

**THE UNIVERSITY OF WYOMING**

**BOARD OF TRUSTEES' REPORT**

**Wednesday, August 8, 2018**

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 (July 2017)**

We honor our heritage as the state's flagship and land-grant university by providing accessible and affordable higher education of the highest quality; rigorous scholarship; the communication and application of knowledge; 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:

- Graduate students who have experienced the frontiers of scholarship and creative activity and who are prepared for the complexities of an interdependent world;
- Cultivate a community of learning energized by collaborative work among students, faculty, staff and external partners.
- Nurture an environment that values and manifests diversity, internationalization, free expression, academic freedom, personal integrity and mutual respect; and
- Promote opportunities for personal health and growth, physical health, athletic competition and leadership development for all members of the university community.

As Wyoming's only public university, we are committed to scholarship, 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.

**TRUSTEES OF THE UNIVERSITY OF WYOMING AGENDA**  
**Wednesday, August 8, 2018**  
**Conference Call Meeting; Old Main Boardroom**

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**AGENDA ITEM TITLE:**

**Consideration and Action: July 10-13, 2018, Board of Trustees Meeting Minutes (public session & executive session)**, True

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other           Specify: Committee of the Whole (Items for Approval)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The draft minutes were uploaded to the trustee secure site for review and comment in advance of the meeting.

**AGENDA ITEM TITLE:**

**Consideration and Action: Supplemental Budget**, McKinley/Theobald/Jewell

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

- Work Session
- Education Session
- Information Item
- Other           Specify: Committee of the Whole (Items for Approval)

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

The University of Wyoming is required to submit the FY2019-2020 biennium supplemental budget request to the State Budget Division of the Department of Administration and Information on August 31, 2018.

Supplemental budget requests for agency 067 and 167 follow.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

A preliminary supplemental budget was presented at the July, 2018 board meeting with discussion of requested budget items.

On July 26, 2018 the Budget Committee held a conference call to discuss and finalize the attached supplemental budget requests for Agency 067 – University of Wyoming and Agency 167 – Medical Education for Board consideration and action.

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

The Trustees of the University of Wyoming, a constitutional body, are responsible for the “management of the university” (Wyoming Constitution, Article 7, 17).

The Board’s approval of the operating budget request is required by Trustee Regulations and UW budget procedures.

**ACTION REQUIRED AT THIS BOARD MEETING:**

Approval of the 2019-2020 biennium supplemental budget request for the University of Wyoming (Agency 067) and UW-Medical Education (Agency 167), as described in the attachment.

**PROPOSED MOTION**

N/A

**PRESIDENT’S RECOMMENDATION:**

The President recommends Board approval of the FY2019-2020 biennium supplemental budget request for the University of Wyoming (Agency 067) and UW-Medical Education (Agency 167) as described in the attachment.



Agency 067 – University of Wyoming

Potential 2019-2020 Supplemental Budget Requests

Priority	Strategic Plan Goal		One Time /Ongoing
1	2	<p><b>“President’s Endowed Scholarship”:</b> Create an endowed scholarship for Wyoming’s most precious resource – it’s youth. This scholarship will encourage Wyoming high school graduates and community college transfer students to stay in Wyoming for their education and facilitate the achievement of a post-secondary educational goal for Wyoming.</p> <p>The funding request for state support of this initiative is \$10 million dollars which would be matched by implementing a 1:1 matching program with the UW Foundation resulting in a total endowment of \$20 million.</p> <p>The university further requests the state funds be transferred to the university not later than the end of the calendar quarter following the quarter during which the qualifying contribution is received. Qualifying contributions can be made through a series of payments or transfers, no matching funds shall be transferred by the state treasurer until the total value of all payments or transfers actually received toward the contribution totals at least ten thousand dollars (\$10,000.00).</p>	One Time (\$10M)
2	All	<p><b>UW Strategic Plan Initiatives and Programmatic Science Initiative Funding:</b> Establish a pool of funds within the University’s block grant that at the recommendation of the President and approval of the Board of Trustees can be used to fund initiatives which support the implementation of UW’s strategic plan, <i>Breaking Through</i>. The funding target for this pool is \$1 million one-time in addition to the request of an ongoing \$1 million annual increase to programmatic funding for the Science Initiative.</p> <p>Of high priority for immediate use of funds include:</p> <ul style="list-style-type: none"> <li>○ Funding to launch the Institute for Innovation and Entrepreneurship</li> <li>○ Tech Transfer office expansion to expand patents and more seamlessly transfer research to commercial uses</li> <li>○ Tier One Engineering including seed funding for the development of a new major in construction management</li> <li>○ Enhance grant development expertise to expand NSF and NIH research funding               <ul style="list-style-type: none"> <li>○ Cross discipline research in conjunction with the Science Initiative</li> </ul> </li> </ul>	One Time (\$1M) & Ongoing (\$1M)

**Agency 067 – University of Wyoming**

3	All	<p><b>Excellence in Agricultural Education and Research:</b> Agriculture is key to Wyoming's economy and a rich part of the state's history. At the core of a land-grant university is strong agricultural education, research and service. The purpose of this one time funding request is to make strategic investments in UW's College of Agriculture to enhance relevant and cutting-edge teaching, research and outreach programs.</p> <p>The funding request for state support of this initiative is \$5 million dollars which would be matched by implementing a 1:1 matching program with the UW Foundation resulting in a total endowment of \$10 million.</p> <p>Examples of uses of this funding could include:</p> <ul style="list-style-type: none"> <li>○ Endowed Faculty Chair in Forestry Management</li> <li>○ Equine studies major</li> <li>○ Rodeo competitiveness/expansion of the Hansen arena to include stables</li> <li>○ Ranching/Land management undergraduate major</li> </ul>	One Time (\$5M)
4	3	<p><b>Intercollegiate Athletics Competitiveness:</b> UW's student athletes continue to be successful leaders in the classroom and on the field, court, and track, but changes in the area of NCAA student-athlete welfare, financial aid, and recruiting have dramatically increased the cost of operating a Division 1 athletics program.</p> <p>The minimum annual target funding for this initiative would be \$2.0 million dollars which would be achieved by implementing a 1:1 matching program with Cowboy Joe Club.</p>	Ongoing (\$1M)
5	3,1	<p><b>University of Wyoming Natural Diversity Database (WYNDD):</b> This research service is housed within the Office of Research and Economic Development. With budget cuts over the past several years, block grant funding has not kept pace with core operational costs of the program and in fact the gap is widening. As such, the researchers in WYNDD have had to find other available funding streams, which has led them to spend the majority of their time on received grants, thus, less research time is available for core operations. Stakeholders and partners of this program are concerned that if more funding is not given to core operations, the WYNDD will begin to fail at maintaining its core operations. The ongoing funding request is for \$350,000 annually.</p>	Ongoing (\$.35M)
6		<p><b>Water Development Funding:</b> One-time request of \$1 million dollars towards water exploration and development in various locations in order to enable the University to develop additional sources of non-potable and/or potable water for the University.</p>	One Time (\$1M)
		<b>One Time Total</b>	\$17.0M
		<b>Ongoing Total (To be doubled in FY2021-2022)</b>	\$2.35M

**Agency 067 – University of Wyoming**

The following language is suggested to be included in UW's Supplemental Budget Request narrative which will be provided to Governor Matt Mead.

**Suggested Language:**

The University of Wyoming looks forward to continuing working with the Legislature and the Governor to complete the work of the Legislative UW Housing Task Force to realize the vision of replacement housing.

The University of Wyoming encourages continued dialog with the Governor and Legislature to finish the necessary improvements to War Memorial Stadium (i.e. West Stands area) in a similar fashion as the past improvements to the East Stands area, and to establish a mechanism to fund the construction of a replacement Corbett Pool aquatic complex.

The University of Wyoming recognizes the importance of the new Science Initiative Building, new Engineering Building, and new Enzi STEM Building in delivering top tier educations to UW students. UW desires to continue the productive dialog with the Governor and Legislature regarding enhancements to the programmatic aspects of the Science Initiative which accomplish these goals and compliment UW's Strategic Plan and ENDOW for the benefit of UW students and the State of Wyoming.



**Unit 0101- Casper Residency**

**REMOVAL OF FOOTNOTE #2**

2. Of this general fund appropriation, four hundred twenty-eight thousand one hundred forty-four dollars (\$428,144.00) and of this other funds appropriation, one million two hundred sixteen thousand six hundred twenty-two dollars (\$1,216,622.00)SR shall only be for the period beginning July 1, 2018 and ending June 30, 2019.

**1. PRIORITY #- REPLACEMENT OF ONE-TIME FUNDING**

**A. EXPLANATION OF REQUEST:** In the 2018 Budget Session, only one year of funding was approved for all exception requests, due to a study being conducted by a legislative select committee on the structure of the family medical residencies. The supplemental budget request process has begun, but the committee has not finished concluding their research to provide guidance for the future. Therefore, the Casper Family Medical Residence would like to continue to conduct business as currently established for the 2019 fiscal year.

The \$1,214,737 in special revenue (clinic income) and the transfer of \$493,008 in general fund to Unit 0701- Administration Unit are listed in detail below:

**B. REQUEST BY OBJECT CODE, FUNDING AMOUNT AND FUND SOURCE:**

	<b>Object Code</b>	<b>Description</b>	<b>Amount</b>	<b>Funding Source</b>
1	0626	340B Pharmacy medication and equipment purchases	240,500	Special Revenue
2	0901	Professional contract with billing consultant	184,568	Special Revenue
3	0103	Salary- 5 Faculty compensation (promotional review)	86,786	Special Revenue
4	0105	Benefits- 5 Faculty compensation (promotional review)	21,026	Special Revenue
5	0201	Real Propty Rep & Mntc. Inflationary Costs	3,100	Special Revenue
6	0202	Equipment Repair & Mntc. Inflationary Costs	1,275	Special Revenue
7	0203	Utilities Inflationary Costs	3,025	Special Revenue
8	0207	Dues & Licenses Inflationary Costs	5,850	Special Revenue
9	0235	Medical Supplies Inflationary Costs	11,125	Special Revenue
10	0251	Real Property Repair Inflationary Costs	975	Special Revenue
11	0103	Salary- add on pay 5 obstetrics/pediatric care & 9.2 faculty-adult medicine	200,400	Special Revenue
12	0105	Benefits- add on pay 5 obstetrics/pediatric care & 9.2 faculty-adult medicine	47,996	Special Revenue
13	0103	Salary- 2 Medical Assistants - 1 Case Mgr - 1 Case Mgr. Supervisor	162,000	Special Revenue
14	0105	Benefits- 2 Medical Assistants - 1 Case Mgr - 1 Case Mgr. Supervisor	39,760	Special Revenue
15	0196	Health Insurance- 2 Medical Assistants - 1 Case Mgr - 1 Case Mgr. Supervisor	40,668	Special Revenue
16	0103	Salary - position #1216 Transfer to Unit 0701- Adminstration Unit	(200,004)	General Fund
17	0105	Benefits- position #1216 Transfer to Unit 0701- Adminstration Unit	(47,901)	General Fund
18	0196	Health Insurance- position #1216 Transfer to Unit 0701- Adminstration Unit	(10,366)	General Fund
19	Rev 1001	Transfer general fund to cover CFO position and replace w/special revenue	(165,683)	General Fund
20	Rev 5103	Transfer general fund to cover CFO position and replace w/special revenue	165,683	Special Revenue
21	0103	Salary- position #1402 excess funding transfer to Unit 0701- Adminstration Unit	(55,711)	General Fund
22	0105	Benefits- position #1402 excess funding transfer to Unit 0701- Adminstration Unit	(13,343)	General Fund
		Total	721,729	
			1,214,737	Medical SV Fees - 5103
			(493,008)	General Fund - 1001

**C. PERFORMANCE JUSTIFICATION:** The additional pay provisions would provide needed support for the UWFMRP-Casper in multiple departments leading to more efficient and productive patient care. We are requesting continuation of funding to allow the Clinics to continue to operate in an efficient manner.

**Unit- 0701- Administration Unit**

**REMOVAL OF FOOTNOTE #3**

3. Of this general fund appropriation, four hundred twenty-six thousand two hundred fifty-four dollars (\$426,254.00) shall only be for the period beginning July 1, 2018 and ending June 30, 2019. The appropriation subject to this footnote shall not be included in the agency's 2021-2022 standard budget request.

**1. PRIORITY #- REPLACEMENT OF ONE-TIME FUNDING DIO**

**A. EXPLANATION OF REQUEST:** In the 2018 Budget Session, only one year of funding was approved for all exception requests, due to a study being conducted by a legislative select committee on the structure of the family medical residencies. The supplemental budget request process has begun, but the committee has not finished concluding their research to provide guidance for the future. Therefore, the new formed Administration Unit would like to continue to conduct business as currently established for the 2019 fiscal year.

The Dean of the College of Health Sciences has been informally responsible for the administration of these programs since the separate agency was created. As part of our efforts to create a more formal structure for the administration and accountability of the Family Medicine Residency Program and its clinics, it was requested that the position of Director of Medical Education be moved from the FMRP-Casper cost center into the new Administrative Unit. The responsibilities of the Director of Medical Education had included, a) oversight of the University's part of WWAMI, and b) serving as Designated Institutional Officer (DIO) for the FMRP, including oversight of Graduate Medical Education to ensure that the role of the Educational Health Center of Wyoming (which oversees the FMRP clinics) meets the educational needs of the Resident Physicians in Family Medicine. Although this position had been referred to as the 'CEO', the position was in fact the Director of Medical Education, and the responsibilities of the CEO for the Educational Health Center of Wyoming had merely been assigned to the Director of Medical Education.

As a result of the March 2018 site visit from the Health Resources and Services Administration (HRSA), it became clear that combining the roles of Medical Education Director for the FMRP and CEO for the EHCW was not tenable, and would put the designation of Federally Qualified Health Center at risk. Consequently, the administrative position that was transferred to the new Administrative Unit was a combined position: DIO for the FMRP and Chief Medical Officer (CMO) for the FMRP Clinics. The DIO/CMO has oversight of Graduate Medical Education as well as the quality of medical care provided by the Clinical Faculty, clinic staff, and the Family Medicine Resident Physicians. It should be noted that this is a request for continuation of existing funding.

**B. REQUEST BY OBJECT CODE, FUNDING AMOUNT AND FUND SOURCE:**

	Object Code	Description	Amount	Funding Source
1.	0103	Salary	\$250,008	General Fund transferred from unit 0101
2.	0105	Benefits	59,877	General Fund transferred from unit 0101
3.	0196	Health Insurance	<u>23,140</u>	General Fund transferred from unit 0101
		Total	\$333,025	General Fund - 1001

**C. PERFORMANCE JUSTIFICATION** The organization will enhance the ability of Administration unit-0701 to serve the Educational Health Center of Wyoming in providing guidance and unity towards one common goal of educating Wyoming students and providing medical serves to Wyoming citizens.

**2. PRIORITY #- REPLACEMENT OF ONE-TIME FUNDING CFO**

The Department of Medical Education received approval in the 2018 Budget Session to use existing funds and a position to create a separate administrative unit to be responsible for Medical Education programs, and in particular, the Family Medicine Residency Program and its Clinics. This has helped to clarify the chain of command and authority over the programs and has allowed the Medical Education programs to better share resources and personnel.

**A. EXPLANATION OF REQUEST:** The Department of Medical Education is requesting the second year of funding --\$165,683 in general fund transferred from unit 0101- Casper Family Medical Residency Program to cover the CFO position, this will allow the EHCW to meet the requests set by our federal granting agency Health Resources and Services Administration (HRSA).

**B. REQUEST BY OBJECT CODE, FUNDING AMOUNT AND FUND SOURCE:**

	Object Code	Description	Amount	Funding Source
1.	0103	Salary	\$115,000	General Fund transferred from unit 0101
2.	0105	Benefits	27,543	General Fund transferred from unit 0101
3.	0196	Health Insurance	<u>23,140</u>	General Fund transferred from unit 0101
		Total	\$165,683	General Fund - 1001

**C. PERFORMANCE JUSTIFICATION:** The organization will enhance the ability of Administration unit-0701 to serve the Educational Health Center of Wyoming in providing guidance and unity towards one common goal of educating Wyoming students and providing medical serves to Wyoming citizens.

**3. PRIORITY #- MEDICAL EDUCATION ORGANIZATION- 1 FULL-TIME POSITION & BENEFITS- CEO (NEW)**

The University of Wyoming received approval to use existing funds and a position to create a separate administrative unit to be responsible for Medical Education programs, and in particular, the Family Medicine Residency Program and the Educational Health Center of Wyoming. This has helped to clarify the chain of command and authority over the programs and has allowed the Medical Education programs to better share resources and personnel.

**A. EXPLANATION OF REQUEST:** In conjunction with the creation of Unit 0701- Administration and the creation of a Chief Financial Officer (CFO) position, the Department of Medical Education is requesting authorization to use \$246,250 in clinic income for the creation of a Chief Executive Officer CEO position. Since the most recent budget request, the Health Resources and Services Administration (HRSA) has specified that the position of CEO for the Educational Health Center of Wyoming cannot overlap with—and must be separate from--University of Wyoming administrative positions. Therefore, it is necessary to separate the position of Designated Institutional Officer for the Family Medicine Residency Program from the position of CEO for the Educational Health Center of Wyoming.

**B. REQUEST BY OBJECT CODE, FUNDING AMOUNT AND FUND SOURCE:**

	Object Code	Description	Amount	Funding Source
1.	0103	Salary	\$180,000	Special Revenue
2.	0105	Benefits	43,110	Special Revenue
3.	0196	Health Insurance	<u>23,140</u>	Special Revenue
		Total	\$246,250	Medical SV Fees - 5103

**C. PERFORMANCE JUSTIFICATION:** The organization will enhance the ability of Administration unit-0701 to serve the Educational Health Center of Wyoming in providing guidance and unity towards one common goal of educating Wyoming students and providing medical services to Wyoming citizens. Further, as per the directive of the Health Resources and Services Administration, it is required that the Educational Health Center of Wyoming be overseen by a CEO that is administratively separate from the University's role in Graduate Medical Education. Consequently, with the administration of Graduate Medical Education having been redesigned effectively, funding for a separate CEO position is requested. Funding for this position would be provided from FMRP clinic revenue.

**AGENDA ITEM TITLE: Consideration and Action: Personnel, Miller**

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

- Work Session
- Education Session
- Information Item
- Other           Specify: Committee of the Whole (Items for Approval)

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

Information is provided to the Board about personnel matters, including but not limited to appointments; reappointments, tenure, promotion and extended term renewals; change in appointments; retirements and resignations; deaths; adjunct appointments; and sabbatical and professional development leaves. Supporting materials include a list of all personnel information that needs action by the Board.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

The Board receives regular information about personnel matters.

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

Per UW Regulations 2-1 (formerly 5-1), faculty and academic professional appointments, adjunct appointments, and emeritus designations will be made by the Trustees of the University, upon recommendation of the appropriate administrative and/or academic officers. Changes in appointments, resignations, retirements, and deaths are reported to the Board for information.

**ACTION REQUIRED AT THIS BOARD MEETING:**

Board approval or disapproval of the personnel report as provided.

**PROPOSED MOTION**

I move to approve the personnel report as provided to the Board.

**PRESIDENT'S RECOMMENDATION:**

The President recommends approval.

**AGENDA ITEM TITLE:**

**Consideration and Action: Parking and Transit Study – Consultant Selection**, Theobald

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

- Work Session
- Education Session
- Information Item
- Other            Specify: Committee of the Whole (Items for Approval)

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

UW's Transit and Parking Services Department is working with UW Operations to hire a consultant to conduct and oversee the development of a ten-year Parking and Transportation Plan for the University. The Plan will update/refresh the current 2008 Master Transit and Parking Plan.

An RFQ (Request for Qualifications) was issued in April 2018 for firms to conduct a parking and transit study and complete a 10-year master plan for UW. Three firms responded to the RFQ and all three firms were interviewed in June. Walker Consultants was selected based on the following criteria: study approach, team experience, firm competency & qualifications, organization & content, demonstrated sustainability practices, and reference checks. The total cost for the study will be \$150,000 with 90% funding (\$135K) from a WYDOT planning grant and 10% funding (\$15K) from UW Transit & Parking funds. The study is anticipated to begin in September 2018 and conclude in March 2019.

The results of the study will provide the university with the following:

- Review of the previous 2008 Master Transit and Parking Plan, 2010 Long Range Development Plan, and other relevant UW and City of Laramie plans (e.g., 2015 Historic Preservation Plan, Breaking Through: 2017-2022, A Strategic Plan for the University of Wyoming and City of Laramie Studies and Plans).
- Parking: Analysis of parking supply/demand for both current and future conditions; assessment of current parking management practices including zoning for faculty/staff, resident and commuter students, visitors, vendors, and service vehicles; analysis of current parking permit structure and pricing to meet future parking needs; evaluation of the necessity of parking structures, potential locations, and estimated capital costs (if necessary).
- Transportation: Analysis of (a) current transit system and route structure; (b) transit demand in and around campus; (c) costs and benefits of route / schedule changes; and (d) bicycle and pedestrian mobility and infrastructure. Peer review of University Transportation Demand Management. Strategies for improvement.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

N/A

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

The University's Project Development Policy requires all consultant contracts to go before the Board of Trustees for approval.

**ACTION REQUIRED AT THIS BOARD MEETING:**

Authorization to complete negotiations and contract with **Walker Consultants**.

**PROPOSED MOTION**

“I move to approve the selection of Walker Consultants for the UW Parking and Transportation Study.”

**PRESIDENT'S RECOMMENDATION:**

The President recommends approval.



**AGENDA ITEM TITLE:**

**Consideration and Action: WyoCloud Project Contingency Use, Scarlett/Theobald/Jewell**

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

- Work Session
- Education Session
- Information Item
- Other            Specify: Committee of the Whole (Items for Approval)

**BACKGROUND AND POLICY CONTEXT OF ISSUE:**

Since 2016, Huron Consulting Group and UW have partnered to reenergize and update UW's aging legacy software systems for finance and human resources. Since becoming our partners in 2016, Huron has supported UW as it has gone live with a new finance system in July 2017 and a new planning and budgeting system in January 2018. In addition, Huron has assisted UW as it implemented several business process improvements, such as a new Chart of Accounts, strategic sourcing, and new approaches to budgeting and accounting. Huron is currently assisting with the implementation of a new human resources system. Additionally, this multi-year project has remained on time and on budget.

Throughout this implementation, Huron has provided a substantial investment in additional resources to the project. Huron has ceased to bill UW for their services as the original contract has been met, and yet consultants are still working on the implementation of the human resources system. As this multi-year project remains on time and on budget, Huron has requested expenditure of \$1.5 million from the project's contingency funds to assist with their additional resource investment. Even with this expenditure from the contingency budget, the project remains on budget and is not expected to go over budget in the coming months.

In acknowledgement of the additional resources beyond the original contract that Huron has provided, UW is planning on expending the contingency funds to Huron contingent upon the following:

The University of Wyoming (UW) agrees to pay Huron an additional one-million five-hundred thousand dollars (\$1.5M) fixed fee. Huron will complete all deliverables outlined in the July 7, 2016 Statement of Work (signed by Huron on July 26, 2016 and UW on August 11, 2016) to UW's satisfaction, the implementation of the Oracle Cloud Human Capital Management (HCM) system, and the completion of the first successful run of bi-weekly and monthly payroll cycles in the WyoCloud HCM system. Huron will invoice the \$1.5M fixed fee at the end of this project in January 2019. Payment is due 30 days after the invoice date.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

At the March and May 2018 Board meetings, the Board of Trustees Financial Management and Reporting Committee was informed of the request from Huron for the use of the contingency funds. The Board Committee discussed the expenditure of the funds, as well as discussing tying the expenditure of funds to the successful go-live of the Human Capital Management (HCM) and payroll systems. No formal decision was made in regards to the funds at the meetings, but the committee asked that they remain apprised of the situation.

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

This item is being shared at the Financial Management and Reporting Committee's request. Though this is not a capital project, the significance of the project prompted the committee to have this change order formally approved by the Board.

**ACTION REQUIRED AT THIS BOARD MEETING:**

UW is requesting approval of an additional \$1.5 million dollar payment to Huron Consulting Group. This request is considered a change order on the original contract and purchase order with Huron Consulting. This additional expenditure will be covered by project contingency funds. Even with this additional payment, the project remains on budget and within the original amount approved by the Board of Trustees.

**PROPOSED MOTION**

"I move to approve the additional \$1.5 million dollar payment to Huron Consulting Group, contingent upon Huron's successful completion of the deliverables outlined on the change order."

**PRESIDENT'S RECOMMENDATION:**

The President supports expending the requested contingency funds.

**AGENDA ITEM TITLE:**

**Consideration and Action: 2018-19 Academic Year Tuition (Law School Only) Correction**, McKinley/Jewell

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

- Work Session
- Education Session
- Information Item
- Other                      Specify: Committee of the Whole (Items for Approval)

**BACKGROUND AND POLICY CONTEXT OF ISSUE**

The table below corrects an error in the Fee Book for the 2018-19 Academic Year for Law School tuition rates – the fee book should have held tuition flat (\$464 per credit hour for resident students and \$990 per credit hour for non-resident students) but a 4% increase was applied to the base making the rates \$476 per credit hour and \$1,018 per credit hour for resident and non-resident students respectively.

				<b>BOT APPROVED</b>				<b>Regested Revision</b>		
				Base Increase 4%	Differential Increase per request					
		<b>FY 2017</b>	% Increase	<b>FY 2018</b>			<b>FY 2019</b>			
								<b>FY 2019</b>		
<b>Law</b>										
<b>Resident</b>										
Base Rate	\$	289	4.0%	301	12	-	313	4.0%	313	4.0%
Differential Rate	\$	175	0.0%	163	-	-	163	0.0%	151	-7.4%
<b>Total</b>	<b>\$</b>	<b>464</b>	<b>2.5%</b>	<b>464</b>	<b>12</b>	<b>-</b>	<b>476</b>	<b>2.6%</b>	<b>464</b>	<b>0.0%</b>
<b>Non-resident</b>										
Base Rate	\$	677	4.0%	704	28	-	732	4.0%	732	4.0%
Differential Rate	\$	313	0.0%	286	-	-	286	0.0%	258	-9.8%
<b>Total</b>	<b>\$</b>	<b>990</b>	<b>2.7%</b>	<b>990</b>	<b>28</b>	<b>-</b>	<b>1,018</b>	<b>2.8%</b>	<b>990</b>	<b>0.0%</b>

The Administration is bringing this item before the Board to correct the previously approved Fee Book for the 2018-19 academic year so that the rates for resident and non-resident tuition for Law School for the 2018-19 academic year are set at \$464 per credit hour and \$990 per credit hour.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

The Board formally approved the Fee Book for the 2018-19 academic year (FY2019) at its meeting on April 11, 2018.

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

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

**ACTION REQUIRED AT THIS BOARD MEETING:**

The Administration is requesting the Board to take action to set resident and non-resident tuition rates for the University of Wyoming Law School for the 2018-19 academic year to \$464 per credit hour and \$990 per credit hour respectively.

**PROPOSED MOTION**

“I move to set resident and non-resident tuition rates for the University of Wyoming Law School for the 2018-19 academic year to \$464 per credit hour and \$990 per credit hour respectively.”

**PRESIDENT'S RECOMMENDATION:**

The President recommends approval.

**AGENDA ITEM TITLE:**

**Information: Tuition Recommendations for 2019-20 Academic Year Discussion**, Nichols/Jewell

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other                      Specify: Committee of the Whole (Items for Approval)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

At the June 13<sup>th</sup>, 2018 Board of Trustees meeting, the Administration proposed a change in timing as to when the Board approves tuition rates as outlined in the Board's Annual Schedule of Topics. As outlined in the table below, the new schedule is proposed tuition rates are submitted in November, approved by the Board in March, but will not take effect until the fall semester of the next calendar year (i.e., approximately seventeen months after the rates are approved by the Board).

The one exception to the new schedule is the setting of tuition rates that will be in effect starting in the fall semester of 2019 (i.e., tuition for the 2019-2020 academic year); which will be submitted by the Administration at the July 2018 Board meeting, and approved by the Board in September 2018.

Academic Tuition	Year	Consideration	Public Comment	BoT Approval	Effective
2019-20		July 2018	August 2018	September 2018	Fall 2019
2020-21		November 2018	January 2019	March 2019	Fall 2020

The Administration proposed moving-up the schedule of approving tuition rates to nearly 1.5 years before the rates take effect as part of a broader strategic enrollment management initiative to be more transparent with prospective, as well as current, students and their families with regard to the cost to attend the University of Wyoming.

**2019-20 Academic Year (FY2020) Tuition Recommendations:**

The attached table outlines the rates of tuition for the 2018-19 academic year (FY2019) as well as the Administration's recommendation for the 2019-20 academic year (FY2020) and the corresponding percent increase.

Specifically, the table shows the rate of tuition (either per credit hour, per semester, or per year as noted in the table) when the current tuition policy of the Trustees (a 4% increase) has been applied to all tuition rates except for the following (rows of the table highlighted in yellow):

- **Row 3 – Undergraduate Non-Resident On-line Tuition (RN to BSN Only):** The Administration is working with the Dean of the School of Nursing to establish a rate for the RN to BSN program that is solely offered on-line that is more in alignment with the market rate charged by peer institutions. UW's current rate of \$537 per credit hour is higher than our peers and as a result, the School of Nursing has experienced enrollment declines over the past few years. The Administration will bring the exact rate being proposed to the Board for approval at the September meeting.

- **Row 6 – Graduate Non-Resident On-line Tuition:** The Administration is proposing a 45% reduction to the current rate charged to non-resident graduate students enrolled in programs that are solely offered on-line. UW's current rate of \$780 per credit hour is the highest amongst its peers when fees are included and since the fall of 2013, there has been nearly a 40% decline in enrollment headcount through the fall of 2017. The Administration projects that the proposed rate for the 2019-20 academic year of \$432 per credit hour would place UW more toward the median rate (with fees included) of its peers and thus make UW more competitive for enrolling non-resident graduate students in its on-line programs.
- **Rows 11, 12, & 13 – Master of Business Administration (MBA):** The Administration is proposing a 5% increase in tuition for its resident, non-resident, and executive (on-line) MBA tuition. This request is supported by the College of Business as a 5% increase is more in alignment with the market for professional business administration degree programs.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

A presentation on setting a new rate for graduate non-resident on-line tuition and undergraduate non-resident on-campus tuition was presented to the Board at its July, 2018 meeting in Cody, WY. The Board approved a new schedule for setting the rates of tuition at the June 13<sup>th</sup>, 2018 meeting (see background above for more details).

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

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

**ACTION REQUIRED AT THIS BOARD MEETING:**

N/A

**PROPOSED MOTION**

N/A

**PRESIDENT'S RECOMMENDATION:**

N/A

	A	B	C
	2018-19 Academic Year (FY2019) Tuition (per credit hour)	2019-20 Academic Year (FY2020) Tuition (per credit hour)	Percentage Increase
1 Undergraduate Resident Tuition	\$ 134	\$ 139	4%
2 Undergraduate Non-Resident Tuition	\$ 537	\$ 558	4%
3 Undergraduate Non-Resident On-line <sup>1</sup> Tuition (RN to Bachelors of Science, Nursing 'BSN' Only)	\$ 537	TBD	N/A
4 Graduate Resident Tuition	\$ 261	\$ 271	4%
5 Graduate Non-Resident Tuition	\$ 780	\$ 811	4%
6 Graduate Non-Resident On-line <sup>1</sup> Tuition	\$ 780	\$ 432	-45%
7 Law School Resident Tuition	\$ 464	\$ 483	4%
8 Law School Non-Resident Tuition	\$ 990	\$ 1,030	4%
9 Pharmacy Resident Tuition	\$ 459	\$ 478	4%
10 Pharmacy Non-Resident Tuition	\$ 972	\$ 1,011	4%
11 Master of Business Administration (MBA) Resident Tuition	\$ 717	\$ 753	5%
12 Master of Business Administration (MBA) Non-Resident Tuition	\$ 1,201	\$ 1,261	5%
13 Executive Master of Business Administration (EMBA) Tuition <sup>1</sup>	\$ 788	\$ 827	5%
14 Doctor of Nursing Practice (DNP) Resident Tuition	\$ 406	\$ 422	4%
15 Doctor of Nursing Practice (DNP) Non-Resident Tuition	\$ 859	\$ 893	4%
16 Bachelors Reach for Accelerated Nursing Degree (BRAND) Tuition <sup>2</sup>	\$ 498	\$ 518	4%
17 Master of Science (MS) in Speech Language Pathology Resident Tuition	\$ 376	\$ 391	4%
18 Master of Science (MS) in Speech Language Pathology Non-Resident Tuition	\$ 895	\$ 931	4%
	2018-19 Academic Year (FY2019) Tuition (per semester)	2019-20 Academic Year (FY2020) Tuition (per semester)	Percentage Increase
19 Dental Hygiene Resident Tuition Contract (with Sheridan College)	\$ 2,704	\$ 2,812	4%
20 Dental Hygiene Special Resident Tuition Contract (with Sheridan College)	\$ 4,056	\$ 4,218	4%
21 Dental Hygiene Non-Resident Tuition Contract (with Sheridan College)	\$ 8,669	\$ 9,016	4%
	2018-19 Academic Year (FY2019) Tuition (per year)	2019-20 Academic Year (FY2020) Tuition (per year)	Percentage Increase
22 WYDENT Year 1	\$ 11,933	\$ 12,410	4%
23 WYDENT Year 2	\$ 12,410	\$ 12,906	4%
24 WYDENT Year 3	\$ 12,907	\$ 13,423	4%
25 WYDENT Year 4	\$ 13,423	\$ 13,960	4%
26 WWAMI Year 1	\$ 13,635	\$ 14,180	4%
27 WWAMI Year 2	\$ 14,180	\$ 14,747	4%
28 WWAMI Year 3	\$ 14,747	\$ 15,337	4%
29 WWAMI Year 4	\$ 15,336	\$ 15,949	4%

**Note(s):**  
1. Courses for this program and/or degree are solely on-line courses.  
2. Tuition rate per credit hour is the same for in-person and on-line courses.

**AGENDA ITEM TITLE: Information: Notice of Amendments to Trustee By-Laws, Evans**

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

- Work Session
- Education Session
- Information Item
- Other           Specify: Committee of the Whole (Items for Approval)

**BACKGROUND AND POLICY CONTEXT OF ISSUE**

Attached are draft modifications to the Bylaws of the Trustees, including the following:

- 1) Clarifying that the President of the Board and the President of the University are non-voting ex-officio members of Trustee committees (Sections 5-2 and 10-2).
- 2) Updating external audit process (Section 7-2)
- 3) Transferring the Trustee Directive related to Trustees serving on boards from UW Regulation 1-102 to the Bylaws (Article XIII)

This serves as notice that these Bylaws will be presented to the Board at the September 2018 meeting for review and consideration.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

None.

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

Pursuant to Article VIII, the Bylaws may be changed or amended at any regular meeting of the Trustees by a vote of two-thirds of all the members, provided that notice of the intention to change, amend, or add to the Bylaws, in whole or part, shall have been given in the notice of the meeting or shall have been given at a preceding meeting of the Trustees. Such notice shall be in writing and shall include the exact wording of the legislation proposed.

**ACTION REQUIRED AT THIS BOARD MEETING:**

Notice only. These Bylaws will be presented to the Board at the September 2018 meeting for review and consideration.

**PROPOSED MOTION**

N/A. Notice only.



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**BYLAWS OF THE TRUSTEES  
OF THE UNIVERSITY OF WYOMING**

The ByLaws of the Trustees were adopted pursuant to authority granted to the Trustees by the Wyoming Legislature and in accordance with the Wyoming Constitution. The ByLaws are about the Trustees and how the Trustees organize and carry out their meetings. Additionally, the existence of Trustee Regulations is established and the appointment of the President of the University and his/her authority is set forth.

**BYLAWS OF THE TRUSTEES OF  
THE UNIVERSITY OF WYOMING**  
Republished Edition May 9, 2018

**Article I. STATUTORY CREATION AND AUTHORITY**

Section 1-1. APPOINTMENT, TERM AND AUTHORITY

In accordance with the laws of the State of Wyoming (Wyo. Stat. §§21-17-201 et seq), the government of the University of Wyoming is vested in a board of twelve (12) trustees appointed by the governor, with the advice and consent of the senate, for a six year term, with terms to be staggered.

For purposes of these Bylaws, "Trustees," "Board" and "Board of Trustees" shall be defined as the 12 individual trustees appointed by the governor and may be used interchangeably throughout these Bylaws.

Section 1-2. EX OFFICIO MEMBERS

The Governor of the State of Wyoming, the President of the University of Wyoming, the State Superintendent of Public Instruction, the Director of the Wyoming Community College Commission, and the President of the Associated Students of the University of Wyoming are ex officio members of the Trustees, as such having the right to speak, but not to vote.

For purposes of these Bylaws, these members shall be defined as "ex officio members."

Section 1-3. VACANCIES

Any vacancy in the membership of the Trustees shall be filled in accordance with laws pertaining thereto.

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## Article II. MEETINGS OF THE TRUSTEES

### Section 2-1. REGULAR MEETINGS

The annual meeting of the Trustees shall be held at the time of the meeting that is held closest to the regular Spring Commencement. At the annual meeting, the Trustees may set their schedule of regular meetings for the ensuing year and the final UW Board of Trustees' Annual Schedule of Items to Approve, Discuss or Report for the ensuing year in a form similar to that attached hereto and made a part hereof by this reference, but with such modifications as a majority of the Board may approve. After approval, a copy of the UW Board of Trustees' Annual Schedule of Items to Approve, Discuss or Report shall be posted on the Trustees' website annually. Written notice of all regular meetings shall be given by the President of the University to each Trustee and ex officio member at least ten (10) days in advance of the meeting. Attendance by Trustees or ex officio members at regular meetings can be in person or by electronic media.

Meeting Agendas for UW Board of Trustees shall be developed from three sources:

First: Those matters listed as monthly topics for each month's meeting shall be listed on the Trustees' Agenda for the month as set forth herein.

Second: Items requested by a Trustee in writing or during that period of time allocated allowing any Trustee to raise a topic of their choice for placement on the Agenda and approved by the President of the Board.

Third: Items requested from Administration for placement on the Agenda and approved by the President of the Board with input from the Executive Committee.

Prior to preparing a draft agenda, consultation will be had with the Board President to assure the Board President is fully engaged in the development of all Board Agendas. A preliminary draft agenda will be developed far enough in advance so as to allow compliance with the posting time frames set out on the next paragraph, but also allowing sufficient time for the President of the University and the Executive Committee to review and provide appropriate input.

While exceptions can be made if necessary, Administration is expected to have any topics it wishes to present to the Board in open or executive session at the next meeting in a form allowing all final materials relative to that topic, together with both the open and executive session minutes from the previous meeting, to be uploaded to the Trustees' website at least two weekends/over ten (10) days prior to the next scheduled meeting.

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**Section 2-2. SPECIAL MEETINGS**

Special meetings of the Trustees may be called by the President of the Trustees, or by any three Trustees, at such time and place as they may deem expedient, and a majority of said Trustees shall constitute a quorum for the transaction of business; but a smaller number may adjourn from time to time. Notice of special meetings shall be given to each Trustee and ex officio member at least eight (8) hours in advance of such meeting. Attendance by Trustees or ex officio members at special meetings can be in person or by electronic media.

**Section 2-3. ACTION IN REGULAR AND SPECIAL MEETINGS**

At all regular and special meetings, it shall be valid to act on any subject within the power of the corporation except as provided elsewhere in these Bylaws.

**Section 2-4. PLACE OF MEETINGS**

All meetings of the Trustees shall be held at the University of Wyoming, unless otherwise ordered by the Trustees.

**Section 2-5. REPEALED**

**Section 2-6. ACT OF THE TRUSTEES**

The act of the majority of the Trustees present at a meeting at which a quorum is present shall be the act of the Trustees. A Trustee is considered "present" if attending the meeting in person or by electronic media.

**Section 2-7. PUBLIC ATTENDANCE AT MEETINGS**

Regular and special meetings of the Trustees shall be open to the public except for executive sessions which may be convened at any time by vote upon motion by any Trustee. Executive sessions shall be attended only by the Trustees and such persons as may be designated by the presiding officer or included in the motion. No actions shall be taken in executive sessions. Matters considered and discussed during executive sessions shall be confidential except as otherwise provided by law.

**Article III. PROCEDURE AT MEETINGS**

**Section 3-1. QUORUM**

A majority of the Trustees shall constitute a quorum for the transaction of business. Any number less than a quorum present at a meeting duly called may adjourn from time to time until a quorum shall be in attendance.

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**Section 3-2. ORDER OF BUSINESS**

The business at each regular or special meeting shall be conducted in the following manner, unless otherwise authorized by appropriate Trustees action.

- Roll Call
- Approval of Board of Trustees Meeting Minutes
- Election of Officers (annual meeting or as necessary)
- Reports
- Public Testimony (scheduled during the regular meeting)
- Committee of the Whole, Regular Business (Board Committee Reports)
- Proposed Items for Action
- New business
- Date of Next Meeting
- Adjournment

**Section 3-3. RULES OF PROCEDURE**

Meetings of the Trustees shall be conducted according to Robert's rules of parliamentary procedure except as modified by the Trustees. Each Trustee who is present shall vote on every question, unless excused from voting by the Trustees. The ayes and naves shall be called and entered upon request of any Trustee.

**Section 3-4. MINUTES OF PROCEEDINGS**

Minutes of proceedings of the Trustees and of their committees shall be kept by the secretary, or designee. Action of the Trustees which utilizes material presented by reports or other documents shall be presented in the minutes in such form as to include, when not impractical, the full text of the action so that reference to other reports and documents is not necessary in order to determine the exact meaning of the action taken.

**Article IV. OFFICERS OF THE TRUSTEES**

**Section 4-1. NUMBER**

The officers of the Trustees shall be a President, a Vice President, a Secretary, and a Treasurer, who shall be limited to the twelve appointed Trustees.

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Section 4-2. ELECTION AND TERM OF OFFICE

The officers of the Trustees shall be elected annually at the annual meeting. Each officer shall hold office for one year or until his or her successor is elected and qualified. No Trustee shall be eligible for re-election as president immediately after having served two successive regular terms in that office.

Section 4-3. VACANCIES

In the event of a vacancy in any office of the Trustees, an election shall be held for the unexpired term at the next regular or special meeting of the Trustees.

**Article V. DUTIES OF OFFICERS**

Section 5-1. DETERMINATION OF DUTIES

The officers of the Trustees shall perform the duties expressly enjoined upon them by the laws of this State and by the Bylaws of the Trustees, and such other incidental duties as pertain to their respective offices, or as may be assigned from time to time by the Trustees or their President.

Section 5-2. PRESIDENT

The President of the Trustees shall preside over all meetings of the Trustees; shall call the Trustees or Executive Committee in regular or special session at such times as the President may deem advisable or necessary or at any time upon the petition of three or more Trustees; and the President shall have authority to decide any disputes as to the application or meaning of these rules and Bylaws, but this decision shall be referred to the next regular or special meeting of the Trustees for final decision and adjudication by the Trustees. The President of the Trustees shall have power to make temporary appointments to fill vacancies in the appointments of the Trustees to other boards or committees during the interval between Trustees meetings. The President shall be an ex officio non-voting member of all permanent committees of the Trustees. The President may sign, with the secretary or any other proper officer of the Trustees thereunto authorized by the Trustees, any deeds, mortgage, bonds, contracts, or other instruments which the Trustees have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Trustees by resolution, by UW Regulation, or by these Bylaws to some other officer or agent of the Trustees, or shall be required by law to be otherwise signed or executed. The President of the Trustees shall have the power to appoint ad-hoc committees as needed to address the business of the University. An ad-hoc committee is defined as an informal working group that can operate without formal board approval until completion of the committee's assigned task as determined by the President.

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**Section 5-3. VICE PRESIDENT**

In the absence of the President of the Trustees or in the event that the office becomes vacant, or of the president's inability or refusal to act, the Vice President shall perform the duties of the President.

**Section 5-4. SECRETARY**

The Secretary of the Trustees shall be sworn to the performance of his or her duties as provided by statute. The Secretary shall be responsible for the minutes of meetings of the Trustees; shall be custodian of the Trustees records and of the seal of the Trustees and see that the seal of the Trustees is affixed to all documents, the execution of which on behalf of the Trustees under its seal, is duly authorized; shall sign with the President of the Trustees such instruments as the latter may execute; and shall be responsible for the supervision of duties delegated or assigned to the Deputy Secretary appointed by the Trustees.

In the event that the offices of President and Vice President become vacant or both refuse or are unwilling to act, the Secretary shall perform the duties of President until the next regular or special meeting of the Trustees and preside at that meeting until the vacancy in the presidency is filled.

**Section 5-5. TREASURER**

The Treasurer shall cause an annual report to be prepared by the officers and employees of the University of Wyoming which shall show all receipts and disbursements; shall receive any monies, through the Deputy Treasurer, required by law to be paid to the Treasurer of the Trustees; and shall maintain general cognizance of fiscal and accounting procedures utilized by officers of the University of Wyoming designated by the Trustees to receive and disburse all monies.

In the event that the offices of President, Vice President and Secretary become vacant or all refuse or are unwilling to act, the Treasurer shall perform the duties of the President until the next regular or special meeting of the Trustees and preside at the meeting of the Trustees until the vacancy in the presidency is filled.

**Article VI. OTHER OFFICERS**

**Section 6-1. DEPUTY SECRETARY**

At the discretion of the Trustees, the Deputy Secretary shall be appointed by the Trustees, and shall perform such duties as are delegated by the Secretary of the Trustees.



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Section 6-2. DEPUTY TREASURER

The Deputy Treasurer shall be nominated by the President of the University, and at the discretion of the Trustees, shall be appointed by the Trustees, shall be an officer of the University of Wyoming whose duties include responsibility for the receipt, custody, and expenditure of all funds of the University of Wyoming not held by the State Treasurer, and shall exercise the same responsibility with respect to any funds or monies of the Trustees of the University of Wyoming.

Section 6-3. INTERNAL AUDITOR

The Internal Auditor shall be appointed by the Trustees, and shall perform such duties as the Trustees require.

Section 6-4. OTHER OFFICERS AND DUTIES

At the discretion of the Trustees, other officers may be appointed by the Trustees as may be deemed necessary. The duties of all officers of the Trustees shall be set forth in writing at the time of appointment or in appropriate UW Regulations.

**Article VII. COMMITTEES OF THE TRUSTEES**

Section 7-1. EXECUTIVE COMMITTEE

The Executive Committee shall consist of five Trustees: the President of the Trustees who shall serve as Chairman, the immediate past President of the Trustees, if such person remains on the Board, the Vice President of the Trustees, the Secretary of the Trustees, and the Treasurer of the Trustees. The Executive Committee shall have authority to meet with the University president to exchange information and discuss issues and to act for the Trustees in all routine business matters wherein immediate decisions and actions are deemed necessary for the present welfare of the University. All such actions of the Executive Committee shall be reported to the Trustees at their next regular or special meeting and ratified when appropriate, and shall be entered in full upon the minutes of such meeting of said Trustees.

Section 7-2. FISCAL AND LEGAL AFFAIRS COMMITTEE

The Fiscal and Legal Affairs Committee 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 all audit-related areas enumerated below. Specifically 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.

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In discharging their duties hereunder, the members of the Committee 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.

I. Investments

Review the management of invested University funds, including University endowment funds and University operating funds, subject to the following conditions:

- a. The President of the University shall be the administrative officer of the invested University funds, and may assign to a designee such duties as may be described in a written delegation of authority.
- b. With Board approval, the Committee may employ the services of an agent, such as the University of Wyoming Foundation, an investment adviser, and/or manager(s), and may give due consideration to such advice.
- c. The Committee, or the Board-approved agent, shall place the securities of said Funds in custody of a custodian bank or other fully insured custodial institution, which shall have the right and privilege of holding the securities in a street name or in a name of such nominee as it may choose.
- d. Each year the Committee shall review the agent's investment policy, asset allocation strategy and other endowment management philosophies, such as earnings distribution policies. The Committee shall receive and review an annual report on portfolio performance and other relevant endowment management metrics.

II. Financial Reporting Process

- a. Ensure that the external auditors communicate all matters required by their professional standards to the Committee and review significant accounting and reporting issues, including recent professional and regulatory pronouncements in order to understand their impact on the University's financial statements.
- b. Review the annual financial statements, including management's discussion and analysis, and determine if they are complete and consistent with information known to committee members.



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- c. Be satisfied that all regulatory compliance matters have been considered in the preparation of the financial statements.
  - d. Review significant financial risks and exposures and the plans to minimize such risks.
  - e. Review, with the University's legal counsel, any legal matters that could have a significant impact on the financial statements.
- III. System of Internal Control
- a. Ensure that management is setting the appropriate tone in communicating the importance of internal control and ensure that individuals have an understanding of their roles and responsibilities.
  - b. Receive and review reports from internal and external auditors regarding the quality of institutional internal control systems and determine whether management has implemented internal control recommendations made by internal and external auditors.
  - c. Ensure that internal and external auditors keep the Committee informed about fraud, illegal acts, deficiencies in internal control and ensure that an appropriate process exists for the receipt, retention and treatment of complaints, including anonymous complaints, regarding accounting, internal controls and auditing matters.
  - d. Evaluate the extent to which internal and external auditors review computer systems and applications, the security of such systems and applications, and the contingency plan for processing financial information in the event of a systems breakdown.
- IV. Audit Process – External
- a. Following appropriate consultation with management, recommend to the Board the selection and retention of the external audit firm. Approve external auditor's fees.
  - b. Review and approve the external auditor's proposed scope and approach.
  - c. Review and confirm the external auditor's assertion of their independence in accordance with professional standards.
  - d. Review the performance of the external auditors and recommend the appointment or discharge of the external auditors.

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- e. Ensure that, unless extenuating circumstances exist, an external auditor under contract with the University that bids on a new contract provides that the lead partner has not performed audit services beyond a total maximum of four years in an eight-year period.
  - f. Strongly encourage, unless extenuating circumstances exist, that external auditors may only provide services for a total maximum of eight consecutive years. This limitation does not preclude an external auditor from bidding on or receiving a new contract after a break in service.
  - g. Meet with the external auditors, the Internal Auditor, and management in separate executive sessions to discuss any matters that the Committee or these entities believe should be discussed privately. Mediate any disagreements between management and external auditors regarding financial reporting.
  - h. Review with management and external auditors the results of the annual external audit, including any difficulties encountered, restrictions placed on the scope of the external auditor's activities, access to requested information and any significant disagreements with management.
  - i. Review and approve any engagement of the external auditors for non-audit related consulting activities.
- V. Audit Process – Internal
- a. Review and ensure that the University has the appropriate structure, staffing, and capability to effectively carry out the internal audit responsibilities.
  - b. Review and concur in the appointment, compensation, replacement, reassignment, or dismissal of the Internal Auditor.
  - c. Review and confirm the priorities and key action plans of the audit function. Receive and review internal audit reports from the Internal Auditor regarding results of the internal audit program.
  - d. Ensure that audited divisions and colleges attend the Committee meetings to discuss audit findings and recommendations.
  - e. Report each internal audit report from the Internal Auditor to the Board of Trustees. The Board of Trustees shall formally act on each internal audit report.

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- f. Ensure there is regular, independent communication between the Committee and the Internal Auditor and ensure there are no unjustified restrictions or limitations on internal audit programs.
- g. Ensure there is flexibility when setting the Committee agenda based on concurrence between the Division of Administration and the Internal Auditor.

VI. Compliance with Laws & Regulations

- a. Review the findings of any significant examinations by financial regulatory agencies and review management's corrective action plans. Ensure that action plans are implemented to the satisfaction of the regulatory agencies.

VII. Other Responsibilities

- a. Ensure that significant findings and recommendations made by the internal and external auditors are received, discussed and acted upon in an appropriate and timely manner.
- b. Regularly update the Board of Trustees about Committee activities, any key internal or external audit issues and make appropriate recommendations for Board action.
- c. Review and update this By-Law and receive approval of changes from the Board of Trustees.

Section 7-3. BIENNIUM BUDGET COMMITTEE

The Biennium Budget Committee is responsible for working with University administration as it develops and submits the University's budget requests to the Governor as a state agency, including the 067 University of Wyoming operating budget, the 069 WICHE budget, the 167 Medical Education budget, and the Enhanced Oil Recovery Commission's 070 operating budget. It also includes funding requests related to capital facilities, as well as any other recommendations in the University's budget request that would be included in the state's appropriations bill for the biennium or in a supplemental budget request.

In discharging their duties hereunder, the members of the Committee shall work with the Vice President for Administration and the Vice President for Governmental and Community Affairs.

Section 7-4. FACILITIES CONTRACTING COMMITTEE

The Facilities Contracting Committee is responsible for working with University administration to develop and recommend modifications to the University's

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facilities planning, contracting and construction policies and procedures. These recommendations will be presented to the full Board of Trustees for review and approval.

In discharging their duties hereunder, the members of the Committee shall work with the Vice President for Administration and the General Counsel.

Section 7-5. FINANCIAL MANAGEMENT AND REPORTING COMMITTEE

The Financial Management and Reporting Committee is responsible for taking an immediate and active role in developing a long-term, integrated and comprehensive financial management and reporting system for the University; helping develop a meaningful short-term financial reporting protocol for the Board of Trustees so that the Board can meet its fiduciary obligations; and participating in developing the University's budget structure in coordination with the financial management and reporting system.

In discharging their duties hereunder, the members of the Committee shall work with the Vice President for Administration and the General Counsel.

Section 7-6. HONORARY DEGREES AND AWARDS COMMITTEE

The Honorary Degrees and Awards Committee is responsible for recommending to the Board of Trustees the awarding of both the Trustees' Award of Merit and Honorary Degrees.

The Trustees' Award of Merit was established in 1984 and recognizes individuals and groups who have rendered meritorious service or made exemplary contributions to the University. Nominations for the Trustees' Award of Merit are submitted to the Honorary Degree Committee, accepted on a continuous basis, and reviewed at regular intervals. There are no minimum or maximum number of awards given in any calendar year.

An Honorary Degree from the University recognizes individuals who embody the University's high ideals and who exemplify the values of excellence, service, and integrity. Honorary Degrees are among the highest honors a university can confer, and recognize a career of distinguished accomplishment in the professions, sciences, arts, humanities, public service, and service to humanity. Nominations for Honorary Degrees are submitted to the President of the University, who will refer them to a joint committee made up of the Honorary Degree Committee and three faculty members appointed by the Faculty Senate. The joint committee will forward its recommendations to the Board of Trustees for final decision at its January meeting and announcement in the spring semester.

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In discharging their duties hereunder, the members of the Committee shall work with the President of the University and the Provost.

**Section 7-7. TRUSTEES LEGISLATIVE RELATIONS COMMITTEE**

The Trustees' Legislative Relations Committee is responsible for working closely with the Governor's office and the legislative leadership to develop a consensus of priorities for the University.

In discharging their duties hereunder, the members of the Committee shall work with the Vice President for Government and Community Affairs and the Vice President for Administration.

**Section 7-8. VICE PRESIDENT AND DEAN SEARCH COMMITTEE**

The Vice President and Dean Search Committee is responsible for informing the Board of Trustees of the progress of University searches for administrative officers and deans/directors of a college or school. The Vice President and Dean Search Committee may provide nonbinding feedback to the University's search committee during the recruitment process, confer with the University's search committee on the final candidate, and communicate with the full Board of Trustees as it determines.

In discharging their duties hereunder, the members of the Committee shall work with the President of the University.

**Section 7-9. ACADEMIC AND STUDENT AFFAIRS COMMITTEE**

The Academic and Student Affairs Committee is responsible for (1) reviewing and making recommendations to the full Board regarding the University's academic mission, as well as policies and resources needed to realize that mission, execute UW's academic strategic priorities, ensure the quality and integrity of each of UW's academic programs, and to ensure the University remains focused on an excellent student experience whether it is on a UW Campus or at a distance; and (2) reviewing and making recommendations to the full Board regarding policies, programming and services related to student engagement, wellness, development, and persistence.

In discharging their duties hereunder, the members of the Committee shall work with the Provost and Vice President for Academic Affairs and the Vice President for Student Affairs.

**Section 7-10. MEMBERS, TERM, AND COMMITTEE CHAIRMEN**

Each Committee of the Trustees shall consist of not fewer than three Trustees. Appointments shall be made by the President of the Board of Trustees at the May



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meeting of the Trustees, or as the President deems necessary throughout the year, for terms of two years. Appointments to fill a vacancy for the unexpired term may be made by the President of the Board at any time and announced at the next regular Board meeting following the appointment. The President of the Board of Trustees shall serve as an ex-officio member of all Trustees' Committees, may attend Committee meetings at his or her discretion, and may appoint a replacement for any Committees the President served on prior to being elected.

At the May meeting, the President of the Trustees shall appoint a chairman for each committee. The chairman shall hold office for one year or until his or her successor is appointed and qualified.

#### **Article VIII. AMENDMENT OF BYLAWS**

These Bylaws may be changed or amended and additional Bylaws may be adopted at any regular meeting of the Trustees by a vote of two-thirds of the Trustees, provided that notice of the intention to change, amend, or add to the Bylaws, in whole or part, shall have been given in the notice of the meeting or shall have been given at a preceding meeting of the Trustees. Such notice shall be in writing and shall include the exact wording of the legislation proposed. The Bylaws, in whole or in part, may be suspended at any Board meeting only by an affirmative vote of two-thirds of the Trustees.

#### **Article IX. UW REGULATIONS**

Rules for the government of the University and all its branches shall be designated as "UW Regulations," which may be adopted, changed or amended at any regular or special meeting of the Trustees without prior formal notice. In order to have the status of a standing regulation, any intention to adopt, change or amend such Regulations must be presented as a formal motion for action by the Trustees.

#### **Article X. PRESIDENT OF THE UNIVERSITY OF WYOMING**

##### **Section 10-1. APPOINTMENT**

The President of the University of Wyoming shall be appointed by the Trustees, but no such appointment shall be made without nine affirmative votes of the Trustees. The initial term of office shall be for not less than one year, and the President shall thereafter continue in such office at the will of the majority of the Trustees, who, from time to time, shall fix his or her salary. It will be the policy of the Trustees to confer with an advisory committee from the University faculty and staff prior to the selection of a new President.

##### **Section 10-2. DUTIES AND POWERS**

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The President of the University shall perform the duties expressly enjoined upon the President by the laws of this State, by these Bylaws, and such other incidental duties as pertain to his or her office or as may be assigned from time to time by the Trustees. As the executive head of the University of Wyoming, on behalf of the Trustees the President shall be responsible for the custody of the books, records, buildings, and all other property of the University, and for the administration of the academic and business activities of the University in accordance with the directives, Bylaws and UW Regulations and shall be clothed with all authority requisite to these ends. The President shall inform and advise the Trustees with respect to the operations of the University and its relationships, and shall serve as an ex officio non-voting member of all permanent Trustees' committees.

#### Article XI. THE UNIVERSITY OF WYOMING

Pursuant to State Law establishing the University as an institution of learning under the name and style "The University of Wyoming," all authorized functions and business matters carried on by the officers, faculty and staff of the University in accordance with regulations and financial budgets of the Trustees shall be in the name of "The University of Wyoming."

#### Article XII. SEAL

The corporate seal of the Trustees of the University of Wyoming shall consist of a circular design on which is inscribed the words "The University of Wyoming - 1886 -" and in the center the word "Equality." It shall be affixed to all papers which may require it as authorized by the Secretary, the President of the University of Wyoming, or regulation or direction of the Trustees.

#### Article XIII. SERVING ON BOARDS

~~If the~~ The President of the Board of Trustees ~~agree to may~~ appoint Trustees to the governing bodies of University related organizations. ~~such appointments shall be for service only as non-voting members.~~

Commented [TRE1]: Transferred from UW Regulation 1-102

Revisions adopted 5/13/2015 Board of Trustees meeting  
Revisions adopted 11/18/2016 Board of Trustees meeting  
Revisions adopted 5/10/2017 Board of Trustees meeting  
Revisions adopted 5/9/2018 Board of Trustees meeting

**AGENDA ITEM TITLE:**

**Information: Timeline for Submission of Legislative Annual Report**, Jewell/ Maxey

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other           Specify: Committee of the Whole (Items for Approval)

**BACKGROUND AND POLICY CONTEXT OF ISSUE**

The Board of Trustees will receive an update on the development of the University of Wyoming's FY18 Annual Report to the State of Wyoming. The report is currently being written with a draft expected to be completed by August 16, 2018. The final report will be submitted to the State on August 31, 2018.

The annual report will cover UW activities for fiscal year 2018, spanning July 1, 2017-June 30, 2018. This year, the University plans to take a slightly different approach to the annual report, structuring it around our new strategic plan, *Breaking Through*. Two of the key reasons the state requests an annual report from UW and other state agencies is to evaluate UW's goals and performance. *Breaking Through* provides clear guidelines and benchmarks that UW has set for itself; thus, the strategic plan provides a logical structure to guide the annual report.

**PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:**

This topic was discussed at the July 2018 Board of Trustees meeting.

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

Information only with opportunity to share draft with any Trustee who would like to review it prior to submission.

**ACTION REQUIRED AT THIS BOARD MEETING:**

None.

**PROPOSED MOTION**

N/A

**PRESIDENT'S RECOMMENDATION:**

N/A