following action by the Trustees. Appointments shall be for a specified period at the appropriate professorial rank as described in this regulation to be classified as follows:

a. Tenure-Track Appointments

Probationary appointments of tenure-track faculty filling a budgeted vacancy normally will be for one academic year; individuals so appointed will be considered for reappointment annually for the term of the probationary period specified in **section D**.

However, in appropriate circumstances, appointments may be for up to three years; continuation during the initial multi-year term will be contingent upon satisfactory annual performance evaluations. If one is reappointed at the termination of the full probationary period, s/he will be granted tenure. Credit for prior experience must be specified in the letter of offer and approved by the Vice President for Academic Affairs. In rare circumstances, tenure and tenure-track appointments may be less than full-time positions.

b. Temporary Appointments

Temporary appointments with faculty rank may be made to address specific instructional or research needs. Such appointments shall not be for more than one year in duration; however, temporary faculty may be reappointed annually subject to a satisfactory performance evaluation. Service as a temporary professor does not entitle one to tenure and its privileges.

c. Visiting Faculty Appointments

Visiting faculty appointments to address specific University instructional needs may be extended to faculty members from other institutions or professional persons who possess special expertise. Such appointments may be with professorial rank but shall not be for more than one year in duration; however, a visiting faculty member may be reappointed subject to a satisfactory performance evaluation. Service as a visiting professor does not entitle one to consideration for tenure and its privileges.

2. PART-TIME FACULTY APPOINTMENTS

The appointment of part-time faculty members during the academic year and for Summer Session will be made by the President of the University upon the recommendation of the appropriate academic officers.

3. EMERITUS APPOINTMENTS

Emeritus status may be awarded to those tenured faculty members and extended-term academic professionals who retire after long and distinguished service to the University. Nominations for emeriti status shall be initiated by the department head and/or dean; the nomination shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President of the University will then forward his/her recommendation to the Trustees.

4. ADJUNCT FACULTY APPOINTMENTS

Adjunct appointments may be made when deemed appropriate to make available to the University, on a limited or part-time basis, the services of persons who have attained recognition in their professional fields of scholarship, creativity, or other distinguished accomplishments relevant to University programs. Such appointments may be with faculty rank or clinical faculty status. Adjunct faculty may include academic personnel in other University departments or colleges as well as those employed outside the institution. Each letter of appointment shall set forth the terms and conditions under which services to the University are to be performed by the appointee. Such appointments provide no financial remuneration.

Adjunct appointments will be made by the Trustees of the University, upon the recommendation of the appropriate academic officers, for a period of not more than three years; however, an individual may be reappointed. Service as an adjunct professor does not entitle one to consideration for tenure and its privileges.

D. FACULTY REAPPOINTMENT, TENURE AND PROMOTION

To hold a position with tenure means that the faculty appointment is not subject to termination or substantial reduction in status without adequate justification as outlined in **section E. DISMISSAL OF FACULTY** below.

Therefore, the reappointment procedures are integrally related to the tenure and promotion decisions of those faculty serving probationary appointments. Only those tenure-track faculty who successfully complete this period and are approved by the Trustees, will receive tenure. An individual who is not offered tenure at the end of the probationary period shall not be retained as a faculty member.

The main criteria for reappointment, tenure and promotion decisions are creative development, advancement of knowledge, and dissemination of knowledge. These criteria may be demonstrated in the University's functions of teaching, research, creative contributions, extension, service to the state of Wyoming, professional service, and other University-related activities and services.

Candidates for reappointment, tenure and promotion are evaluated on the academic functions they are expected to perform and the evaluations will appropriately recognize the proportion of time allocated and expected for the particular functions by the candidates at each professorial rank. In addition, the programmatic needs and directions of the University will also be considered in reappointment and tenure cases.

Procedures concerning the review and reappointment of probationary faculty, as well as tenure and promotion of all faculty, shall be initiated as specified in UW Regulations. These decisions are to occur annually and successively, as specified by the Vice President for Academic Affairs, at the department, college, and University levels; at each administrative level the cognizant University officer will make a recommendation after having been advised by an appropriate faculty committee or group.

The probationary period for tenure decisions is normally based on rank at the time of initial appointment to the University of Wyoming as set forth below:

1. For instructors, the tenure decision will be made no later than the sixth year.
2. For untenured assistant professors, the tenure decision will be made no later than the sixth year.
3. For untenured associate professors, the tenure decision will be made no later than the fourth year.
4. For untenured professors, the tenure decision will be made no later than the third year. Tenure decisions will be considered "early" if the candidate has served fewer years than specified above.

In exceptional cases, a faculty member may request in writing that his/her probationary period for tenure be modified. This request will be forwarded to the Vice President for Academic Affairs after review and recommendation by the department chair and college dean. The Vice President for Academic Affairs will render a decision on the request to modify the probationary period.

The procedures and consequences of mandatory and optional reviews for probationary faculty are specified in UW Regulations.

When an individual on probationary appointment is not recommended for reappointment, the President shall advise the faculty member in writing of this decision at least three months prior to the end of the contract year for those in their first year of service, at least six (6) months for those in their second year of service and at least twelve (12) months for those who have served more than two years at the University. Academic year contracts terminate one week following spring commencement.

The promotion of faculty shall also be initiated in accordance with the procedures specified in UW Regulations. Promotion decisions for assistant professors being considered for

associate rank will normally occur during the sixth year of service; decisions prior to the sixth year will be considered "early." Promotion decisions for associate professors being considered for the rank of professor are not tied to years of service. Instead, they hinge on the depth, level, and national or international scope and recognition of the candidate's contributions to the discipline and the University's mission. Associate professors seeking promotion to professor normally undergo a period of additional growth that results in a greater level of accomplishment and intellectual leadership.

A faculty member who has been offered tenure, and who has refused to accept tenure, can be reappointed annually at the discretion of the department in which this individual holds an appointment; in addition, any such person shall have all rights and responsibilities of tenured faculty members except permanent appointment.

As noted in paragraph B.1., not all faculty members are eligible for tenure. Faculty employed as lecturers in intercollegiate athletics, research professors, clinical professors, temporary, visiting or adjunct faculty, those serving with archivist or library faculty status and officers in the Divisions of Military Science and Aerospace Studies are among those excluded.

Administrative and academic officers do not have tenure in their administrative positions and shall serve in such capacity at the pleasure of the President and/or the Trustees. If they hold concurrent faculty appointments, they may be granted tenure in the faculty position at the discretion of the Trustees. However, no one shall forfeit tenure by reason of appointment to an administrative position.

Reappointment, tenure and promotion evaluations and recommendations shall be communicated to the individual in writing by the dean, or equivalent academic officer, prior to forwarding the information to the Vice President for Academic Affairs Office.

If the faculty member desires to comment upon the recommendation or evaluation, he/she may do so by forwarding written comments to the appropriate University officers. This information will become part of the candidate's tenure and promotion packet.

E. DISMISSAL OF FACULTY

Tenured or extended term faculty members may be dismissed (1) for cause, (2) because of *bona fide* financial exigencies of the University as described in UW Regulation 6-41, or (3) because of program elimination as described in UW regulation 6-43. "Cause" is defined to include physical or mental incapacity (as delimited by federal and state disability law) and any conduct which seriously impairs the ability of the University of Wyoming to carry out its functions. Such conduct includes neglect of duty, falsification, fabrication, or plagiarism, and behavior that leads to a conviction of a felony. Such conduct also includes discrimination as defined by UW Regulation 1-5 and sexual misconduct pursuant to UW Regulation 8-256 and any other related documents and applicable UW Regulations. Proposed dismissals of faculty members for cause must follow the procedures set forth in UW Regulation 5-801. The procedures set forth in UW

Regulation 5-801 do not apply to dismissals of faculty members because of *bona fide* financial exigencies or because of program elimination (see Appendix B to UW Regulation 5-35, which provides a process for hearing the appeal of any faculty member whose appointment is terminated pursuant to UW Regulation 6-41 or UW Regulation 6-43).

During the probationary period, the President of the University may dismiss a faculty member for cause prior to the expiration of the contract period after consultation with the appropriate administrative and/or academic officers. The President, prior to acting may, if he/she determines it to be necessary or desirable, cause an investigation to be made and may order a hearing by the appropriate faculty committee. The procedures set forth in UW Regulation 5-801 do not apply to dismissals of faculty members for cause during the probationary period.

These provisions shall not be interpreted as to constitute interference with academic freedom.

F. ACADEMIC PROFESSIONALS

1. DESIGNATION OF ACADEMIC PROFESSIONALS

Academic professionals hold academic appointments based upon specialized qualifications and specific job descriptions which enable them to fulfill assigned academic duties within the academic community. These personnel engage in activities which extend and support the teaching, research, extension and service missions of the University.

The Trustees shall approve each category of employees (i.e., extension educators, lecturers, research scientists, etc.) who shall be classified as academic professionals. Rank, academic qualifications, and conditions of employment for these groups are outlined in UW Regulations. Academic professionals with extended-term appointments may be awarded emeritus status upon retirement, following the same process as defined for faculty.

2. APPOINTMENT OF ACADEMIC PROFESSIONALS

Academic professionals shall be on either extended-term or temporary appointments; the appointment may be full-time or part-time depending upon the academic unit's needs and resources. Appointment and reappointment of academic professionals shall be made as set forth in UW Regulations.

a. Approval of Extended-Term Appointments

All extended-term appointments, whether full- or part-time involving either probationary or extended-term status, shall be approved by the Trustees.

Recommendations for such full-time appointments shall be initiated by the head of the unit in which the appointment is to occur, after consultation with members of the unit. Recommendations shall then be forwarded through the appropriate academic officers, who shall add their recommendations; the President will make his/her recommendation to the Trustees.

b. Approval of Temporary Appointments

All temporary appointments, whether full- or part-time, shall be made by the President of the University upon the recommendation of the appropriate academic officers.

No appointment shall be binding upon the University unless accepted in writing by the academic professional appointee within the time specified for response following action by the Trustees or the President.

3. EXTENDED-TERM APPOINTMENTS OF ACADEMIC PROFESSIONALS

Extended-term appointments may be full-time or part-time, depending upon the needs and resources of the academic unit. An academic professional hired on an extended-term track will be required to complete a probationary period before receiving an extended-term appointment. The length of the probation -- ranging up to six (6) years -- will be based on duties and responsibilities of the position, proposed rank, prior service and accepted practices in the professional field. Credit for prior experience must be specified in the initial letter of offer and approved by the Vice President for Academic Affairs.

Following a successful performance review at the end of the probationary period and Trustee approval, an academic professional will receive an extended-term, six-year (6) appointment. Extended-term appointees shall undergo the full reappointment review procedure during the fifth (5) year of their extended term.

4. RANK AND PROMOTION OF ACADEMIC PROFESSIONALS

The academic professional rank structure, as specified for each group, provides for the appointment of individuals at levels commensurate with their education and experience upon initial appointment and subsequently provides promotion ladders which recognize and reward professional performance.

At the time of appointment, the appointing authority (Dean/Director) will recommend the appropriate rank commensurate with the duties and responsibilities of the position and the qualifications of the individual.

Upon satisfying the criteria for promotion as set forth in the appendix appropriate to this appointment, the individual candidate is responsible for initiating the promotion review process as outlined in UW Regulations.

5. DISMISSAL OF ACADEMIC PROFESSIONALS

Academic professionals, whether on a probationary, extended-term or temporary appointment, may be dismissed (1) for cause, (2) because of *bona fide* financial exigencies of the University as described in UW Regulation 6-41, or (3) because of program elimination as described in UW Regulation 6-43. "Cause" is defined to include physical or mental incapacity (as delimited by federal and state disability law) and any conduct which seriously impairs the ability of the University of Wyoming to carry out its functions. Such conduct includes neglect of duty, falsification, fabrication, or plagiarism; and behavior that leads to a conviction of a felony. Such conduct also includes discrimination as defined by UW Regulation 1-5; and sexual misconduct pursuant to UW Regulation 8-256 and any other related documents and applicable UW Regulations. Proposed dismissals of extended-term academic professionals for cause must follow the procedures set forth in UW Regulation 5-801.

During the probationary period, the President of the University may dismiss an academic professional employee for cause prior to the expiration of the contract period after consultation with the appropriate administrative and/or academic officers. The President, prior to acting may, if he/she determines it to be necessary or desirable, cause an investigation to be made and may order a hearing by the appropriate faculty committee. The procedures set forth in UW Regulation 5-801 do not apply to dismissals of academic professional employees for cause during the probationary period or those on temporary appointment.

These provisions shall not be interpreted as to constitute interference with academic freedom.

G. VACATION AND LEAVE FOR FACULTY, ACADEMIC PROFESSIONALS, AND UNIVERSITY OFFICERS

1. VACATION LEAVE

Full-time faculty, academic professionals (excluding post-doctoral personnel) and University officers on a fiscal year contract are entitled to twenty-two (22) working days of Vacation Leave annually accrued at the rate of 1.834 working days per month. Vacation Leave credits may not accrue beyond the maximum amount which may be earned over two (2) years.

Part-time faculty, academic professionals and University officers on a fiscal year contract shall accrue Vacation Leave based upon a pro rata basis in accordance with the percentage of appointment up to a maximum of 100 percent. Thus, for example, one working three-fourths time earns Leave at 75 percent of the rate of full-time personnel.

Faculty, academic professionals and University officers whose working term is less than twelve (12) months, regardless of the fact that their salaries may be paid in twelve (12) monthly installments, are not entitled to Vacation Leave with pay.

Academic personnel converting from fiscal to academic year appointments will utilize their Vacation Leave prior to assuming their academic year appointments in lieu of a lump-sum payment.

Employees terminating for all reasons other than disciplinary may elect a lump sum payment and/or Terminal Vacation Leave; an employee released for disciplinary reasons must take the accrued Vacation Leave in a lump sum payment. No other type of Leave may be used during Terminal Vacation Leave except Holiday Leave. Dates for Vacation Leave shall be approved by the appropriate administrative supervisor.

2. LEAVES OF ABSENCE

a. Emergency or Short-term Leave With Pay

When one finds it necessary to be absent from regular duties at the University for a period not exceeding two (2) weeks, she/he shall secure approval from the immediate supervisor for the absence. A temporary Leave for more than two (2) weeks, but not to exceed four (4) weeks, may be granted for good cause upon written recommendation of the appropriate administrative superior and with the approval of the President.

An individual making application for such Leave should submit a statement suggesting a plan for carrying on his/her work during the absence. Any Leave in excess of four (4) weeks, except for illness, shall require approval by the Trustees.

b. Leave Without Pay

Upon recommendation of the appropriate administrative and/or academic officers and with the approval of the President of the University, Leaves of Absence Without Pay may be granted to academic personnel by the Trustees for a period normally not in excess of one (1) contract year. Arrangements for continuance of insurance coverage should be made with the Office of Human Resources.

c. Faculty Sabbatical Leave

Sabbatical Leave may be granted to any tenured member of the University faculty for the purpose of increasing the recipient's professional competence and usefulness to the University. Sabbatical Leave time may be used for enhancement of teaching, research, writing, and/or study at a place of the recipient's choosing. University personnel holding faculty rank whose duties are primarily administrative in nature shall also be eligible for Sabbatical Leave.

A minimum of six (6) years of academic service at the University must precede each period of Sabbatical Leave although no right accrues automatically through lapse of time. The granting of such Leave is, in each case, within the discretion of the Trustees upon the recommendation of the President. Sabbatical Leaves shall ordinarily not be available for the purpose of seeking an advanced degree. Individuals initiate their request for Sabbatical Leave during the Fall semester preceding the academic year for which the Leave is requested. The request, which shall contain a statement concerning the purpose for which the Leave is requested, shall be forwarded to the President of the University through the appropriate administrative and/or academic officers, with a recommendation from each attached.

Sabbatical Leaves will normally be granted for either a full or half contract year. Leave for a full contract year shall be compensated at a rate equal to sixty (60) percent of the faculty member's annual salary; Leave for a half contract year shall be compensated at the annual rate for the limited period. No faculty member shall receive supplemental salary from the University during the sabbatical period.

While on a full contract year Sabbatical Leave -- whether an academic or fiscal year -- outside compensation in the form of grants, contracts and other forms of funding may be accepted. However, in the event that a faculty member receives more than 40 percent of his/her salary from outside sources, the University will reduce its compensation so that salary monies received from University and external sources will total no more than 100 percent of base salary during the period of Leave.

If allowances for travel and other expenses directly related to the Leave are included in the outside grant or contract, the amount of these allowances may be disregarded in computing the contribution to be made by the University.

A faculty member who fails to return to the University for at least one academic year immediately following his or her sabbatical leave shall owe to the University an amount equal to his or her net salary applicable to the term of the sabbatical leave. For this purpose, net salary is defined as gross salary minus tax withholdings and pre-tax deductions for UW's basic health, life, and retirement benefits.

d. Academic Professional Development Leave

Academic professionals on extended-term appointments who have completed a minimum of six (6) years of academic service at the University shall be eligible for Professional Development Leave. The purpose of Professional Development Leave will be to enhance performance, to conduct special studies, or in some other way to undertake planned activities related in a substantial manner to the individual's role at the University. Procedures for applying for such Leave, funding requirements and approval processes are outlined in UW Regulations.

3. SICK LEAVE

Full-time academic personnel, appointed either on a continuing or temporary basis, are eligible to accrue Sick Leave at a rate of eight (8) hours per paid month of service. Paid Sick Leave may be used for absences from duties due to illness, injury, pregnancy and/or childbirth, death in family or medical care of family.

Part-time academic personnel appointed either to a continuing or temporary position shall accrue Sick Leave based upon a pro rata basis in accordance with the percentage of appointment up to a maximum of 100 percent. Thus, for example, one working half-time earns Leave at 50 percent of the rate of full-time employees.

An employee may also use up to six weeks of accrued or donated Sick Leave for the birth of a child and first year care of a child as well as for an adopted or state-placed foster child's care within the first year of placement.

Faculty, academic professionals or University officers are not eligible for Sick Leave until s/he has been in the employ of the University for one (1) month. Faculty, academic professionals and University officers are entitled to accrue an unlimited amount of Sick Leave.

University policy permits benefited employees to donate Sick Leave to assist another experiencing a long-term illness. If one is in an active pay status, and has accrued a minimum of eighty (80) hours of Sick Leave, he or she may donate up to sixteen (16) hours of Sick Leave per calendar year to any benefited University employee; the recipient must have an immediate and reasonable need for such assistance, have exhausted his/her available Sick and Vacation Leave and, finally, have a minimum of six (6) months of current continuous benefited service to the

University. The Office of Human Resources will provide information on procedures for donating Sick Leave.

4. FAMILY AND MEDICAL LEAVE

After twelve (12) months of service, benefited employees are eligible for twelve (12) weeks of unpaid Family and Medical Leave in any twelve (12) month period of service. All other non-benefited employees are eligible for twelve (12) weeks of unpaid Family and Medical Leave in any twelve (12) month period if the employee has worked for at least twelve (12) months and for at least 1,250 hours during that time before the Leave request.

Family Leave may be taken because of the birth or placement of a child with the employee. Medical Leave may be taken to care for a spouse, child, or parent if they have a serious health condition or because of a serious health condition that makes the employee unable to perform his/her job functions.

Any questions concerning what is considered a serious health condition should be directed to the Office of Human Resources.

Employees accruing University Vacation and Sick Leave may elect to substitute any part of their accrued Vacation Leave for any part of their twelve (12) weeks of unpaid Family or Medical Leave. However, they will be required to use their Sick Leave, and any donated Sick Leave, when the Leave is for a serious health condition or to care for a sick family member; any remaining portion of the twelve (12) weeks can be taken as Leave Without Pay.

Leave Without Pay taken under unpaid Family or Medical Leave does not require an employee to utilize Vacation Leave prior to Leave Without Pay. When Family Leave is taken, employees may not substitute paid Sick Leave for unpaid Family Leave.

The right to Family Leave usually expires twelve (12) months after the birth or placement of a child with the employee. Family Leave should be taken consecutively unless other arrangements are approved by the employee's appointing authority.

The Human Resources Director, or the employee's appointing authority, shall require certification issued by a health care provider to support an employee's request for Medical Leave. Certification shall include a statement of:

- a. The date the condition began;
- b. Expected date when medical treatment will begin;

- c. Probable duration of the condition;
- d. Appropriate medical facts;
- e. An assertion that the employee is needed to care for a sick family member for a specified time; and
- f. A schedule of the Medical Leave to be taken.

Employees are expected to give their immediate supervisor at least thirty (30) days advance notice of the intent to take Family or Medical Leave, unless such notice is not practical. Employees should try to schedule planned medical treatment so as to create a minimum disruption for their unit or department. They are also encouraged to report to their supervisor on a monthly basis about their progress and intent to return to work at the end of the Leave.

Employees returning from unpaid Family and Medical Leave, in accordance with the federal act, have the right to be returned to their former job position or they may be placed in an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

State health insurance contributions will be made for all eligible employees who have elected coverage. Employees retain all accrued benefits while on Leave. Employees should direct benefit questions to the Human Resources Department.

Employees who do not return to work after their unpaid Family or Medical Leave entitlement has expired will be required to reimburse the University for any health insurance premium paid by the University during the period that the employee was on Family or Medical Leave if the failure to return to work is not due to the continuation, recurrence, or onset of a serious health condition entitling the employee to Leave or other circumstances beyond the employee's control. In the event that an employee is unable to return to work for health care reasons, s/he will provide the Human Resources Director with certification from the appropriate health care provider.

5. BEREAVEMENT LEAVE

Employees shall be granted up to three (3) days of Bereavement Leave upon the death of a family member or spouse's family member. (This includes and is limited to parent, spouse, child, sibling, grandparent, grandchild, son-in-law, daughter-in-law, or another member of your immediate household.) This Leave shall be used before the use of any other Leave authorized for this purpose. Arrangement for this Leave shall be made with the employee's immediate supervisor.

Source:
Trustee Regulation V; adopted 7/17/08 Board of Trustees meeting

Revisions adopted 9/17/10 Board of Trustees meeting
Revisions adopted 11/15/13 Board of Trustees meeting
Revisions adopted 9/12/14 Board of Trustees meeting
Revisions adopted 3/25/15 Board of Trustees meeting

SENATE RESOLUTION #2531

TITLE: Statement in Support of Amendments to UW Regulation 5-1 Concerning the Faculty Designation for Professors of Practice

DATE INTRODUCED: November 29, 2016

AUTHOR: Senator Drake

SPONSORS: President Rotellini; Senators Ellingrod, Julian, Kerbs, Mckee, Morton, Strock and Wetzel; SALs Costello and Shaffer

1. WHEREAS, it is the purpose of the Associated Students of the University of Wyoming
2. (ASUW) Student Government to serve our fellow students in the best manner possible
3. through professional interaction with campus programs and organizations; and,
4. WHEREAS, the University of Wyoming (UW) Board of Trustees (BOT) have requested the
5. review of their proposal concerning the Faculty Designation for Professors of Practice within
6. UW Regulation 5-1 by the UW Deans Council, Faculty Senate, the University
7. Reappointment, Tenure and Promotion Committee, Staff Senate, and the ASUW Student
8. Government; and,
9. WHEREAS, it is an expressed goal of the 104th ASUW Student Government to work towards
10. improving faculty retention as it directly impacts the student experience; and,
11. WHEREAS, Professor of Practice is a faculty position held by a limited number of
12. individuals who do not fit the tenure track model for a leading research university but who
13. can contribute to graduate and undergraduate education through teaching students the skills,
14. methods, and values of their profession; and,
15. WHEREAS, this is a designation normally for faculty members who have had primary
16. employment in a profession outside of academia; who have had distinguished careers and
17. have made substantial impacts to disciplines important to academic programs at UW; and,

18. WHEREAS, exceptionally distinguished universities including, but not limited to, the
19. University of Nebraska, MIT, Harvard, Purdue, Penn State, Duke, and UC San Diego
20. have established this faculty designation; and,
21. WHEREAS, proposals at other universities have addressed some of the same concerns with
22. the position expressed by faculty and students at UW, stating that the “Adoption of this
23. faculty classification has not been without controversy, with both the AAUP and some
24. faculty unions questioning whether it was intended as an entering wedge to abolish or dilute
25. tenure. However, at some of the leading universities in the nation limited use of this
26. classification has contributed to the variety of faculty talents and to the advancement of the
27. institution without in any way damaging the institution of tenure or diverting resources to
28. non-tenure track faculty.”; and,
29. WHEREAS, this designation also intends to attract distinguished people who have been laid
30. off in downturns, or have retired but wish to pursue contributing to instruction at UW; and,
31. WHEREAS, stated concerns of not only the Faculty Senate, but also Professors of Practice
32. themselves, also included the lack of promising no more than one year of an employment in
33. this position, such that potential faculty members would uproot their family for a single year
34. of work; and,
35. WHEREAS, if there is no promise of tenure, it is recommended that ensuring five (or
36. more) years of employment after a predetermined review period be considered; and,
37. WHEREAS, it is acknowledged that funding for Professors of Practice may cause an
38. acceptable increase in student tuition to pay for these faculty members, but only specifically
39. within the individual college where the position is held; and,
40. WHEREAS, students themselves have worked towards understanding why the original bill

41. was voted against on March 28th, 2016 by the UW Faculty Senate, and have since
42. collaborated in support of passing a more comprehensive bill; and,
43. WHEREAS, UW Students-at-Large in the College of Engineering started a petition in favor
44. of the Professors of Practice faculty designation, which received 278 signatures from
45. students across campus; and,
46. WHEREAS, few current professors at UW have been designated with this academic title
47. including revered professors in the College of Engineering; and,
48. WHEREAS, these professors currently hold temporary positions, but are of long-lasting
49. importance to UW and the students themselves; and,
50. WHEREAS, education has been improved greatly because of the industry applications that
51. these professors bring into the classroom; and,
52. WHEREAS, this position will ideally contribute to ascertaining the goals of the Tier I
53. Engineering Initiative; and,
54. WHEREAS, all representatives of UW ought to strive to ensure that all students receive a top
55. tier education at UW in all colleges, and it is vital that departments across the University
56. have the ability to attract distinguished professors of practice; and,
57. WHEREAS, this position at UW would place the University in great company and give UW
58. a competitive edge in attracting both students and professors; and,
59. WHEREAS, widespread and positive academic exposure will impact the morale of
60. current faculty members, potential employees of UW, the State of Wyoming as a
61. whole, and influence decisions made by individuals to apply for and remain in positions at
62. UW.
63. THEREFORE, be it resolved that the Associated Students of the University of Wyoming

64. Student Government support the amended language in University of Wyoming (UW)
65. Regulation 5-1 in its entirety as found in Addendum A; and,
66. THEREFORE, be it further resolved that this resolution be distributed to all members
67. of the UW Faculty and Staff Senates, and the UW Board of Trustees.

Referred to: AT & S_____

Date of Passage:_____ **Signed:**_____

(ASUW Chairperson)

“Being enacted on_____, **I do hereby sign my name hereto and**
approve this Senate action.”_____

ASUW President

Addendum A

**UW REGULATION 5-1
Academic Personnel**

B. FACULTY

1. DESIGNATION

Faculty status shall be granted at the appropriate professorial rank to those individuals engaged in teaching or research in the colleges of the University and to such other groups or individuals as the Trustees may designate. The general qualifications for the various faculty ranks shall be as follows:

[...]

g. Professor of practice shall be the title granted to persons who have had distinguished careers and have made substantial impact on fields and disciplines that are important to academic programs at the University of Wyoming. The primary function is intended to be instructional; however, duties and responsibilities may also include some research and advising. Such appointments shall be only at the professorial rank and for not more than one year in duration; however, one may be reappointed annually subject to a satisfactory annual performance evaluation and available funding. Service as a professor of practice does not entitle one to tenure and its privileges, nor does it provide an alternative route or structure for conventional tenure track positions.

The general qualifications for faculty designation defined above may be waived or modified at the discretion of the President and the Trustees.

[...]

AGENDA ITEM TITLE: **Update re: Reorg of Academic Affairs**, Miller

CHECK THE APPROPRIATE BOX(ES):

- ☒ Work Session
- ☐ Education Session
- ☐ Information Item
- ☐ Other

Specify:

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Vice President for Academic Affairs and Provost Kate Miller will provide an oral update on the reorganization of Academic Affairs. No materials will be included prior to the meeting.

AGENDA ITEM TITLE: **Summary of Coach Bohl's Contract and Funding Sources**, Nichols

CHECK THE APPROPRIATE BOX(ES):

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

University President Nichols will share the summary of Coach Craig Bohl's contract and discuss the funding sources.

CRAIG BOHL DEAL SUMMARY POINTS:

1. Base salary (Section I Funds):

- 2017: \$300,000
- 2018: \$300,000
- 2019: \$300,000
- 2020: \$350,000
- 2021: \$350,000
- 2022: \$350,000
- 2023: \$400,000

2. Additional guaranteed compensation:

- 2017: \$1,100,000
- 2018: \$1,100,000
- 2019: \$1,200,000
- 2020: \$1,150,000
- 2021: \$1,250,000
- 2022: \$1,250,000
- 2023: \$1,300,000

3. Incentives are divided in two tiers:

- Tier I incentives include monies for GPA, season ticket sales and regular season conference wins. The max Coach Bohl can earn from Tier I incentives is \$250,000 annually but realistically that amount will be more in the \$160,000 range (annually).
- Tier II incentives are difficult to achieve (e.g., Coach of the Year, MWC Championship, etc.) and will require the team to be highly successful in order for Coach Bohl to earn them. These incentives are capped at \$200,000 for the first three years of the deal, bumping to \$250,000 for years four through six and \$300,000 in year seven.

4. Retention incentives:
 - \$625,000 paid March 1, 2019 and \$625,000 paid March 1, 2023 if Coach Bohl is still Head Coach at UW on those dates.
 - These incentives will be paid 50% through Cowboy Joe Club donations and 50% through UW Foundation donations.
5. All additional funds necessary will be covered through increased revenues from the following sources:
 - Ticket revenue growth of a minimum of \$300,000 in 2017 and approximately 7% each year thereafter, for an additional \$161,000 annually
 - Increased Cowboy Joe Club donations by a minimum of 5% annually (approximately \$175,000)
 - Away “guarantee games” against the following opponents:
 - 2017 – Iowa: \$1,000,000 payout
 - 2021 – Clemson: \$1,100,000 payout
 - 2022 – Illinois: \$1,100,000 payout
 - Home games against the following A5/P5 opponents:
 - 2017 – Oregon (PAC-12); estimated revenue of \$900,000
 - 2018 – Washington State (PAC-12); estimated revenue of \$900,000
 - 2019 – Missouri (SEC); estimated revenue of \$950,000
 - 2023 – Texas Tech (Big 12); estimated revenue of \$1,000,000
 - Corporate sponsorship revenue will increase by \$200,000 in 2017 and an additional \$100,000 per year thereafter through 2021, per terms of the new contract signed with Learfield in 2015.
 - NCAA and MWC funds have been increasing by approximately \$50,000 annually and we are expecting a significant bump in television revenue as our media rights contract expires in 2020. Initial forecasts indicate our television revenues could bump by \$300,000 annually.
 - Increased concessions net revenue of approximately \$250,000 annually from the sales of beer and wine.
 - Our current apparel contract expires in 2019. We anticipate a significant cost reduction in a restructured deal in 2019 or earlier.

AGENDA ITEM TITLE: **Management Audit Committee Meeting Update**, Boswell

CHECK THE APPROPRIATE BOX(ES):

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Vice President for Governmental and Community Affairs Chris Boswell will provide the Board with an update on the management audit committee meeting.

AGENDA ITEM TITLE: **Governor's Budget Recommendations**, Boswell

CHECK THE APPROPRIATE BOX(ES):

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Vice President for Governmental and Community Affairs Chris Boswell will provide the Board with Governor Matt Mead's recommendations to the budget.

AGENDA ITEM TITLE: **Wyoming Excellence Chairs Budget**, Boswell/Mai

CHECK THE APPROPRIATE BOX(ES):

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

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Vice President for Governmental and Community Affairs Chris Boswell and Vice President for Administration Bill Mai will provide the Board with an update to the Wyoming Excellence Chairs Budget.

AGENDA ITEM TITLE: **Approval of Audited Annual Financial Reports**, Mai/Lowe

CHECK THE APPROPRIATE BOX(ES):

- | | | |
|-------------------------------------|-------------------|----------------------------|
| <input checked="" type="checkbox"/> | Work Session | |
| <input type="checkbox"/> | Education Session | |
| <input type="checkbox"/> | Information Item | |
| <input checked="" type="checkbox"/> | Other | Specify: Item for Approval |

BACKGROUND AND POLICY CONTEXT OF ISSUE:

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

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 2014 through 2017, subject to annual 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 (CAFR)

prepared by the State Auditor's Office in accordance with W.S. 9-1-403 (a)(v). The final CAFR must be issued by the State Auditor on or before December 15th.

- **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 Store, 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 (due mid-December).

- **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 will be submitted to the Corporation for Public Broadcasting before December 31st.

- **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 external auditors evaluate whether the Schedule of Cash Receipts and Disbursements is in compliance with the 2015-2016 National Collegiate Athletic Association (NCAA) Constitution 3.2.4.15. The sufficiency of these procedures is solely the responsibility of university management. Consequently, the auditors make no representation regarding the sufficiency of the procedures.

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:

Pursuant to the Bylaws of the Trustees, Article VII. Section 7-2:

The Fiscal and Legal Affairs Committee will review the financial reporting processes, the system of internal controls, the audit process, and the process for monitoring and ensuring compliance with financial laws and regulations. It will monitor the University's internal and external auditor's findings.

In discharging their duties hereunder, the members are entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, if prepared or presented by: officers or employees of the University whom the committee members reasonably believe to be reliable and competent in the matters presented; and legal counsel, public accountants or other persons as to matters the committee members reasonably believe are within the person's professional or expert competence.

The Fiscal and Legal Affairs Committee meets with the external audit firm's partner and University management to review the five audited annual financial reports in advance of

presentation to the Board of Trustees. The Committee Chair will make a recommendation to the Board with respect to acceptance and approval of the reports.

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.

ARGUMENTS AGAINST:

None

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, 2016.

PRESIDENT'S RECOMMENDATION:

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