

Approved January 14, 2022

THE UNIVERSITY OF WYOMING
SUMMARY MINUTES OF THE TRUSTEES

December 15, 2021
Public Session

**Final minutes can be found on the University of Wyoming Board of Trustees website at
www.uwyo.edu/trustees**

THE UNIVERSITY OF WYOMING
MINUTES OF THE BOARD OF TRUSTEES
Wednesday, December 15, 2021
Via Video Conference
Old Main Boardroom
Laramie, Wyoming

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THE UNIVERSITY OF WYOMING
MINUTES OF THE BOARD OF TRUSTEES
Wednesday, October 13, 2021
Conference Call Meeting
Old Main Boardroom
Laramie, Wyoming

The University of Wyoming Board of Trustees held a conference call on Wednesday morning, December 15, 2021. Trustee Chairman Jeff Marsh called the meeting to order at 7:30 a.m. Deputy Secretary RoseMarie London took roll.

Trustees participating: Brad Bonner, Kermit Brown, David Fall, Brad LaCroix, Carol Linton, Jeff Marsh, John McKinley, Macey Moore, Laura Schmid-Pizzato, Michelle Sullivan, and Dave True. Trustee Elizabeth Greenwood was not present. Ex-officio Trustees Participating: UW President Ed Seidel, ASUW President Hunter Swilling, Director of Wyoming Community College Commission Sandy Caldwell, and State Superintendent for Public Instruction Jillian Balow. Governor Mark Gordon was not in attendance.

AGENDA ITEM TITLE: Spring 2022 COVID-19 Campus Plan, Seidel

President Ed Seidel presented the Board information about the Spring 2022 COVID-19 Campus Plan. President Seidel updated the Board on on-going mitigation efforts related to the spread of COVID-19. President Seidel went on to discuss potential impacts of the Omicron variant, stating the difficulty predicting conditions when classes resume in January 2022. President Seidel said it is prudent to continue with the policies that have allowed the university to have a successful in-person fall semester. College of Health Sciences Dean David Jones discussed the content of the advisory committee report and its recommendations to the president, encouraging a coordinated campus response to the Omicron variant in preparation for the Spring 2022 semester, to include mandatory COVID-19 testing for all employees and students the week before classes begin. Jones further stated the university will continue its 3% random-sample weekly testing when the spring semester begins. Jones stated on campus prevalence of Omicron will be unknown until the end of January 2022, and reported the advisory committee recommends masking at least until the February 2022 Board of Trustees conference call. In response to inquiry from Trustee Jeff Marsh, Jones discussed transmission rates on campus.

President Seidel discussed his meeting with a group of students who had been vocal about their views against the campus mask and vaccination recommendations, reporting the group's request for succinct and frequent updates on relevant COVID-19 information. President Seidel expressed his appreciation to the group for their willingness to meet.

There was significant Board discussion regarding the current mask policy, its effectiveness, and inconsistent compliance across campus, most recently during Winter Commencement. Trustee David Fall discussed the unknowns related to the Omicron variant, the importance of student safety, and the desire to keep the campus open, further stating that masks are a useful defense requesting the Board continue the mask policy with reconsideration at the February 2022 Board conference call. Trustee Kermit Brown discussed student desire to preserve in person learning, and stated decisions should follow the science, and encouraged extension of a policy that has worked. Trustee Macey Moore stated that the university is asking students to live in a mask, and asked the Board to consider what the quality of life is like. Trustee Carol Linton concurred with statements made by Trustee Moore, further stating opposition to a mask policy, given the availability of vaccinations. Trustee Linton further stated her support for campus wide testing, and expressed opposition to the vaccination mandate in healthcare settings. Trustee Brad LaCroix concurred with views expressed by Trustee Moore, and stated he does not support a vaccination mandate for healthcare providers. Trustee John McKinley reminded the Board it denied recommendation for vaccine mandates for healthcare providers at a previous meeting, and asked that such a mandate not be included in the Spring 2022 COVID-19 Campus Plan. Evans clarified that such a mandate was not currently in the plan presented to the Board but was a recommendation by Dean Jones' Advisory Committee.

ASUW President Hunter Swilling spoke a number of times about student's perspective on the value of in person learning, and his support toward extending mask policy into February 2022, in spite of the growing student sentiment against wearing masks due to inconsistent enforcement across campus. Faculty Senate Chairman Adrienne Freng discussed faculty perspective on the current mask policy, and the potential difficulty to reinstating a mask policy once it is removed.

In response to request for clarification from Trustee Jeff Marsh, Provost and Executive Vice President for Academic Affairs Kevin Carman discussed the number of current online course offerings. Carman stated that in certain cases, faculty have determined the online modality is more effective. Carman reported faculty was asked to provide courses in high flex mode, and that academic affairs was still gathering data on the number of students who engaged in this modality. Carman discussed faculty perspective regarding potential transmission to vulnerable individuals in their orbit. Carman further stated it is difficult to police modality of teaching. Carman concluded stating his support of continuing the mask policy on campus. State Superintendent for public instruction Jillian Balow discussed the status of K-12 school district mask policies, indicating all but one district will drop the requirement in January 2022. Balow stated that the Wyoming Department of Education (WDE) has required all school districts to work in tandem, and refer to local metrics to drive their decision making.

Trustee Laura Schmid-Pizzato stated the university should follow the international data, and delay a change to policy until students return to campus. Trustee Brad Bonner stated he was prepared to follow the advisory committee's recommendation to President Seidel, and reconsider the mask policy in February 2022.

Trustee Brad LaCroix moved the mask policy end effective January 1, 2022. Trustee Macey Moore seconded the motion. The motion failed via roll call vote. Trustees Brad Bonner, Kermit Brown, David Fall, John McKinley, Laura Schmid-Pizzato, Michelle Sullivan, and Dave True voted no.

Spring 2022 COVID-19 Campus Plan
12-15-2021 @ 10:32 a.m.

Trustee Brad Bonner moved to approve the Spring 2022 COVID-19 Campus Plan, including the current mask policy, which will be revisited at the February 16, 2022, Board of Trustees meeting. Trustee David Fall seconded the motion. The motion carried. Trustee Brad LaCroix voted no.

AGENDA ITEM TITLE: Modifications to UW Regulations, Brown/Evans

Vice President and General Counsel Tara Evans provided the Board an update on proposed new UW Regulation 12-5 (UW Foundation Funds Available for Appropriation). In response to inquiry from Trustee Dave True, Evans clarified the intent of the funds available for appropriation is intended to be account specific. In response to further inquiry from Trustee Dave True, Evans reported modifications to the regulation were endorsed by the UW Foundation. Evans further stated a dean and members of faculty senate's executive committee expressed some concern about the section allowing the president to reduce state appropriation dollars, which was transmitted to the UW Regulation Committee. The UW Regulation Committee recommended not changing that language.

Approval of new UW Regulation 12-5 (UW Foundation Funds Available for Appropriation)
12-15-2021 @ 10:43 a.m.

I move to authorize new UW Regulation 12-5, as presented to the Board, with the edit to clarify the accumulation of funds section is account specific. Trustee Michelle Sullivan seconded the motion. The motion carried with a unanimous decision.

OTHER ACTION TAKEN AT MEETING:
Approval of Minutes

12-15-2021 @ 9:06 a.m.

Trustee Laura Schmid-Pizzato moved the Board approve the November 17-19, 2021, UW Board of Trustees meeting minutes (executive and public session). Trustee David Fall seconded the motion. The motion carried with a unanimous decision.

Academic Personnel

12-15-2021 @ 10:45 a.m.

Trustee Michelle Sullivan moved the Board approve the Academic Personnel report as provided. Trustee Brad LaCroix seconded the motion. The motion carried with a unanimous decision.

Amendment No. 5 to the Agreement for Services between the University of Wyoming and Western Research Institute

12-15-2021 @ 10:42 a.m.

Trustee Macey Moore moved the Board authorize administration to execute Amendment No. 5 to the Agreement for Services between the University of Wyoming and Western Research Institute. Trustee David Fall seconded the motion. The motion carried with a unanimous decision.

Thermo Fisher Scientific Service Contract Quotes 118751, 118754, 118755, 118756, 118800, and 109045

12-15-2021 @10:42 a.m.

Trustee Macey Moore moved the Board authorize administration to execute the six Thermo Fisher Scientific Service Contract Quotes as presented to the Board. Trustee David Fall seconded the motion. The motion carried with a unanimous decision.

Wyoming Public Radio Dubois, WY Site (Windy Ridge) Sub-License Extension with Dubois Telephone Exchange

12-15-2021 @ 10:43 a.m.

Trustee John McKinley moved the Board authorize administration to execute Addendum No. 2 to the Tower and/or Building Sub-License Agreement between Dubois Telephone Exchange, Inc. and the University of Wyoming for the Windy Ridge site as presented to the Committee and contained in the materials. Trustee Carol Linton seconded the motion. The motion carried with a unanimous decision.

Naming Agreement

12-15-2021 @ 10:45 a.m.

Trustee David Fall moved that the University of Wyoming Geology Field Camp be named in honor of Tom A. Thorson and henceforth be recognized as the Tom A. Thorson Geology Field Camp. Trustee Kermit Brown seconded the motion. The motion carried with a unanimous decision.

Gift Agreement

12-15-2021 @ 10:44 a.m.

Trustee Brad Bonner moved the Board authorize administration to sign the amendment to the gift agreement as discussed in executive session. Trustee Brad LaCroix seconded the motion. The motion carried with a unanimous decision.

Date of Next Meeting

January 12-14, 2021 (Laramie, Wyoming)

Adjournment

The meeting adjourned at 10:48 a.m.

Executive Session Information

[The UW Board of Trustees met in Executive Session on Wednesday, December 15, 2021, in the Old Main Board room and via video conference.]

Executive Session

Wednesday, December 15, 2021

7:30 a.m.

Old Main Boardroom and video conference.

The University of Wyoming Board of Trustees called the meeting to order at 7:30 a.m. Trustee Michelle Sullivan moved the Board to enter into Executive Session:

- 1) To consider or receive any information classified as confidential by law (16-4-405(a)(ix);
- 2) To consider acceptance of gifts, donations and bequests which the donor has requested in writing to be kept confidential (16-4-405(a)(viii)); and
- 3) To consider the appointment, employment, right to practice or dismissal of a public employee and to consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all negotiations (16-4-405(a)(ii) and 16-4-405(a)(x))

The executive session was attended by the 12 voting members of the UW Board of Trustees, ex-officio members, and UW administrators and staff as appropriate. Trustee Carol Linton seconded the motion. The motion carried. The Board entered into executive session at 7:31 a.m.

Trustees participating: Brad Bonner, Kermit Brown, David Fall, Carol Linton, Brad LaCroix, Jeff Marsh, John McKinley, Macey Moore, Laura Schmid-Pizzato, Michelle Sullivan, and Dave True. Trustee Elizabeth Greenwood was not in attendance. Ex-officio Trustees UW President Ed Seidel, ASUW President Hunter Swilling, and Director of Wyoming Community College Commission Sandy Caldwell, and State Superintendent for Public Instruction Jillian Balow. Governor Mark Gordon was not in attendance.

Provost and Executive Vice President for Academic Affairs Kevin Carman, Vice President and General Counsel Tara Evans, Deputy General Counsel Paula Whaley, UW Board of Trustees Deputy Secretary RoseMarie London, and IT Specialist Lisa Stafford attended the entirety of the meeting. The following administrators were present during their respective topics:

- The following administrators during their respective topics:
 - Director, Center for Carbon Capture and Conversion Richard Horner
 - Professor Petroleum Engineering, Mohammad Piri

- Senior Vice President for Finance and Administration Neil Theobald
- Chief of Staff Mary Ivanoff
- Vice President for Institutional Advancement Ben Blalock
- Senior Vice President for Development John Stark
- External individuals and outside counsel
 - Bob Berger, Lonabaugh and Riggs
 - Hal Corbett, Lonabaugh and Riggs

Respectfully submitted,



RoseMarie London
Deputy Secretary, UW Board of Trustees