THE UNIVERSITY OF WYOMING
BOARD OF TRUSTEES’
REPORT & SUPPLEMENTAL MATERIALS

February 17, 2021
Conference Call Meeting
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  
February 17, 2021  
Conference Call Meeting

Note: Only topics that have support materials provided in advance of the meeting are contained within this report. Topics that will be discussed with only a verbal report do not have information included.

WORK SESSIONS
Discussion: Appointment of Trustees – Marsh [verbal update]  
COVID-19 Update – Seidel [verbal report]  
EOG Royalty Matter – President’s recommendations – Seidel [verbal report]  
UW Regulation 2-13 Program Review Update – Alexander ......................................................... 4  
Facilities Contracting Committee – McKinley/Mai  
   a. Consideration and Action: Change Order for Wyoming Hall Utilities Increased Scope ..........13  
Fiscal and Legal Affairs Committee – Moore/Jewell  
   a. Consideration and Action: FY2020 Single Audit Reports and Schedule of Expenditures of  
      Federal Awards .....................................................................................................................15  
   b. Consideration and Action: Request for Use of Legal Reserve, Office of Inspector General’s  
      Audit of UW’s EPSCORE Grant .......................................................................................48  
UW Regulations Committee – Brown/Evans  
Consideration and Action: Modifications to UW Regulations – Brown/Evans  
   a. UW Regulation 1-1 (Organization of the University) ..........................................................52  
   b. UW Regulation 2-8 (Appointment, Evaluation and Removal of Academic Administrators) ....63  
   c. UW Regulation 6-10 (University of Wyoming Public Art Policy) ......................................84
AGENDA ITEM TITLE: Academic Affairs Program Review Update, Alexander, Ahern, Barrett

SESSION TYPE: ☐ Work Session ☐ Education Session ☐ Information Item ☐ Other:
[Committee of the Whole – Items for Approval]
☐ Yes (select below):
☐ Driving Excellence ☐ Inspiring Students ☐ Impacting Communities ☐ High-Performing University
☐ No [Regular Business]

Attachments are provided with the narrative; please also refer to supplemental packet.

EXECUTIVE SUMMARY:
At the November 12, 2020 meeting, the Board of Trustees approved a plan to address a $42.3 million budget reduction in the current biennium, driven by a 10 percent cut in state funding that resulted in an immediate reduced distribution from the state earlier in 2020. The board accepted the plan presented by President Ed Seidel in accordance with UW Regulation 2-12. As part of the plan a number of programs were identified for review under UW Regulation 2-13 and others for accelerated strategic review.

In response, Academic Affairs established a “one stop” website for program reviews which included online templates for the submission of programs undergoing UW Regulation 2-13 review, accelerated program review, and portfolio review. All academic programs will complete at least one method of review. A portal was also established to solicit constituent feedback. A UW Regulation 2-13 review committee was established with representation from Faculty Senate, ASUW, staff, and Academic Affairs. The committee conducted two listening sessions and met with representatives from academic programs under review. The committee has provided recommendations based on the UW Regulation 2-13 review and forwarded them to the Provost and President. The Provost has also moved programs identified for accelerated strategic review to the portfolio review stage for a thorough and balanced review.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:
November 12, 2020 Board approval of the President’s Budget Reduction Plan.

WHY THIS ITEM IS BEFORE THE BOARD:
UW Regulation 2-13 requires that the President shall make a final recommendation to the Board of Trustees upon conclusion of a review of a program.

ACTION REQUIRED AT THIS BOARD MEETING:
Approval, modification, or disapproval of UW Regulation 2-13 recommendations from Provost and President.

PROPOSED MOTION:
I move to approve the President’s recommendations for the UW Regulation 2-13 programs reviewed for reorganization, consolidation, reduction, or discontinuance as presented.

PRESIDENT’S RECOMMENDATION:
The President recommends approval.
Office of Academic Affairs
1000 E. University Avenue
Dept. 3302, 312 Old Main
Laramie, WY 82071
307.766.4286 • fax: 307.766.2606

February 7, 2021

President Seidel:

At the November 12, 2020 meeting, the Board of Trustees approved a plan to address a $42.3 million budget reduction in the current biennium, driven by a 10 percent cut in state funding that resulted in an immediate reduced distribution from the state earlier in 2020. The board accepted the plan presented by you in accordance with UW Regulation 2-12. As part of the plan a number of programs were identified for review under UW Regulation 2-13 and others for accelerated strategic review.

In response, Academic Affairs established a “one stop” website for program reviews which included online templates for the submission of programs undergoing UW Regulation 2-13 review, accelerated program review, and portfolio review. All academic programs will complete at least one method of review. A portal was also established to solicit constituent feedback. A UW Regulation 2-13 review committee was established with representation from Faculty Senate, ASUW, staff, and Academic Affairs. The committee conducted two listening sessions and met with representatives from academic programs under review. I have also moved programs identified for accelerated strategic review to the portfolio review stage for a thorough and balanced review.

The committee has provided a report of recommendations “Final Report to Interim Provost Alexander from the Round 1 UW 2-13 Program Review Committee,” dated February 5, 2021. I have carefully reviewed the report and concur and support the committee recommendations. This round of 2-13 reviews will not result in any position terminations and students currently enrolled in these programs will not be effected; the primary cost-savings will be in reduced numbers of sections of courses taught by the colleges and departments.

With respect to American Studies, the program has 19 graduate students and 32 undergraduates in their program at this time. They awarded 12 BA's and 5 MA's in AY 2019-20. A reorganization of American Studies with the School of Culture, Gender, and Social Justice will be explored in the coming weeks, a merger that will fit both programs quite well. In Creative Writing, the program has demonstrated that they receive the highest number of inquiries of any masters-level program at UW, on
average 202 inquiries per year. They have awarded an average of 8.6 degrees per year and average over 16 students in the program per year. In addition, they provide a critical training ground for the humanities in Wyoming and beyond. The BA in Secondary French, German, and Spanish Education, though small, serves to provide trained educators to the state in modern language education and thus meets a vital need for the state. The program will explore a partnership with the Modern and Classical Languages Department. Thus, I concur with the recommendations of the committee to put these programs into the strategic portfolio review rather than eliminate them at this time.

For full information on the data, information, reports, and feedback used by the committee, please see this site. Do not hesitate to let me know if you have any questions.

Sincerely,

Anne Alexander
Interim Provost and Vice President for Academic Affairs

Atch
Final Report to Interim Provost Alexander from the Round 1 UW 2-13 Program Review Committee, February 5, 2021
Final Report to Interim Provost Alexander from the Round 1 UW 2-13 Program Review Committee  
February 5, 2021

Introduction and Overview

In fall 2020, the Provost initiated a special program review and strategic planning analysis. This large endeavor was made in response to budgetary considerations as well as the need for the university to adapt to and help with the state’s economic circumstances and future. As an initial step, the Provost, in consultation with the deans, selected twenty-four programs or units for immediate review under UW Regulation 2-13. UW Regulation 2-13 governs the reorganization, consolidation or discontinuance of academic programs and units.

Following the Provost’s selection of programs and units for initial 2-13 review, on or before December 1st, the selected programs’ colleges and faculty submitted response reports to Academic Affairs. These documents were posted for review by the UW community and the public, and Academic Affairs solicited feedback from stakeholders with a deadline of January 29th. Coincident with the collection of stakeholder feedback, Academic Affairs formed a 2-13 review committee co-chaired by Associate Vice Provosts Jim Ahern (graduate education) and Steven Barrett (undergraduate education) with representation from Faculty Senate, ASUW, Graduate Council student representatives, and two student service unit personnel (see Appendix A). The review committee began the task of reading the response reports and stakeholder feedback during the week of January 24th.

Almost all the stakeholder feedback submitted to Academic Affairs regarded two of the programs: American Studies (B.A. and M.A.) and Creative Writing (M.F.A.). Given this focused interest, online listening sessions were conducted for each of these programs during the week of January 24th. More than 60 people attended each session. Seventeen people gave public testimony in support of American Studies and twenty-six gave public testimony on behalf of Creative Writing. Additionally, Interim Dean of Arts & Sciences and the programs’ directors provided testimony.

On February 3rd, the committee met with representatives from American Studies and Creative Writing, each for 30 minutes. Following these meetings, the listening sessions and review of all the documents provided for the 2-13 reviews, the committee members individually completed evaluation questionnaires. These responses were compiled, analyzed and presented to the committee during their February 4th meeting. Following discussion of each 2-13 program, the committee was able to reach consensus regarding recommendations for every program or unit.

Recommendations of the UW 2-13 Program Review – Round 1 Committee

Table 1 provides a list of the Round 1 2-13 review programs/units and recommendations for each. The committee agrees with the originally proposed outcomes for all programs highlighted in green in Table 1. Given this and given that the committee did not receive any stakeholder feedback for these programs nor an opposing response from the programs’ faculty, there will be no further discussion of these, here.
<table>
<thead>
<tr>
<th>Program/Unit</th>
<th>College</th>
<th>Concentration</th>
<th>Minors</th>
<th>UG</th>
<th>Grad</th>
<th>2-13 Review Committee Recommendation</th>
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<td>American Studies</td>
<td>A&amp;S</td>
<td>x</td>
<td>BA</td>
<td>MS</td>
<td></td>
<td>Although the committee supported movement to SCGSJ, ultimately it recommended that AMST be moved to the Strategic Portfolio Review. Also, would like to refer merger with CGSJ or other possibilities to Strategic Planning Group.</td>
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<td>Creative Writing</td>
<td>A&amp;S</td>
<td></td>
<td></td>
<td></td>
<td>MFA</td>
<td>Move to Portfolio Review, MFA highly selective; donor impacts need to be further explored; in a vacuum, committee would support keeping and even, perhaps further investment.</td>
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<tr>
<td>Concentration in Community Development</td>
<td>CANR</td>
<td>x</td>
<td></td>
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<td>Eliminate</td>
</tr>
<tr>
<td>Accounting</td>
<td>COB</td>
<td>x</td>
<td></td>
<td></td>
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<td>Eliminate</td>
</tr>
<tr>
<td>Decision Science</td>
<td>COB</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td>Eliminate</td>
</tr>
<tr>
<td>Finance</td>
<td>COB</td>
<td>x</td>
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<tr>
<td>Human Resource Management</td>
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<tr>
<td>Marketing</td>
<td>COB</td>
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<td>Eliminate</td>
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<tr>
<td>BA in Secondary French Education</td>
<td>COE</td>
<td></td>
<td>BA</td>
<td></td>
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<td>BA in Secondary German Education</td>
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<td>BA</td>
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<td></td>
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<tr>
<td>BA in Secondary Spanish Education</td>
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<td>BA</td>
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<td>Online undergraduate major in Business Administration</td>
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<td>BA</td>
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<td>LAW</td>
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<td>LAW</td>
<td>Suspend admissions.</td>
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UW Board of Trustees Report and Supplemental Materials - Public Session
February 12, 2021
Page 8
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<th>Degree</th>
<th>Outcome</th>
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<td>Psychology</td>
<td>A&amp;S</td>
<td>MA</td>
<td>Eliminate</td>
</tr>
<tr>
<td>Chemistry</td>
<td>A&amp;S</td>
<td>MST</td>
<td>Eliminate</td>
</tr>
<tr>
<td>History</td>
<td>A&amp;S</td>
<td>MAT</td>
<td>Eliminate</td>
</tr>
<tr>
<td>Journalism</td>
<td>A&amp;S</td>
<td>BS</td>
<td>Eliminate</td>
</tr>
<tr>
<td>Agronomy</td>
<td>CANR</td>
<td>MS, PhD</td>
<td>Eliminate</td>
</tr>
<tr>
<td>Joint Veterinary Science Program (A&amp;S and CANR)</td>
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<td>Eliminate</td>
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<tr>
<td>Department consolidation: COSC and ECE</td>
<td>CEAS</td>
<td>x</td>
<td>Move to Strategic Portfolio Review/Refer to Strategic Planning</td>
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<tr>
<td>Concentration suspended for new admissions - Full-Time Campus MBA Energy Business Concentration</td>
<td>COB</td>
<td>x</td>
<td>Suspend admissions.</td>
</tr>
<tr>
<td>Other:</td>
<td></td>
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</tr>
<tr>
<td>The Alaska Summer Trial Institute offered by the Law School will be discontinued.</td>
<td>LAW</td>
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<td>Suspend institute</td>
</tr>
<tr>
<td>The Wyoming Reclamation and Restoration Center will be discontinued.</td>
<td>CANR</td>
<td></td>
<td>Move to Strategic Portfolio Review/Refer to Strategic Planning</td>
</tr>
</tbody>
</table>

**American Studies, B.A. & M.A., College of Arts & Sciences**

**Budget reduction report proposed outcome:** Elimination.

**College Dean’s recommended outcome:** Move American Studies into the School for Culture, Gender & Social Justice (SCGSJ).

**Program’s faculty recommended outcome:** Move American Studies into SCGSJ; maintain B.A. and M.A.

**Stakeholder feedback:** Unanimously in support of maintaining American Studies and its degree programs; some support for move to SCGSJ.

**2-13 Review Committee Recommendation:** The committee was unanimously opposed to the elimination of American Studies at this time, including its degree programs and faculty. The committee scored American Studies above average to very high for almost all criteria related to UW’s Mission, 2017-2022 Strategic Plan, Pres. Seidel’s Four Pillars, and other key indicators. Although the
committee agreed with Dean Dale and the American Studies faculty regarding moving the program into the School for Culture, Gender & Social Justice, the committee members believe that this can and should be taken into consideration as part of the full portfolio review and strategic planning processes.

**Creative Writing, M.F.A., College of Arts & Sciences**

**Budget reduction report proposed outcome:** Elimination.

**College Dean’s recommended outcome:** Do not eliminate. Maintain the Creative Writing Program and its degree program.

**Program’s faculty recommended outcome:** Do not eliminate. Maintain the Creative Writing Program and its degree program.

**Stakeholder feedback:** Unanimously in support of maintaining Creative Writing and its degree program; some support for move to English, mostly from English faculty.

**2-13 Review Committee Recommendation:** The committee was unanimously opposed to the elimination of Creative Writing at this time, including its degree program and faculty. The committee scored Creative Writing highly on all criteria related to UW’s Mission, 2017-2022 Strategic Plan, Pres. Seidel’s Four Pillars, and other key indicators. The MFA program is one of the most selective graduate programs at UW and attracts students nationally and internationally. The committee recommends that Creative Writing be maintained as-is for now and be moved to the portfolio review for further consideration. Some aspects of Creative Writing’s future may need to be considered by the Strategic Planning Group.

**B.A. degrees in French, German and Spanish Education, College of Education**

**Budget reduction report proposed outcome:** Elimination of all three degrees.

**College Dean’s recommended outcome:** Elimination of all three degrees.

**Program’s faculty recommended outcome:** No response other than from college.

**Stakeholder feedback:** Only one email regarding these degrees was submitted to Academic Affairs. This email, from the Department Head of Modern and Classical Languages (A&S), proposed that Modern & Classical Languages could take over these degree programs without needing any additional faculty.

**2-13 Review Committee Recommendation:** The committee recognized that, in terms of enrollments and degrees granted, these degree programs are low-performing and in low demand. However, the committee agreed that the actual savings of eliminating these degrees would be minimal, since most of the credit hours will continue to be taught since they overlap with other degree programs. Eliminating the degrees in one or two of these while keeping the other(s) (e.g., Spanish) would probably not realize a savings, as all these degrees require the same seven education credits regardless of the language concentration. The committee further recognizes that Dual Immersion Language programs, and the foreign language component for the Hathaway scholarship, could be harder to achieve if we are not graduating students prepared to teach foreign languages in our K-12 schools around the state. The committee is not opposed to moving the degrees to Modern and Classical Languages, but it is hesitant to recommend complete elimination of these programs without that outcome having been decided following consideration in the full portfolio review.
**Department consolidation of Electrical & Computer Engineering with Computer Science, College of Engineering & Applied Science**

Budget reduction report proposed outcome: Merger into a single department.

College Dean’s recommended outcome: Merger not recommended at this time.

Program’s faculty recommended outcome: No response other than from college dean. Dean indicates that faculty do not support a merger.

Stakeholder feedback: No stakeholder feedback submitted.

**2-13 Review Committee Recommendation:** Do not merge, at this time. The committee recognized that the potential savings of merging the two units would be minimal and would not outweigh the potential pitfalls, at least at this time. The committee recommends maintaining the two units as separate departments if and until an alternative recommendation comes out of the upcoming portfolio review process and/or strategic planning process.

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**Wyoming Reclamation and Restoration Center, College of Agriculture & Natural Resources**

Budget reduction report proposed outcome: Elimination.

College Dean’s recommended outcome: Renaming and restructuring to be more effective.

Program’s faculty recommended outcome: No response other than from college dean.

Stakeholder feedback: No stakeholder feedback submitted.

**2-13 Review Committee Recommendation:** Do not eliminate, at this time. Although the committee agrees that Dean Rasco’s plan to rename and restructure likely makes sense, especially since the center is not dependent on block grant funding, the committee believes that any outcome should wait until after the full portfolio review and strategic planning processes.

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**College of Health Sciences Curricular Overhauls and Programmatic Restructuring**

Budget reduction report proposed outcome: Curricular and programmatic restructuring in support of rural health.

College Dean’s recommended outcome: Curricular and programmatic restructuring in support of rural health; creation of a Rural Health Innovation Institute through consolidation of currently existing programs.

Program’s faculty recommended outcome: No response other than from college dean.

Stakeholder feedback: No stakeholder feedback submitted.

**2-13 Review Committee Recommendation:** Although the committee supports the proposed restructuring, it is not clear that these changes require a 2-13 review and may be implemented by the college without this review. If these changes do require Provost, President, and/or Trustees’ approval, the committee recommends consideration as part of the full portfolio review. That said, there are many aspects of the proposed restructuring that should be considered by the Strategic Planning Group or one of its subcommittees.
A General Recommendation from the Committee

The committee agreed that it is very difficult to make these recommendations in a vacuum. Although many of the programs under review have non-controversial recommended outcomes, the handful of contentious programs’ 2-13 recommendations should be made with enlightenment from a full portfolio review and a strategic planning process.

APPENDIX A

UW 2-13 Program Review – Round 1 Committee Members

James C. Ahern, AVP of Graduate Education, Academic Affairs (co-chair)
Steven Barrett, AVP of Undergraduate Education, Academic Affairs (co-chair)
Treva Ahrenholtz, Department of Family & Consumer Sciences, Secretary of Faculty Senate
Adrienne Freng, Dept. Of Criminal Justice & Sociology, Chair-elect of Faculty Senate
April Heaney, Dept. Of English, Director of LeaRN Programs, Academic Affairs
Clifford Marks, Dept. Of English, Member-at-Large of Faculty Senate
Rudi Michalak, Department of Physics & Astronomy, Chair of Faculty Senate
Richard Miller, Associate Director, Advising & Career Services, Academic Affairs
Riley Talamantes, President of the Associated Students of the University of Wyoming
Courtney Titus, Vice President of the Associated Students of the University of Wyoming
Ashli Tomisich, Ph.D. student, College of Education, Graduate Council Student Representative
Andrew Warfield, M.S. student, College of Arts & Sciences, Graduate Council Student Representative
AGENDA ITEM TITLE: Wyoming Hall Demolition and Utility Infrastructure Project—Change Order for Increased Scope, Mai

SESSION TYPE: ☑ Work Session ☐ Education Session ☐ Information Item ☑ Other: [Committee of the Whole – Items for Approval]

APPLIES TO STRATEGIC PLAN: ☐ Yes (select below): ☐ Driving Excellence ☐ Inspiring Students ☐ Impacting Communities ☑ High-Performing University ☒ No [Regular Business]

Attachments are provided with the narrative—refer to Supplemental Materials Report.

EXECUTIVE SUMMARY:

In preparation for the Student Housing and Dining project, Wyoming Hall will be demolished. To remove the structure, existing utilities running through the building will need to be relocated into a new exterior utility tunnel south of the existing building. In addition, heating, and cooling lines to serve the Student Housing and Dining project will be routed from the West Campus Satellite Energy Plant.

Haselden Wyoming Constructors has been in coordination with ST+B Engineering, WWC Engineering, representatives from UW Administration and the City of Laramie to relocate utilities to allow for demolition of Wyoming Hall. During coordination with the City of Laramie to create and finalize the License Agreement between the City of Laramie and University of Wyoming it was determined that the domestic waterline in 15th street and Bradley Street between 13th and 14th needs to be upgraded. The total budget for the project remains unchanged.

The total all-in budget for this project is $17,541,356.00

The cost for the work in this change order is $493,830.00.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- August, 2020 – Board authorized Administration to execute a contract amendment establishing the guaranteed maximum price.
- May, 2020 – Board authorized Administration to enter into contract with Haselden Wyoming Constructors for Construction Manager at-Risk services.
- March, 2020 – Board authorized the Construction Manager at-Risk delivery method for the project.
- December, 2019 – Board authorized Administration to execute a contract with ST+B Engineers for Level 3 Planning for the Wyoming Hall Demolition project.
- September, 2019 - Board authorized demolition of Wyoming Hall for the purpose of new student housing.

WHY THIS ITEM IS BEFORE THE BOARD:

Pursuant to UW regulation 6-9 Board approval is required to approve change orders over $50,000.
ACTION REQUIRED AT THIS BOARD MEETING:
Board of Trustee approval to execute the change order with Haselden Wyoming Constructors of Laramie, WY for $493,830.00 for the additional utilities for the Wyoming Hall Demolition and Utilities project.

PROPOSED MOTION:
“I move to authorize Administration to execute a change order with Haselden Wyoming Constructors of Laramie, WY for $493,830 for the additional utilities for the Wyoming Hall Demolition and Utilities project.”

PRESIDENT’S RECOMMENDATION:
The President recommends approval.
AGENDA ITEM TITLE:  FY2020 Single Audit Reports and Schedule of Expenditures of Federal Awards, Moore/Jewell/BKD

SESSION TYPE:  ☒ Work Session  ☐ Education Session  ☐ Information Item  ☑ Other:
[Committee of the Whole – Items for Approval]  ☐ Yes (select below):
☐ Driving Excellence  ☐ Inspiring Students  ☐ Impacting Communities  ☑ No [Regular Business]

☒ Attachments are provided with the narrative.

EXECUTIVE SUMMARY:
Consideration and action of the University of Wyoming’s FY2020 Single/Compliance Audit and Schedule of Expenditures of Federal Awards as prepared by the university’s external audit firm BKD.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:
N/A

WHY THIS ITEM IS BEFORE THE BOARD:
This is an annual topic of the board which requires board consideration and action.

ACTION REQUIRED AT THIS BOARD MEETING:

PROPOSED MOTION:
I move to recommend to the approval of the FY 2020 UW Single Audit report as presented.

PRESIDENT’S RECOMMENDATION:
The President recommends approval.
University of Wyoming
(A Component Unit of the State of Wyoming)
Single Audit Reports and Schedule of Expenditures of Federal Awards
June 30, 2020
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule of Expenditures of Federal Awards</td>
<td>1</td>
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<tr>
<td>Notes to the Schedule of Expenditures of Federal Awards</td>
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<td>Schedule of Findings and Questioned Costs</td>
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<td>Summary Schedule of Prior Audit Findings</td>
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The accompanying Notes to the Schedule of Expenditures of Federal Awards are an integral part of the schedule.
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The accompanying Notes to the Schedule of Expenditures of Federal Awards are an integral part of the schedule.
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The accompanying Notes to the Schedule of Expenditures of Federal Awards are an integral part of the schedule.
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**INSTITUTE OF MUSEUM AND LIBRARY SERVICES OR NATIONAL ENDOWMENT FOR THE ARTS OR NATIONAL ENDOWMENT FOR THE HUMANITIES**

- **WY ARTS COUNCIL**
  - Name of Funder: WY ARTS COUNCIL
  - Total Amount: $98,269

**TOTAL INSTITUTE OF MUSEUM AND LIBRARY SERVICES OR NATIONAL ENDOWMENT FOR THE ARTS OR NATIONAL ENDOWMENT FOR THE HUMANITIES**

- Total Amount: $138,622
- Passed-Through: $1,911,493

**NATIONAL SCIENCE FOUNDATION**

- **ENGINEERING**
  - Name of Funder: UNIVERSITY OF UTAH
  - Total Amount: $45,800

- **GEOSCIENCES**
  - Name of Funder: COLUMBIA UNIVERSITY
  - Total Amount: $411,331

- **BIODIVERSITY**
  - Name of Funder: UNIVERSITY CORPORATION FOR ATOMIC ENERGY
  - Total Amount: -$110

**TOTAL NATIONAL SCIENCE FOUNDATION**

- Total Amount: $157,269
- Passed-Through: $1,911,493

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The accompanying Notes to the Schedule of Expenditures of Federal Awards are an integral part of the schedule.
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  - Expenditures: $380,014

- **Federal Work Study Program**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,033
  - Fiscal Year: 2018
  - Expenditures: $468,805

- **Federal Perkins Loan Program**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,038
  - Fiscal Year: 2018
  - Expenditures: $4,132,822

- **TRIO Student Support Services**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,042
  - Fiscal Year: 2018
  - Expenditures: $373,331

- **TRIO Upward Bound**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,047
  - Fiscal Year: 2018
  - Expenditures: $91,259

- **TRIO STEM Promise**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,047
  - Fiscal Year: 2018
  - Expenditures: $209,997

- **Federal Perkins Loan Program**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,063
  - Fiscal Year: 2018
  - Expenditures: $3,904,388

- **TRIO Educational Opportunity Centers**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,066
  - Fiscal Year: 2018
  - Expenditures: $778,890

- **TRIO Academic Service Learning**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,071
  - Fiscal Year: 2018
  - Expenditures: $3,787,388

- **Federal Direct Student Loans**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,071
  - Fiscal Year: 2018
  - Expenditures: $10,373

- **Research in Special Education**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,074
  - Fiscal Year: 2018
  - Expenditures: $3,899,338

- **Gaining Early Awareness and Readiness for Undergraduate Programs**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,074
  - Fiscal Year: 2018
  - Expenditures: $3,783,388

- **Teacher Education Assistance for College and Higher Education Grants (Teacher Grants)**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,075
  - Fiscal Year: 2018
  - Expenditures: $12,215

- **Educational Stabilization Fund**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,075
  - Fiscal Year: 2018
  - Expenditures: $2,628,700

- **TOTAL DEPARTMENT OF EDUCATION**
  - Federal Awarding Agency: Federal Supplemental Educational Opportunity Grants
  - Award Identification: $4,075
  - Fiscal Year: 2018
  - Expenditures: $7,899,338

**NATIONAL ARCHIVES & RECORDS ADMINISTRATION**

- **National Historical Publications and Records Grants**
  - Federal Awarding Agency: National Historical Publications and Records Grants
  - Award Identification: $8,003
  - Fiscal Year: 2018
  - Expenditures: $19,010

- **TOTAL NATIONAL ARCHIVES & RECORDS ADMINISTRATION**
  - Federal Awarding Agency: National Historical Publications and Records Grants
  - Award Identification: $8,003
  - Fiscal Year: 2018
  - Expenditures: $575

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

- **Special Programs for the Aging, Title II, Part B, Disease Prevention and Health Promotion Services**
  - Federal Awarding Agency: Special Programs for the Aging, Title II, Part B, Disease Prevention and Health Promotion Services
  - Award Identification: $93403
  - Fiscal Year: 2018
  - Expenditures: $56,607

- **Affordable Care Act (ACA) Personnel Responsibility Education Program**
  - Federal Awarding Agency: Special Programs for the Aging, Title II, Part B, Disease Prevention and Health Promotion Services
  - Award Identification: $93403
  - Fiscal Year: 2018
  - Expenditures: $64

- **Area Health Education Centers Point of Service Maintenance and Enhancement Awards**
  - Federal Awarding Agency: Special Programs for the Aging, Title II, Part B, Disease Prevention and Health Promotion Services
  - Award Identification: $93403
  - Fiscal Year: 2018
  - Expenditures: $66

- **Drug Abuse and HIV Research**
  - Federal Awarding Agency: Special Programs for the Aging, Title II, Part B, Disease Prevention and Health Promotion Services
  - Award Identification: $93403
  - Fiscal Year: 2018
  - Expenditures: $1,000

- **Consolidated Health Centers (Community Health Centers, migrant Health Centers, health care for the homeless, and public housing)**
  - Federal Awarding Agency: Special Programs for the Aging, Title II, Part B, Disease Prevention and Health Promotion Services
  - Award Identification: $93403
  - Fiscal Year: 2018
  - Expenditures: $5,000
The accompanying Notes to the Schedule of Expenditures of Federal Awards are an integral part of the schedule.
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<thead>
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<th>Federal Awarding Agency/Program Title</th>
<th>Federal Awarding Agency/Program Title</th>
<th>Federal CDA Number</th>
<th>Additional Award Identification (Optional)</th>
<th>Name of Funder</th>
<th>Pass-Through Entity</th>
<th>Identifying Number Assigned By Funder</th>
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<th>Federal Expenditures</th>
<th>Federal Program Total</th>
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**TOTAL DEPARTMENT OF HEALTH AND HUMAN SERVICES**

$2,451,448 | $17,072,302

**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

| AMERICORPS | SERVE WYOMING | 149200617 |
| AMERICORPS | SERVE WYOMING | 149200617 |
| AMERICORPS | SERVE WYOMING | 149200617 |

**TOTAL CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

$189,516

**DEPARTMENT OF HOMELAND SECURITY**

| WYOMING OFFICE OF HOMELAND SECURITY | WYOMING OFFICE OF HOMELAND SECURITY |
| WYOMING OFFICE OF HOMELAND SECURITY | WYOMING OFFICE OF HOMELAND SECURITY |
| WYOMING OFFICE OF HOMELAND SECURITY | WYOMING OFFICE OF HOMELAND SECURITY |

**TOTAL DEPARTMENT OF HOMELAND SECURITY**

$237,047

**TOTAL EXPENDITURE OF FEDERAL AWARDS**

$9,717,371 | $131,538,049

**Please Note:**

Italicized award lines indicate pass-through funding
University of Wyoming  
(A Component Unit of the State of Wyoming)  
Notes to the Schedule of Expenditures of Federal Awards  
Year Ended June 30, 2020

1. **Basis of Presentation**

The accompanying schedule of expenditures of federal awards (the Schedule) includes the federal award activity of the University of Wyoming (the University) under programs of the federal government for the year ended June 30, 2020. The information in this schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Because the Schedule presents only a selected portion of the operations of the University, it is not intended to and does not present the financial position, changes in net position or cash flows of the University.

2. **Summary of Significant Accounting Policies**

Expenditures reported on the Schedule are reported on the cash basis of accounting. Such expenditures are recognized following, as applicable, either the cost principles in the U.S. Office of Management and Budget Circular A-21, Cost Principles for Educational Institutions, or the cost principles contained in Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. Negative amounts shown on the Schedule represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years. The University has elected not to use the 10 percent de minimis indirect cost rate allowed under the Uniform Guidance as the University either uses its negotiated indirect cost rate or the indirect cost rate agreed upon through the grant agreement.

3. **Federal Loan Funds – Not Subject to Compliance**

The University has certain federal student loan funds not subject to continuing compliance requirements, such as the Federal Direct Student Loans. Since the University does not administer the program, the outstanding loan balances have not been included in the Schedule. New loans made during the year under this program are included in the Schedule.

4. **Federal Loan Funds – Subject to Further Compliance**

The federal loan programs listed subsequently are administered directly by the University, and balances and transactions relating to these programs are included in the University’s basic financial statements. Loans outstanding at the beginning of the year and loans made during the year are included in the federal expenditures presented in the Schedule. The balance of loans outstanding at June 30, 2020, are as follows:

<table>
<thead>
<tr>
<th>CFDA Number</th>
<th>Program Name</th>
<th>Outstanding Balance at June 30, 2020</th>
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Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards

Independent Auditor’s Report

Board of Trustees
University of Wyoming
Laramie, Wyoming

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, the financial statements of the business-type activities and the discretely presented component unit of the University of Wyoming (the University), a component unit of the State of Wyoming, as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the University’s basic financial statements, and have issued our report thereon dated November 12, 2020, which contained a reference to the report of other auditors. The financial statements of the University of Wyoming Foundation (the Foundation), the discretely presented component unit, were not audited in accordance with Government Auditing Standards, and accordingly, this report does not include reporting on internal control over financial reporting or instances of reportable noncompliance associated with the Foundation.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the University’s internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the University’s internal control. Accordingly, we do not express an opinion on the effectiveness of the University’s internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.
Board of Trustees  
University of Wyoming  

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.  

**Compliance and Other Matters**  

As part of obtaining reasonable assurance about whether the University’s financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.  

**Purpose of this Report**  

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity’s internal control and compliance. Accordingly, this communication is not suitable for any other purpose.  

Denver, Colorado  
November 12, 2020
Report on Compliance for Each Major Federal Program;
Report on Internal Control Over Compliance; and Report on Schedule of
Expenditures of Federal Awards Required by the Uniform Guidance

Independent Auditor’s Report

Board of Trustees
University of Wyoming
Laramie, Wyoming

Report on Compliance for Each Major Federal Program

We have audited the University of Wyoming’s (the University) compliance with the types of compliance
requirements described in the OMB Compliance Supplement that could have a direct and material effect
on each of the University’s major federal programs for the year ended June 30, 2020. The University’s
major federal programs are identified in the summary of auditor’s results section of the accompanying
schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal statutes, regulations and the terms and conditions
of its federal awards applicable to its federal programs.

Auditor’s Responsibility

Our responsibility is to express an opinion on compliance for each of the University’s major federal
programs based on our audit of the types of compliance requirements referred to above. We conducted
our audit of compliance in accordance with auditing standards generally accepted in the United States of
America; the standards applicable to financial audits contained in Government Auditing Standards, issued
by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of
Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit
Requirements for Federal Awards (Uniform Guidance). Those standards and the Uniform Guidance
require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance
with the types of compliance requirements referred to above that could have a direct and material effect
on a major federal program occurred. An audit includes examining, on a test basis, evidence about the
University’s compliance with those requirements and performing such other procedures as we considered
necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major
federal program. However, our audit does not provide a legal determination of the University’s
compliance.
Board of Trustees
University of Wyoming

**Opinion on Each Major Federal Program**

In our opinion, the University complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2020.

**Other Matters**

The results of our auditing procedures disclosed an instance of noncompliance that is required to be reported in accordance with the Uniform Guidance and which is described in the accompanying schedule of findings and questioned costs as item 2020-002. Our opinion on each major federal program is not modified with respect to this matter.

The University’s response to the noncompliance findings identified in our audit is described in the accompanying schedule of findings and questioned costs. The University’s response was not subjected to the auditing procedures applied in the audit of compliance, and accordingly, we express no opinion on the response.

**Report on Internal Control Over Compliance**

Management of the University is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the University’s internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the University’s internal control over compliance.

A **deficiency in internal control over compliance** exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A **material weakness in internal control over compliance** is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A **significant deficiency in internal control over compliance** is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies, and therefore, material weaknesses or significant deficiencies may exist that have not been identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, we did identify deficiencies in internal control over compliance, described in the accompanying schedule of findings and questioned costs as items 2020-001 and 2020-002, that we consider to be a significant deficiencies.
The University’s response to the internal control over compliance findings identified in our audit is described in the accompanying schedule of findings and questioned costs. The University’s response was not subjected to the auditing procedures applied in the audit of compliance, and accordingly, we express no opinion on the response.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

**Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance**

We have audited the financial statements of the business-type activities and the discretely presented component unit of the University as of and for the year ended June 30, 2020 and the related notes to the financial statements, which collectively comprise the University’s basic financial statements. We issued our report thereon dated November 12, 2020, which contained unmodified opinions on those financial statements and a reference to the reports of other auditors. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

Denver, Colorado
February 17, 2021
University of Wyoming  
(A Component Unit of the State of Wyoming)  
Schedule of Findings and Questioned Costs  
Year Ended June 30, 2020  

Section I – Summary of Auditor’s Results  

Financial Statements  
1. Type of report the auditor issued on whether the financial statements audited were prepared in accordance with accounting principles generally accepted in the United States of America (GAAP):  
   - ☒ Unmodified  ☐ Qualified  ☐ Adverse  ☐ Disclaimer  

2. Internal control over financial reporting:  
   - Material weakness(es) identified? ☐ Yes ☒ No  
   - Significant deficiency(ies) identified? ☐ Yes ☒ None reported  

3. Noncompliance material to the financial statements noted? ☐ Yes ☒ No  

Federal Awards  
4. Internal control over major federal programs:  
   - Material weakness(es) identified? ☐ Yes ☒ No  
   - Significant deficiency(ies) identified? ☒ Yes ☐ None reported  

5. Type of auditor’s report issued on compliance for major federal programs:  
   - ☒ Unmodified  ☐ Qualified  ☐ Adverse  ☐ Disclaimer  

6. Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)? ☒ Yes ☐ No
University of Wyoming  
(A Component Unit of the State of Wyoming)  
Schedule of Findings and Questioned Costs (continued)  
Year Ended June 30, 2020

7. Identification of major federal programs:

<table>
<thead>
<tr>
<th>CFDA Number(s)</th>
<th>Name of Federal Program or Cluster</th>
</tr>
</thead>
<tbody>
<tr>
<td>84.425E - CARES</td>
<td>Student Financial Aid Cluster</td>
</tr>
<tr>
<td></td>
<td>Education Stabilization Fund</td>
</tr>
</tbody>
</table>

8. Dollar threshold used to distinguish between Type A and Type B programs: $3,000,000.

9. Auditee qualified as a low-risk auditee?  
   - Yes  
   - No
### Section II – Financial Statement Findings

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No matters are reportable</td>
</tr>
</tbody>
</table>
University of Wyoming
(A Component Unit of the State of Wyoming)
Schedule of Findings and Questioned Costs (continued)
Year Ended June 30, 2020

Section III – Federal Award Findings and Questioned Costs

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Finding: Special Tests and Provisions - Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020-001</td>
<td></td>
</tr>
</tbody>
</table>

Programs: Student Financial Assistance Cluster

CFDA Number: (a) 84.007 Federal Supplemental Educational Opportunity Grants
(b) 84.033 Federal Work-Study Program
(c) 84.038 Federal Perkins Loan Program
(d) 84.063 Federal Pell Grant Program
(e) 84.268 Federal Direct Student Loans
(f) 84.379 Teacher Education Assistance for College and Higher Education Grants (TEACH Grants)

Sponsoring Agency: Department of Education (ED)

Sponsor Award Number: G5 Award Number P007A194577 (Federal Supplemental Educational Opportunity Grants)
G5 Award Number P033A194577 (Federal Work Study)
Entity ID 10876626 (Federal Pell Grant Program and Federal Direct Student Loans)

Award Period: 2019-2020

Criteria: An institution is required to establish written policies and procedures that incorporate the provisions of 34 CFR 668.51 through 668.61 for verifying applicant information. The institution shall require each applicant whose application is selected by ED to verify the information required for the Verification Tracking Group which the applicant is assigned.

Condition: The University did not maintain the supporting documentation provided by an applicant and thus could not initially prove acceptable documentation was received to verify the information required for the Verification Tracking Group to which the applicant was assigned and that verification procedures were completed prior to disbursing aid to the applicant. Subsequent to year-end, the University was able to re-obtain the required documentation from the applicant to support the verification as documented in its records and to support that the funds provided to the applicant was proper.

Questioned Costs: None

Context: 2,882 students from the University were selected for verification by ED. We tested a sample of 40 students selected for verification and noted the University did not maintain the required documentation submitted for verification by one applicant. A non-statistical sampling methodology was used to select the samples.

Effect: The University did not maintain the documentation received from the applicant to support it performed the required verification procedures. The student may not have qualified for the level of funding they received.

Cause: The University did not scan the supporting documentation into its document management system.

Identification as a repeat finding: Not applicable.

Recommendation: We recommend the University implement policies and procedures to ensure all required documentation received for verification is scanned into its document management system before it is disposed.

Views of responsible officials: The University agrees with the finding. See separate report for planned corrective actions.
**University of Wyoming**  
*(A Component Unit of the State of Wyoming)*  
**Schedule of Findings and Questioned Costs (continued)**  
**Year Ended June 30, 2020**

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020-002</td>
<td><strong>Finding</strong>: Special Tests and Provisions - Enrollment Reporting</td>
</tr>
<tr>
<td></td>
<td><strong>Programs</strong>: Student Financial Assistance Cluster</td>
</tr>
</tbody>
</table>
|                  | **CFDA Number**: (a) 84.063 Federal Pell Grant Program  
|                  | (b) 84.268 Federal Direct Student Loans |
|                  | **Sponsoring Agency**: Department of Education (ED) |
|                  | **Sponsor Award Number**: Entity ID 10876626 |
|                  | **Award Period**: 2019-2020 |

**Criteria**: Institutions are required to report enrollment information under the Pell Grant (34 CFR 690.83(b)) and the Direct Loan program (34 CFR 685.309) via the National Student Loan Data System (NSLDS). The administration of the Title IV programs depends heavily on the accuracy and timeliness of the enrollment information reported by institutions. Institutions must review, update, and verify student enrollment statuses, program information and effective dates that appear in NSLDS records.

**Condition**: There were inaccuracies between the information in NSLDS and the University records for five students as follows:  
a. Two students who had graduated from the University were reported as withdrawn,  
b. One student was reported as withdrawn in the summer term. The student returned in Fall 2020 and thus should not have been reported as withdrawn per the Enrollment Reporting Guide section 4.4.5, and  
c. The student's major was mis-reported for two students.

**Questioned Costs**: None

**Context**: There were 5,012 students who received federal aid and had a change in enrollment status in FY20 *(i.e. reduction in attendance levels, graduated, withdrew, dropped out or enrolled but never attended the University)*. We selected a sample of 25 students for testing and noted the above conditions. A non-statistical sampling methodology was used to select the samples.

**Effect**: Inaccurate reporting of information impacts the federal administration of the Title IV programs.

**Cause**: The University uses the National Student Clearinghouse (NSC) to transmit data to the NSLDS. If the information provided by the University is not properly tracked or classified and/or reported in a proper manner to the NSC it is not accurately reported to NSLDS.

**Identification as a repeat finding**: Not applicable.

**Recommendation**: We recommend the University contact the NSC to determine the underlying cause in the reporting of inaccurate data. We also recommend the University institute a review process to ensure the information reported by NSLDS is accurate.

**Views of responsible officials**: The University agrees with the finding. See separate report for planned corrective actions.
Summary Schedule of Prior Audit Findings  
Year Ended June 30, 2020

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Summary of Finding</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019-001</td>
<td>We recommend that the University strengthens controls over the application of accounting standards to ensure transactions are recorded in compliance with both existing and new guidance. We also recommend that the University implement a process to reconcile CIP on a quarterly basis and continue to strengthen its existing review policies and procedures to ensure the timely and accurate presentation of financial information necessary for external reporting.</td>
<td>Implemented</td>
</tr>
<tr>
<td>2019-002</td>
<td>We recommend that the University continue to strengthen its existing review policies and procedures to ensure the timely and accurate presentation of financial information necessary for external reporting. We also recommend the year-end checklist be updated to reflect all journal entries required to be made as part of the closing process, including all financial statement presentation entries.</td>
<td>Implemented</td>
</tr>
<tr>
<td>2019-003</td>
<td>We recommend that the University complete a review of federal grants administered by the University to help ensure that the required information is accurately included in the University’s systems used to compile the SEFA. Additionally, we recommend that a process be developed to capture all required information during the set-up of new federal grant awards, including a process to obtain any missing information necessary for SEFA preparation and a verification process to ensure the information is input correctly into the systems. This information should be maintained in the University’s InfoEd system.</td>
<td>Implemented</td>
</tr>
<tr>
<td>2019-004</td>
<td>While the University revised its policies and procedures to conform to the requirements of Uniform Guidance as of June 26, 2019, all employees should be trained on these new policies and procedures and periodic reviews should be performed by the procurement office to ensure that policies are being followed.</td>
<td>Implemented</td>
</tr>
</tbody>
</table>
Finding 2020- 001:

The University did not maintain the supporting documentation provided by an applicant and thus could not initially prove acceptable documentation was received to verify the information required for the Verification Tracking Group to which the applicant was assigned and that verification procedures were completed prior to disbursing aid to the applicant. Subsequent to year-end, the University was able to re-obtain the required documentation from the applicant to support the verification as documented in its records and to support that the funds provided to the applicant was proper.

Department’s Responses: We Concur

View of Responsible Officials and Corrective Action:

The Office of Scholarships & Financial Aid (OSFA) has responded to needs for digital processes and encouraged students to submit required documents through a secure upload created in spring 2021. Documents received in an electronic format are moved to Perceptive Content (document management system) immediately.

During this period of transition, the office of Scholarships and Financial Aid continued to receive paper documents which require scanning of the physical document and then indexing of the image into the appropriate students file. These documents are then placed in an area for confirmation that imaging and indexing have successfully occurred. These processes were interrupted in March during the abrupt shift to remote work, resulting in the disruption of processes and steps to verify completion/accuracy.

The OSFA has been able to resume a consistent process for capturing paper documents, moving them to Perceptive Content and reviewing documents that have been stored for future reference. This process has been adapted to allow for continuous operation in the event further or additional remote work scenarios arise.

Name of Responsible Person: Debra Hintz, Director of Scholarships & Financial Aid
Name of Department Contact: Debra Hintz, Director of Scholarships & Financial Aid
Projected Completion Date: Completed – January 2021
Single Audit Corrective Action Plan
Year Ended June 30, 2020

Finding 2020- 002:
There were inaccuracies between the information in NSLDS and the University records for five students as follows:

a. Two students who had graduated from the University were reported as withdrawn.

b. One student was reported as withdrawn in the summer term. The student returned in Fall 2020 and thus should not have been reported as withdrawn per the Enrollment Reporting Guide section 4.4.5.

c. The student’s major was misreported for two students.

Department’s Responses: We Concur

View of Responsible Officials and Corrective Action:

The Office of the Registrar (OTR) had a conference call with representatives at the National Student Clearinghouse (NSC) on January 18, 2021. NSC representatives are reviewing the students identified in this audit and will provide a report to the OTR regarding findings and recommendations for corrections (if needed).

The areas identified are as follows:

1. Timing of enrollment reports file submissions to NSC.
   a. NSC has recommended an adjustment to the frequency of file submission by OTR to NSC, recommending a once monthly file submission before the 1st of each month. Currently a bi-monthly file submission protocol is used.
2. Notations of graduates/degree completions.
   a. NSC has recommended OTR submit a separate file to account for degree completions and graduates. Currently, graduates and degree completions are noted in a multi-value master file submission.
3. Summer term reporting is not a required term for students.
   a. Currently, summer terms have been included as part of bi-monthly reporting. OTR will remove summer enrollments from the reporting schedule.
4. Students major discrepancies
   a. NSC is currently using 2010 CIP codes for review of enrollment report files. OTR is currently reporting current student majors based on 2020 CIP codes.

Corrective actions:

1. OTR file submission will be updated to occur on a monthly basis versus every two weeks;
2. OTR will submit graduates/degree completions in a separate file beginning Spring 2021
3. OTR will remove summer enrollments from the monthly reporting and will continue to work together with OSFA to resolve the sited discrepancies, and
4. OTR will continue to work with NSC to resolve discrepancies with majors. UW has requested NSC update their use of outdated CIP codes. This practice creates a nationwide impact to institutions, and not exclusively UW.

Name of Responsible Person: Kwanna King, Registrar
Name of Department Contact: Kwanna King, Registrar
Projected Completion Date: June, 2021
Board of Trustees, Finance, and Legal Affairs Committee and Management University of Wyoming Laramie, Wyoming

As part of our audits of the compliance of the University of Wyoming (the University) as of and for the year ended June 30, 2020, we wish to communicate the following to you.

AUDIT SCOPE AND RESULTS


An audit performed in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States and U.S. Office of Management and Budget (OMB) Uniform Guidance is designed to obtain reasonable, rather than absolute, assurance about whether noncompliance with the types of compliance requirements described in the OMB Compliance Supplement that could have a direct and material effect on a major federal program occurred. A compliance audit includes designing procedures to detect both intentional and unintentional material noncompliance. The auditor can obtain reasonable, but not absolute, assurance about the University’s compliance because of factors such as the need for judgment, the use of sampling, the inherent limitations of internal control over compliance with applicable compliance requirements and the fact that much of the evidence available to the auditor is persuasive rather than conclusive in nature. Our engagement does not include a detailed audit of every transaction. Our engagement letter more specifically describes our responsibilities. Refer to letter dated November 12, 2020 for communications as the result of the financial statement audit.

These standards require communication of significant matters related to a compliance audit that are relevant to the responsibilities of those charged with governance in overseeing the compliance process. Such matters are communicated in the remainder of this letter or have previously been communicated during other phases of the audit. The standards do not require the auditor to design procedures for the purpose of identifying other matters to be communicated with those charged with governance.
An audit of compliance does not relieve management or those charged with governance of their responsibilities. Our engagement letter more specifically describes your responsibilities.

**Disagreements with Management**

The following matters involved disagreements which if not satisfactorily resolved would have caused a modified auditor’s opinion on compliance:

- No matters are reportable

**Consultation with Other Accountants**

During our audit we became aware that management had consulted with other accountants about the following:

- No matters are reportable

**Significant Issues Discussed with Management**

*Prior to Retention*

During our discussion with management prior to our engagement, the following issues regarding application of regulations or auditing standards were discussed:

- No matters are reportable

*During the Audit Process*

During the audit process, the following issues were discussed or were the subject of correspondence with management:

- CARES funding
- Schedule of Expenditures of Federal Awards (SEFA) reporting requirements
Difficulties Encountered in Performing the Audit

Our audit requires cooperative effort between management and the audit team. During our audit, we found significant difficulties in working effectively on the following matters:

- No matters are reportable

Other Material Communications

Listed below are other material communications between management and us related to the audit:

- Management representation letter (attached)
- We orally communicated to management other deficiencies in internal control over compliance identified during our audit that are not considered material weaknesses or significant deficiencies

INTERNAL CONTROL OVER COMPLIANCE

In planning and performing our audit, we considered the University of Wyoming’s (the University) internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the University’s internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the University’s internal control over compliance.

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses and, therefore, there can be no assurance that all deficiencies, significant deficiencies or material weaknesses have been identified. However, as discussed below, we identified a deficiency in internal control over compliance that we consider to be a significant deficiency.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct noncompliance with a type of compliance requirement of a federal program on a timely basis.
A material weakness in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected and corrected on a timely basis.

A significant deficiency in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

We observed the following matter that we consider to be significant deficiencies.

**Significant Deficiencies**

Refer to the Independent Auditor’s Report on Compliance for Each Major Program and on Internal Control Over Compliance.

* * * *

This communication is intended solely for the information and use of Management, the Board of Trustees, Finance, and Legal Affairs Committee, others within the University and federal awarding agencies and is not intended to be and should not be used by anyone other than these specified parties.

February 17, 2021
# The University of Wyoming

**Summary - Performance Audit of EPSCoR Incurred Costs**  
7/1/2012 - 7/31/2019

<table>
<thead>
<tr>
<th>Finding Title</th>
<th>Finding Summary</th>
<th>Finding Total</th>
<th>Corrective Action</th>
<th>Min Disallow Costs</th>
<th>Max Disallow Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1 - Unsupported Cost Share Transfer</td>
<td>A transfer of cost sharing expenses in legacy system was keyed incorrectly and not corrected.</td>
<td>$90,000</td>
<td>These are internal cost shared expenses. Other expenses have been identified to meet the cost sharing commitment.</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>#2 - Unsupported and unallowable promotional costs</td>
<td>Documentation of expenses and supplier invoices in legacy system did not detail the items purchased or how they benefitted the award objectives.</td>
<td>$7,908</td>
<td>UW concurs with the finding. Current procurement policies/procedures address this.</td>
<td>$ 7,908</td>
<td>$ 7,908</td>
</tr>
<tr>
<td>#3 - Unallowable Summer Research Apprentice Program Activity Expenses</td>
<td>Activities planned for high school students are considered entertainment costs which are not allowed on federal awards.</td>
<td>$15,207</td>
<td>UW does not concur with the direct costs in question but agrees indirect costs should not be included. UW will dispute this finding since this is an on-campus, residency program so activities are needed for student safety and activities provide educational opportunities.</td>
<td>$ 4,150</td>
<td>$ 15,207</td>
</tr>
<tr>
<td>#4 - Unallowable Indirect Costs Charged</td>
<td>Participant support costs should not be assessed indirect costs. UW assessed indirect on participant costs in error.</td>
<td>$24,773</td>
<td>UW concurs with the finding. Current system configuration and award setup procedure addresses this.</td>
<td>$ 24,773</td>
<td>$ 24,773</td>
</tr>
<tr>
<td>#5 - Unallowable meal charges</td>
<td>Meals intended for participants included non-participants which are not allowed on federal awards.</td>
<td>$864</td>
<td>UW concurs with the finding. Current procurement policies/procedures address this.</td>
<td>$ 864</td>
<td>$ 864</td>
</tr>
<tr>
<td>#6 - Unsupported Subrecipient Expenses</td>
<td>WRNAC, subrecipient under UW award, was not able to support billed expenses and UW provided an advance of funds inconsistent with the terms of the subaward.</td>
<td>$117,599</td>
<td>UW concurs with finding. Amount updated to include $111,125 for the F&amp;A paid on the first $25K of subaward.</td>
<td>$ 117,599</td>
<td>$ 117,599</td>
</tr>
</tbody>
</table>

| Totals                                            | $256,351                          | $155,294      | $166,351                          |

Direct  $112,927 $ 123,984  
Indirect $42,367 $ 42,367  

Total NSF Costs Audited (excludes cost sharing)  $23,567,565 $ 23,567,565  

% of Disallowed Costs 0.66% 0.71%

---

The University requests the Trustee's approve the use of up to $260,000 of the University's Legal Reserve to settle the Performance Audit of EPSCoR Incurred Costs.
AGENDA ITEM TITLE: Request for Use of Legal Reserve, Office of Inspector General’s Audit of UW’s EPSCoRE Grant, Moore/Jewell/Hulme

SESSION TYPE: ☒ Work Session
☐ Education Session
☐ Information Item
☐ Other:

[Committee of the Whole – Items for Approval]

☒ Yes (select below):
☐ Driving Excellence
☐ Inspiring Students
☐ Impacting Communities
☐ No [Regular Business]

☒ Other:

☒ Attachments are provided with the narrative.

EXECUTIVE SUMMARY:
The National Science Foundation Office of Inspector General (NSFOIG) conducted a performance audit of incurred costs on two Established Program to Stimulate Competitive Research (EPSCoR) awards to the University of Wyoming (UW). The objective of this audit was to determine if costs claimed by UW were allowable, allocable, reasonable, and in conformity with NSF award terms and conditions and applicable Federal requirements.

The NSFOIG identified instances of noncompliance with certain Federal regulations, NSF policies, and award terms and conditions in UW’s administration of both EPSCoR awards. Specifically, we questioned $256,351 in direct and indirect costs claimed by UW, including:

• $90,000 in an unsupported cost transfer;
• $7,908 in unsupported and unallowable promotional expenses;
• $15,207 in unallowable activity expenses;
• $24,773 in unallowable indirect cost charges;
• $864 for unallowable meal expenses; and
• $117,599 in unsupported subrecipient expenses.

The Administration is requesting use of up to $260,000 to address the NSFOIG audit findings.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:
N/A

WHY THIS ITEM IS BEFORE THE BOARD:
Use of funding from the Trustees’ Legal Reserve requires board approval.

ACTION REQUIRED AT THIS BOARD MEETING:
Approval to use up to $260,000 of funding from the Trustees’ Legal Reserve to address the NSFOIG audit findings.

PROPOSED MOTION:
I move to recommend to the use of up to $260,000 from the University Legal Reserve fund to settle the Performance Audit of EPSCoR Incurred Costs audit findings.

PRESIDENT’S RECOMMENDATION:
The President recommends approval.
January 5, 2021

Ms. Kelly Stefanko
Audit Manager
National Science Foundation (NSF)
Office of Inspector General – Office of Audits
kstefank@nsf.gov

Re: Draft audit report “Performance Audit of EPSCoR Incurred Costs – University of Wyoming” dated December 10, 2020

Dear Ms. Stefanko:

The University of Wyoming (UW) has received and reviewed the draft audit report “Performance Audit of EPSCoR Incurred Costs – University of Wyoming” dated December 10, 2020. The following is our response to each audit finding in the report.

**Finding 1: Unsupported Cost Share**
The University of Wyoming (UW) concurs with this finding. A transfer of $19,040 in allowable expenses for cost sharing was erroneously entered as $109,040. The difference of $90,000 has since been resolved. UW has identified an additional $90,000 in allowable expenses to meet the mandatory cost sharing requirement and to support the cost sharing reports submitted to NSF for this award.

UW implemented a new cost transfer policy "Expenditure Correction / Cost Transfer Policy" on 7/1/2019. College Business Officer training was completed in Fall 2019 and updated materials and guidance was sent to the campus. Office of Sponsored Program Coordinators were trained Fall 2020.

**Finding 2: Unsupported and Unallowable Promotional Expenses**
The University of Wyoming (UW) concurs with this finding and will repay NSF these costs. UW's current "Procurement Card Policies and Procedures" (http://www.uwyo.edu/administration/financial-affairs/policies/) requires itemized receipts.

**Finding 3: Unallowable Entertainment Expenses**
The University of Wyoming (UW) believes these are necessary expenses to support UW's “Summer Research Apprentice Program” (SRAP). SRAP is a 2-month residential program for high school students that provides hands-on experience in science, mathematics, statistics, and/or engineering research in support of NSF's broader impacts requirement for this award. The program also provides educational and research activities outside of the lab to keep students engaged and safe. The expenses in question were primarily for activities that may be considered entertainment for a research project, but these activities are vital to the success of this residential program that includes minors living on a college campus. Further information about this program can be found at: http://www.uwyo.edu/epscor/broader-impacts/srap/.
Finding 3: Unallowable Entertainment Expenses (continued)
UW agrees that additional support can be provided to the program officer in support of these activities in question and prior to the start of each year’s program. The SRAP program coordinator develops a calendar of activities each year and tracks attendance. UW will document the programmatic purpose and participants on the related expenses documentation for SRAP activities.

UW agrees that indirect costs should not have been assessed to these participant support expenses and will repay NSF $4,150.

Finding 4: Unallowable Indirect Costs Charged
The University of Wyoming (UW) concurs with this finding and will repay NSF these costs. UW implemented a new practice to create distinct projects for participant support costs with a budget that matches the awarded participant support funding. This was a practice that existed before the conversion to the new financial system in July 2017.

Finding 5: Unallowable Meal Charges
The University of Wyoming (UW) concurs with this finding and will repay NSF these costs. UW’s current Direct Charging policy (http://www.uwyo.edu/administration/financial-affairs/sponsored-programs/) makes the distinction between allowable meals and meals for entertainment. Training was provided to College Business Officers in Fall 2019. UW plans to train department grant administrators in spring/summer 2021 as part of a comprehensive campus outreach and training program.

Finding 6: Unsupported Subrecipient Expenses
The University of Wyoming (UW) agrees to repay NSF these costs as the subrecipient did not meet the terms of the subaward agreement prior to UW issuing payment. Based on the subrecipient’s inability to meet the terms of the subaward agreement, UW will not provide any additional funding to the subrecipient. UW is not aware of fraud related to this subaward.

UW’s current Sub-recipient Monitoring Procedure (http://www.uwyo.edu/administration/financial-affairs/sponsored-programs/) includes the requirement for the award’s Principal Investigator to approve invoices for payment consistent with the subaward terms and conditions. UW plans to train department grant administrators in spring/summer 2021 as part of a comprehensive campus outreach and training program.

UW requests information to assess the risk of a potential subrecipient consistent with the industry standards as prescribed by the Federal Demonstration Partnership (FDP). FDP is an association of federal agencies, academic research institutions with administrative, faculty and technical representation, and research policy organizations that work to streamline the administration of federally sponsored research. FDP subaward forms including a risk assessment template can be found at: https://thefdp.org/default/subaward-forms/. The UW template is intended to provide certification that an organization has the necessary controls to accept and manage a federal award.
January 5, 2021
Ms. Kelly Stefanko
Re: Draft audit report “Performance Audit of EPSCoR Incurred Costs – University of Wyoming”

We appreciate your review and consideration of our responses. Please contact Comfort Brownell, Senior Director, Office of Sponsored Programs at cbrowne4@uwyo.edu if you have any questions or need additional information regarding this audit.

Respectfully,

Diana Hulme
Associate Vice President for Research

xc: Comfort Brownell, Senior Director, Office of Sponsored Programs, University of Wyoming
    Brent Ewers, Director of EPSCoR, University of Wyoming
    David Jewell, Associate Vice-President, Financial Affairs, University of Wyoming
    Farrell Rapp, Director, Research Services, University of Wyoming
AGENDA ITEM TITLE: Approval of modifications to UW Regulation 1-1 (Organization of the University), Brown/Evans

SESSION TYPE:
☐ Work Session
☐ Education Session
☐ Information Item
☒ Other:
[Committee of the Whole – Items for Approval]

☑ Attachments are provided with the narrative.

EXECUTIVE SUMMARY:
Attached is UW Regulation 1-1 (Organization of the University) with proposed modifications to allow flexibility for the President to modify the titles of his principal administrative officers (for example, senior vice president; vice president; deputy vice president, etc.). Vice presidents and deans must still be appointed by the Trustees upon the recommendation of the President following consultation with the appropriate University Officers and faculty. Housekeeping and streamlining edits were also made.

Per the routing process for UW Regulations, the proposed modifications were provided to the President’s Cabinet, Deans and Directors, Faculty Senate, Staff Senate, ASUW, and the Internal Auditor. The Faculty Senate Executive Committee provided suggested edits, which were incorporated. The Trustees Regulation Committee will discuss this item at the February 2021 Board of Trustees conference call and recommend full Board action, if appropriate.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:
None.

WHY THIS ITEM IS BEFORE THE BOARD:
UW Regulation 1-101 requires that the Board approve modifications to UW Regulations.

ACTION REQUIRED AT THIS BOARD MEETING:
Board approval, modification, or disapproval of the recommended modifications to the Regulations.

PROPOSED MOTION:
“I move to authorize modifications to UW Regulation 1-1, as presented to the Board”

PRESIDENT’S RECOMMENDATION:
The President recommends approval.
UNIVERSITY OF WYOMING REGULATIONS

Subject: Organization of the University  
Number: UW Regulation 1-1  

I. OFFICERS OF THE UNIVERSITY  

A. Designation  

Officers of the University are:  

1. The President.  
2. Administrative Officers, to include the Vice Presidents, heads of the Chief Diversity Officer, the General Counsel, the Director of Government Relations and the Director of Intercollegiate Athletics as set forth in section II of this regulation, (Academic Affairs, Diversity, Equity and Inclusion, Finance and the Vice Provost, Associate Vice Provosts, Administration, General Counsel, Information Technology, Institutional Advancement, Research and Associate Vice Presidents, Economic Development, Student Affairs, Intercollegiate Athletics, and Government and Community Affairs).  
3. Vice provosts, associate vice provosts, deputy vice presidents, and associate vice presidents, if any;  
4. Academic Officers, to include Deans, Directors, Associate and Assistant Deans and Department Heads, directors, associate and division heads, of the organized education units specified in UW Regulation 2-411 (Academic Organization).  

B. Appointment  

The President of the University shall be appointed by the Trustees as provided in the Bylaws of the Trustees of the University of Wyoming. Nine affirmative votes of the Trustees shall be required for appointment. The following Officers shall be appointed by the Trustees upon the recommendation of the President following consultation with the appropriate University Officers and faculty: Vice Presidents, the Chief Diversity Officer, General Counsel, the Director of Government Relations, the Director of Intercollegiate Athletics, Deans, the heads of the divisions as set forth in section II of the regulation, deans, and the Executive Director of the School of Energy Resources. All appointments under this paragraph shall be on such terms with respect to salary, terms of employment and like matters as the Trustees may determine.
C. Search Committees

Whenever the appropriate appointing authority appoints a Search Committee with regard to the selection of an administrative officer, Academic Officer (as defined below), the following shall apply:

1. The President of the Board of Trustees shall appoint a committee of three (3) members of the Board to serve as the Board of Trustees Vice President and Dean Search Committee to allow the Board of Trustees to be kept fully informed without interfering with the process.

2. The Chair of the University’s Search Committee shall provide the Vice President and Dean Search Committee with a copy of the statement of qualifications the Search Committee will use during its recruitment process.

3. The Chair of the Search Committee shall regularly inform the Vice President and Dean Search Committee of the progress of the search, recognizing that the Vice President and Dean Search Committee can provide nonbinding feedback.

4. After the Search Committee has identified the final candidates, the Chair of the Search Committee will recommend the final candidates to the appropriate appointing authority and the Vice President and Dean Search Committee. The Chair of the Search Committee, and such other members of the Search Committee deemed advisable, shall confer with the appointing authority and the Vice President and Dean Search Committee, solely for the purpose of the Vice President and Dean Search Committee receiving information.

5. The Vice President and Dean Search Committee may communicate with the full membership of the Board of Trustees as it determines. All communications to and from the Vice President and Dean Search Committee under this regulation shall be treated in a confidential manner.

6. When the President of the University has determined the top 2-3 candidates for a position to which this Paragraph P applies, prior to the University commencing negotiations with the person to whom the offer will be made, the President of the University shall advise the Board of Trustees of the intention to make an offer of employment to the top candidate or the other candidates, if applicable, should negotiations with the top candidate be unsuccessful. The President shall do so in an executive session of a meeting of the Board of Trustees and shall provide such information to the Board as the Board may require. Negotiations with the candidate shall not commence prior to the Board’s executive session. If the negotiations are successful with any of the top candidates, the President of the University shall recommend the Board approve
appointment of the candidate but all matters shall remain confidential pending the Board’s final approval.

7. In establishing their time frames applicable to the search process, the President, working with the Search Committee, shall take into consideration the Trustees’ regularly scheduled monthly meetings in an effort to coordinate the approval/hiring process with such Trustee meeting schedule so as to reduce the number of special meetings which would otherwise have to be held to assure compliance with this Regulation.

This process applies to the selection of the following administrative officers, heads of the divisions as set forth in section II of the regulation, deans, and the Executive Director of the School of Energy Resources (as well as any additional vice president or dean positions that may be established in the future):

- a. Provost and Vice President for Academic Affairs
- b. Vice President for Finance and Administration
- c. Vice President for Information Technology
- d. Vice President for Institutional Advancement
- e. Vice President for Research and Economic Development
- f. Vice President for Student Affairs
- g. Chief Diversity Officer
- h. Director of Government Relations
- i. Director of Intercollegiate Athletics
- j. General Counsel
- k. Dean of College of Agriculture and Natural Resources
- l. Dean of College of Arts and Sciences
- m. Dean of College of Business
- n. Dean of College of Education
- o. Dean of College of Engineering and Applied Science
- p. Dean of College of Health Sciences
- q. Dean of Haub School of Environment and Natural Resources
- r. Dean of Honors College
- s. Dean of Libraries
- e.d. Executive Director of SER

**E.D. Removal**

Any person appointed to an office or position pursuant to this section may be removed by the Trustees whenever in their judgment the best interests of the University will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Likewise such removal shall be without prejudice to the rights, if any, of such person as a tenured member of the faculty.
II. THE ADMINISTRATIVE ORGANIZATION OF THE UNIVERSITY

A. President of the University

Subject to control of the Board of Trustees, the President of the University is the chief executive officer of the University and is vested with powers and duties as provided by laws of this State and the Bylaws of the Trustees of the University of Wyoming. In addition to such duties, the President shall enforce UW Regulations as adopted hereof, and the President is hereby clothed with all authority requisite to these ends. Any authority or responsibility of the President may be delegated by him/her to any other member of academic personnel (faculty or academic professional) or staff of the University, but delegation of major areas of authority or responsibility shall have the prior consent of the Trustees. The President shall establish standing administrative committees of the University. All administrative committees established under the authority of the President shall be responsible and advisory to the President. The President is authorized to settle claims against the University up to $100,000.

In the event of the termination, resignation, death or incapacity of the President, the Trustees may appoint an acting President who shall perform the duties and have the powers of the President during such time as the Board of Trustees may direct. If no acting President has been appointed by the Board of Trustees, the duties of the President shall be performed by the Provost and Vice President for Academic Affairs.

The President shall serve as the ordinary channel of communication between the Trustees and academic personnel and between the Trustees and all subordinate administrative officers and staff of the internal organization. This regulation shall not be interpreted to limit the right of communication between academic personnel or other officers of the University and the Trustees or to limit the manner in which the Trustees may gain information as to the work and operation of the University.

The President shall have as principal administrative officers a Provost and Vice President for Academic Affairs, a Vice President for Student Affairs, a Vice President for Finance and Administration, a Vice President for Research and Economic Development, a Vice President for Institutional Advancement, a Vice President for Information Technology, a General Counsel, a Director of Government Relations, a Director of Intercollegiate Athletics and a Chief Diversity Officer. The Chief Diversity Officer shall, at the direction of the President and in collaboration with the other principal administrative officers of the University, lead the development and implementation of the University diversity plan as set forth in section II of the regulation. The President also may have other assistants as are authorized from time to time and may also authorize the appointment of a Vice Provost, Associate Provosts and Associate Vice Presidents.
B. **Provost and Vice President for Academic Affairs**

As the principal administrative officer for academic affairs, the Provost and Vice President supervises academic colleges and schools; academic personnel; academic centers and institutes; the Art Museum; the University of Wyoming at Casper; enrollment management; international programs; the University Libraries; and undergraduate and graduate education.

The Provost Academic Affairs shall initiate, organize, or direct such actions as are necessary and appropriate to assure that academic program needs and standards are established and implemented by appropriate units and officers of the University, including accreditation. The Provost Academic Affairs shall consult with and advise the President on the recommendations of the heads of the various academic units concerning organization, development of programs, appointment of academic personnel, promotions, leaves of absence, salaries, and the commission of special studies relating to curriculum, instruction, academic personnel and other areas as needed.

Additional administrative units may be assigned to the Provost Academic Affairs by the President. The Provost Academic Affairs may be supervised by a provost, a senior vice president, or a vice president and may be assisted by a Vice Provost, one or more Associate Vice Provosts, vice provost, associate vice provosts, senior vice presidents, deputy vice presidents, and such other assistants as are authorized by the President from time to time.

C. **Vice President for Diversity, Equity, and Inclusion**

The Office of Diversity, Equity, and Inclusion advises the President on organizational and transformational change related to diversity, equity, and inclusion, and in collaboration with the other principal Administrative Officers of the University, leads the development and implementation of the University diversity plan.

C.D. **Finance and Administration**

The Vice President for Finance and Administration is the principal financial officer of the University and shall be responsible to the President for the administration of all the business and financial affairs of the University and UW Operations, including business and capital planning, preparation and administration of the University budget and development of long-term financing strategies to support implementation of the Capital Facilities Plan. The Vice President for Finance and Administration advises the President on the status of the University budget,
and shall perform such duties as are required by statute or by UW Regulations.

The Vice President for Finance and Administration, in consultation with General Counsel, shall prepare such agreements, leases, and other instruments relating to the transfer of real property, as may be appropriate to the management, control, acquisition, or disposition of property of the University in accordance with UW Regulations or other directions of the Board of Trustees. The Vice President for Finance and Administration shall have administrative supervision over the following units: Campus Police, Financial Affairs, Human Resources, University Operations and such other units and personnel as may be designated by the President.

In accordance with the Bylaws, the Vice President for Finance and Administration shall serve as the Deputy Treasurer of the Trustees of the University of Wyoming, and shall exercise all duties and responsibilities incident to this position, including the receipt, custody and recording of all monies or funds payable to the Trustees, the Treasurer, the University, or any of its colleges, divisions, or departments and the disbursement or investment of such funds and monies as authorized by the Trustees.

E. General Counsel

The General Counsel provides legal and risk advice to the University, supervises the General Counsel’s Office, and coordinates communications with the state’s Attorney General. The General Counsel is responsible for administration of UW Regulations, procedures related to risk management, and review of discrimination, harassment, and workplace violence complaints. The General Counsel has administrative responsibility for the Equal Opportunity Report and Response Unit and the Risk Management Office.

E.F. Vice President for Information Technology

The Vice President for Information Technology shall be responsible to the President for the general information technology functions of the University. As the chief information officer of the University, the Vice President shall oversee and manage the elements of Information Technology, including administrative and academic computing, networking, telecommunications, computing laboratories and customer support services.

The Vice President for Information Technology shall advise the President and the University community on issues involving Information Technology and data privacy; develop and manage computing standards, network architecture and security;
determine information integration methodologies; and work with internal and external constituents to support diverse technology needs and build consensus on information technology issues. The Vice President Information Technology shall be an advocate for the development and use of technology in instruction, academic support, research, social media, and institutional support.

The Vice President shall evaluate and analyze beneficial emerging and advanced technologies and provide a stable, reliable technology infrastructure for the University.

**F.G. Vice President for Institutional Advancement**

The Vice President for Institutional Advancement shall be responsible to the President and the Board of Trustees for private fundraising and relations with donors, and shall maintain administrative supervision of the Office of Institutional Advancement. The Vice President’s primary functions shall include seeking private financial support for the University, coordinating private development and fundraising activities, and communicating with the University of Wyoming Foundation.

The Vice President shall initiate, organize, or direct such actions as are necessary and appropriate to ensure that development and donor relations are properly implemented and coordinated, and shall consult with, engage and advise the President and the Board of Trustees on all development and donor relations.

**G.H. Vice President for Research and Economic Development**

The Vice President for Research and Economic Development shall, which can be one combined unit or two separate units, be responsible to the President for the general administrative supervision and coordination of research programs conducted by units of the University. The Vice President shall be responsible for reviewing and evaluating proposed research and economic development programs; continuing review of existing contracts and grants; and maintaining research compliance, including oversight of the Institutional Review Board (IRB), the Institutional Animal Care and Use Committee (IACUC), the Institutional Biosafety Committee (IBC), the Radiation Safety Committee, and conflict of interest in research. The Vice President shall also be responsible for responding to allegations of research misconduct and the head or designee shall serve as the Research Integrity Officer for the University.

The Vice President shall be responsible for maintaining an assessment of the available research capabilities of the University and...
shall interact, interacting with governmental agencies or other entities sponsoring or seeking research or investigatory studies, and overseeing economic development and innovation initiatives.

The Vice President shall have administrative supervision over the following research units: Research Services, the Science Initiative, the Advanced Research Computing Center (ARCC), the Wyoming IDeA Networks for Biomedical Excellence (INBRE) Program, the Stable Isotope Facility, the Wyoming Survey and Analysis Center (WYSAC), the University of Wyoming-National Park Service Research Center, the Neuroscience Center, the Water Research Program/Office of Water Programs, Wyoming EPSCoR/IDeA, the Wyoming Natural Diversity Database (WYNDD), the High Plains American Indian Institute (HPAIRI), the offices of Undergraduate Research, UW/Community College–Research Network, Research Resources, Research Coordination and Stimulus, the Humanities Institute, and any such other units as may be designated by the President.

The Vice President shall have administrative supervision over the following economic development units: the Institute for Innovation and Entrepreneurship, the Wyoming Procurement Technical Assistance Center (PTAC), the Research Products Center and Technology Transfer Office, Manufacturing Works, the Market Research center, the Wyoming SBIR/STTR Initiative (WSSI), the Wyoming Small Business Development Center (SBDC), the Wyoming Technology Business Center (WTBC), Wyoming Public Media, and any such other units as may be designated by the President.

H.I. Vice President for Student Affairs

The Vice President for Student Affairs shall be responsible to the President for the general administrative leadership and coordination of programs and services designed to support the learning and development of UW students.

The Vice President for Student Affairs shall develop and deliver services, programs and facilities that promote the intellectual, personal, cultural and civic development of students; coordinate efforts to create a caring community in which individuals are respected, encouraged to pursue excellence, and assisted in achieving their potential; and foster the celebration of diversity of individuals and cultures.

The Vice President for Student Affairs shall have administrative supervision over the following units: Alumni Relations; the Associated Students of the University of Wyoming (ASUW); Cowboy Parents; Campus Recreation; Dean of Students; Multicultural Affairs; Residence Life and Dining Services; the University Disability Support Services; Student Health Service; University Counseling Center, which includes the AWARE program; Wyoming Union and the Center for Student Involvement and Leadership; UW Catering and Events; the Wyoming Conservation Corp; and any other such units or responsibilities as may be...
Designated by the President. Each unit shall be headed by a director who shall be responsible for all matters relating to the administrative affairs of that unit.

I.J. **Director of Intercollegiate Athletics**

The Director of Intercollegiate Athletics shall be responsible to the President for the planning, direction and management of the Athletics Division.

Athletic coaches shall not be considered Officers of the University but shall be contractual employees. The President shall have the authority to appoint any athletic coach with a one-year contract and shall consult with the Executive Committee of the Trustees prior to appointing any coach with a multi-year contract.

J.K. **Director of Government Relations and Community Affairs**

The Director of Government Relations and Community Affairs is responsible to the President for coordinating the efforts to engage policy makers at the federal and state level to promote the University and enhance the University’s ability to meet its mission and goals. The Director for Government Relations and Community Affairs represents the University in its communications with elected officials at all levels, including all federal and state legislation. The Director Government and Community Affairs provides advice, assistance, and information to the Board of Trustees, the President, and other University units with respect to government relations.

**Responsible Division/Unit:** Office of the President

**Source:** None

**Links:** [http://www.uwyo.edu/regs-policies](http://www.uwyo.edu/regs-policies)

**Associated Regulations, Policies, and Forms:** Bylaws of the Trustees of the University of Wyoming, Article IX

**History:**
Trustee Regulations I, II, III, and IX.B; adopted 1/22/2010 Board of Trustees minutes
Revisions adopted 11/18/2010 Board of Trustees meeting
Revisions adopted 3/23/2012 Board of Trustees meeting
Revisions adopted 1/17/2014 Board of Trustees meeting
Revisions adopted 6/16/2014 Board of Trustees meeting
Revisions adopted 7/17/2014 Board of Trustees meeting
Revisions adopted 7/17/2014 Board of Trustees meeting
Revisions adopted 1/20/2016 Board of Trustees meeting
Revisions adopted 11/18/2016 Board of Trustees meeting
**Draft 2-8-21**

Revisions adopted 3/23/2017 Board of Trustees meeting
Revisions adopted 5/11/2017 Board of Trustees meeting
Revisions adopted 7/20/2017 Board of Trustees meeting
Revisions adopted 9/15/2017 Board of Trustees meeting
Reformatted 7/1/2018
Revisions adopted 11/15/2018 Board of Trustees meeting (effective 7/1/2019)

UW Regulation 1-102(I)(A) adopted Minutes of the Trustees, March 3-4, 2000, Budget Committee
Moved to UW Regulation 1-1 on 11/15/2018 Board of Trustees meeting (effective 7/1/2019)

UW Regulation 1-102(I)(P) adopted Minutes of the Trustees, January 16, 2015, Work Session
Revisions adopted and moved to UW Regulation 1-1 on 11/15/2018 Board of Trustees meeting
(effective 7/1/2019)
AGENDA ITEM TITLE: Approval of modifications to UW Regulation 2-8 (Appointment, Evaluation and Removal of Academic Administrators), Brown/Evans

SESSION TYPE: ☑ Work Session
☐ Education Session
☐ Information Item
☒ Other: [Committee of the Whole – Items for Approval]

APPLIES TO STRATEGIC PLAN:
☒ Yes (select below):
☐ Driving Excellence
☐ Inspiring Students
☐ Impacting Communities
☒ High-Performing University
☐ No [Regular Business]

☒ Attachments are provided with the narrative.

EXECUTIVE SUMMARY:
At the September 2016 Board of Trustees meeting, the Board approved review by UW Administration of UW’s current regulatory structure, to include the following:
  1) Phasing out presidential directives;
  2) Defining regulation versus policy/procedure;
  3) Creating a new “look” and format for the regulations; and
  4) Updating the substance of the regulations, policies, and procedures as needed, including determining whether there are any substantive gaps.

At the January 2017 Board of Trustees meeting, the University proposed 12 sections for the new Governing Regulations and Standard Administrative Policies and Procedures Manual.

Section 1: Governance and Structure
Section 2: Academic Affairs
Section 3: Athletics
Section 4: Diversity and Equal Opportunity
Section 5: Employment and Ethics
Section 6: Facilities
Section 7: Finance and Business
Section 8: Information Technology
Section 9: Research and Economic Development
Section 10: Safety and Security
Section 11: Student Affairs
Section 12: University Relations

The new structure will involve three levels of policies:
  1) Governing Regulations (Level A)
  2) Standard Administrative Policies and Procedures (Level B)
  3) Department/Unit Administrative Policies and Procedures (Level C)

The Section 2 Academic Personnel Regulations (2-1 through 2-16) include such matters as:

  1) Describing academic designations, ranks and terms of appointment applicable to members of the faculty and other academic personnel, and general provisions regarding academic personnel;
2) Outlining University policies on academic freedom, faculty workload, sabbatical and professional development leave, and post-tenure review;
3) Defining University-level standards and outlining procedures for reappointment, tenure and promotion, post-tenure review, and compensation;
4) Establishing procedures for the resolution of academic personnel disputes and for the dismissal of academic personnel; and
5) Providing definitions of academic administrative structures and positions and describing terms of appointments and general provisions regarding academic administrators.

Per the routing process for UW Regulations, the proposed modifications to UW Regulation 2-8 (Appointment, Evaluation and Removal of Academic Officers) were provided to the President’s Cabinet, Deans and Directors, Faculty Senate, Staff Senate, ASUW, and the Internal Auditor in Spring 2019. Faculty Senate provided suggested edits April 15, 2020, and Academic Affairs provided additional suggested edits July 22, 2020. Faculty Senate Executive Committee provided an additional edit, which was incorporated January 19, 2021.

The Trustees Regulation Committee will discuss this item at the February 2021 Board of Trustees Conference Call and recommend full Board action, if appropriate.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:
None.

WHY THIS ITEM IS BEFORE THE BOARD:
UW Regulation 1-101 requires that the Board approve modifications to UW Regulations.

ACTION REQUIRED AT THIS BOARD MEETING:
Board approval, modification, or disapproval of the recommended modifications to the Regulations.

PROPOSED MOTION:
“I move to authorize modifications to UW Regulation 2-8, as presented to the Board”

PRESIDENT’S RECOMMENDATION:
The President recommends approval.
UW Regulation 2-8
CLEAN COPY
UNIVERSITY OF WYOMING REGULATIONS

Subject: Appointment, Evaluation and Removal of Academic Officers
Number: UW Regulation 2-8

I. PURPOSE

To provide consistent definitions of academic administrative structures and positions, and to describe terms of appointments and general provisions regarding Academic Officers.

II. DEFINITIONS

**Academic Officer**: Pursuant to UW Regulation 1-1, academic officer includes Executive Directors/Directors, Deans, Associate and Assistant Deans, and Unit/Division Heads.

**Academic Unit**: A department, center, institute, school, college or other academic division to which University faculty are assigned under the aegis of the Provost and Vice President for Academic Affairs.

**At-Will**: An at-will appointment allows the employee or the University to terminate the employment relationship at any time for any reason except an unlawful one.

III. POLICY

The Trustees of the University of Wyoming observe a policy of administrative accountability, through the President, for the effective operation and distinctive quality of the University. The President is responsible for recommending the appointment or removal of the Provost and Vice President of Academic Affairs, Deans, and the Executive Director of the School of Energy Resources; and assuring regular evaluation of their performance.

College and unit level administrators serve several roles as managers of the university, leaders of their academic units, and representatives of the views and interests of their academic colleagues. Therefore, the appointment, evaluation or removal of Academic Officers normally shall involve significant faculty participation.
IV. TERMS OF APPOINTMENT

The at-will appointment of Academic Officers shall be for a defined term (usually four years) to be specified at the time of appointment. Terms may be renewed, contingent upon University or college need, adequate funding for the position, and satisfactory job performance. Academic Officers who hold an academic appointment retain their rights to tenure or term appointment upon return to the faculty.

Appointments, reappointments, review and dismissal of all Academic Officers shall be consistent with UW Regulations and Standard Administrative Policies and Procedures.

V. PERFORMANCE ASSESSMENT

The University is committed to fostering success of its Academic Officers and enhancing their effectiveness in a constructive way. The review and evaluation of Academic Officers includes both an evaluative and developmental component. The President, Provost and Vice President of Academic Affairs, or Dean, as appropriate, shall conduct annual performance evaluations for each Academic Officer prior to the approval of the University’s annual budget. Additionally, the Provost and Vice President of Academic Affairs may conduct a comprehensive performance review of any Academic Officer specified in this Regulation at any time.

At the end of the second year of the Provost, a Dean or the Executive Director of the School of Energy Resources’ initial appointment, a performance review will be completed to determine the effectiveness of the Dean or Executive Director’s leadership and management. Input from internal and external stakeholders shall be included in this performance review, and may be included in other reviews as determined by the direct supervisor of the Academic Officer.

Reappointment of any Academic Officer is contingent upon a satisfactory annual performance evaluation and needs of the academic unit, college and University. Procedures for all performance reviews shall be consistent with University Regulations and Standard Administrative Policies and Procedures.

VI. REMOVAL

Reviewing officers may recommend the removal of an Academic Officer at any time for any reason except an unlawful one. However, no removal of a Dean or Executive Director of the School of Energy Resources shall be final until acted upon by the Trustees. All other Academic Officers may be removed by the Provost and Vice President for Academic Affairs, in consultation with the Dean.
Responsible Division/Unit: Office of the Provost and Vice President for Academic Affairs

Source: None

Links: [http://www.uwyo.edu/regs-policies](http://www.uwyo.edu/regs-policies)

Associated Regulations, Policies, and Forms: None

History:
University Regulation 804, Revision 2; adopted 7/17/2008 Board of Trustees meeting
Revisions adopted 1/17/2014 Board of Trustees meeting
Revisions adopted 11/18/2016 Board of Trustees meeting
Reformatted 7/1/2018: previously UW Regulation 5-804, now UW Regulation 2-8
UW Regulation 2-8
Full Red Line
UNIVERSITY OF WYOMING REGULATIONS

Subject: Appointment, Evaluation and Removal of Academic Officers
Number: UW Regulation 2-8

I. PURPOSE

To provide consistent definitions of academic administrative structures and positions, and to describe terms of appointments and general provisions regarding Academic Officers.

II. DEFINITIONS

I.I. STATEMENT OF Academic Officer: Pursuant to UW Regulation 1-1, academic officer includes Executive Directors/Directors, Deans, Associate and Assistant Deans, and Unit/Division Heads.

Academic Unit: A department, center, institute, school, college or other academic division to which University faculty are assigned under the aegis of the Provost and Vice President for Academic Affairs.

At-Will: An at-will appointment allows the employee or the University to terminate the employment relationship at any time for any reason except an unlawful one.

I.III. POLICY

The Trustees of the University of Wyoming observe a policy of administrative accountability, through the President, for the effective operation and distinctive quality of the University. The President is responsible for recommending the appointment or removal of all—administrative, the Provost and academic officers, Vice President of the University, Academic Affairs, Deans, and the Executive Director of the School of Energy Resources; and assuring regular evaluation of their performance. All such University officers serve at the pleasure of the Trustees and may be removed, upon recommendation of the President, at any time and for any reason that is not illegal.

Academic College and unit level administrators serve several roles as managers of the university, leaders of their academic units, and representatives of the views and interests of their academic colleagues. Therefore, the appointment, evaluation or removal of academic administrators by the President normally shall involve significant faculty participation. This Regulation sets forth the process for personnel
treatment of academic administrators and establishes the manner in which faculty participation is anticipated in the process on a timely and consistent basis.

IV. TERMS OF APPOINTMENT

II. DEFINITIONS

As used in this regulation:

Academic Administrators: Those University Officers designated in UW Regulation 1-1 as academic officers to whom academic units report.

Academic Unit: means a department, center, institute, school, college or other academic division to which University faculty are assigned under the aegis of the Vice President for Academic Affairs.

Advisory Committee: A committee normally composed of a majority of faculty in the affected academic unit, appointed by a reviewing officer, formed to advise on the selection or review of an academic administrator, and including such non-faculty members (e.g., academic professionals, staff, students, or external advisors) deemed appropriate by the reviewing officer. The reviewing officer may serve on any such Advisory Committee or may designate any representative to serve as a non-voting ex-officio member.

Annual Review: The performance assessment of each academic administrator carried out each year by his or her reviewing officer prior to the assignment of any merit increment, with a written summary prepared for both parties.

Five Year Review: The comprehensive review of performance and overall effectiveness of an academic administrator conducted five years following appointment by a reviewing officer from the point of view of the University and of the unit, with advice on the latter by an advisory committee.

Reviewing Officer: The President, a vice president or a dean with authority to evaluate an academic administrator and recommend his or her appointment or removal.

Special Review: The review of the performance and overall effectiveness of an academic administrator which may be conducted at any time by a reviewing officer and, in the case of unit heads, upon request of a majority of the unit faculty accepted by the reviewing officer.

Unit Head: The academic administrator, whether designated as head, chairman, director or similar title, with responsibility for the leadership and management of an academic unit other than a college of the University.
University Faculty: Voting members of the University Faculty as defined by UW Regulation 1-1.

Vice President: The Vice President for Academic Affairs, Vice President for Research or other principal officer of the university to whom academic units report and to whom the provisions of this regulation apply.

III. APPOINTMENT

Appointment of academic administratorsOfficers shall be approved by and incumbents shall serve at the pleasure of the Trustees upon recommendation of the President.

A. The at-pleasure appointment of Unit Heads shall be for a defined term (usually three to fivefour years) to be specified at the time of appointment.

B. The appropriate dean or vice president may provide a nomination for the appointment of a department head; however personal review and individual recommendations of such appointments by the President shall be required.

IV. SELECTION

Unless otherwise approved by the President or the Trustees, selection of academic administrators normally shall be pursuant to a national or, as appropriate, an international, search by the appropriate reviewing officer in accordance with University equal employment opportunity principles and with the significant participation of an advisory committee. Any advisory committee for the selection of a dean shall include at least one member. Terms may be renewed, contingent upon University or college need, adequate funding for the position, and satisfactory job performance. Academic Officers who is not employed by any university and who has knowledge, training, and experience in a discipline taught within that college. The recommendations of any advisory committee or the direct consultation with unit faculty required in this section IV shall not limit the authority of the Provost/Vice President for Academic Affairs, the President, or the Board of Trustees with regard to the selection of a dean or any other academic administrator.

A. The selection process must include direct consultation with unit faculty.

B. A selection process may be limited to internal candidates with prior authorization by the President.

C. Consultation on the internal appointment or reappointment of a unit head may be limited to direct consultation with unit faculty.
D. No individual shall be appointed as an academic administrator unless he or she qualifies for hold an academic appointment retain their rights to tenure and, onor term appointment, has been recommended for tenure by upon return to the appropriate faculty.

V. EVALUATION

The President, vice president or dean, as appropriate, shall evaluate each academic administrator on an annual basis and shall, each five years following appointment, conduct an assessment of the effectiveness of the academic administrator’s leadership of the academic unit. The reviewing officer shall seek input from the unit faculty as part of the assessment.

A. Annual Review

1. Annual Appointments, reappointments, review and dismissal of all Academic Officers shall be conducted by the consistent with UW Regulations and Standard Administrative Policies and Procedures.

V. PERFORMANCE ASSESSMENT

The University is committed to fostering success of its Academic Officers and enhancing their effectiveness in a constructive way. The review and evaluation of Academic Officers includes both an evaluative and developmental component. The President, Provost and Vice President of Academic Affairs, or Dean, as appropriate reviewing officer, shall conduct annual performance evaluations for each year Academic Officer prior to the approval of the University’s annual budget with a written summary prepared for both parties. Additionally, the Provost and Vice President of Academic Affairs may conduct a comprehensive performance review of any Academic Officer specified in this Regulation at any time.

2. The reviewing officer shall maintain a performance file containing comments and suggestions received in the previous year related to the performance of the academic administrator under review.

3. At the end of the second year of the Provost, a Dean or the Executive Director of the School of Energy Resources’ initial appointment, a performance review will be completed to determine the effectiveness of the Dean or Executive Director’s leadership and management. Input from internal and external stakeholders shall be included in this performance review, and may be included in other reviews as determined by the direct supervisor of the Academic Officer.
Reappointment of any Academic Officer is contingent upon a satisfactory annual review. It shall include an assessment of the following factors:

1. Effectiveness in meeting the goals, performance evaluation, and needs of the academic unit, college, and the University.
2. Leadership, professional competence, and working relationships.
3. Review of the performance file and other materials that have been brought to the academic administrator's attention prior to the annual review by the reviewing officer.

4. The reviewing officer may consult with individual faculty members, an ad hoc committee, or any other persons familiar with the administrator's work. The procedures for all performance reviews shall be consistent with the University Regulations and Standard Administrative Policies and the academic unit; and the reviewing officer shall be advised on the views of the academic unit by an advisory committee which shall:

   a. Consider the annual reviews of the academic administrator; solicit the opinions of faculty, students, staff, and administrators; and examine objective data regarding the progress of the academic unit.

   b. Submit a confidential, reasoned report, a draft of which shall be submitted to the academic administrator for comment, assessing the strengths and weaknesses of the academic administrator, and providing suggestions for improvement, as appropriate.

   c. Develop a summary of their report in cooperation with the reviewing officer, who shall distribute the summary to the academic unit.
C. Special Reviews

1. A reviewing officer may conduct a special review of an academic administrator at any time, which shall follow the procedures established for a five year review.

2. A majority of an academic unit may request a special review of its unit head at any time.

3. In the event a reviewing officer, after consultation with a unit faculty, does not support a request for a special review and the faculty do not recede from the request, the matter shall be referred to the vice president for a decision.

4. At the discretion of the Vice President for Academic Affairs, a special review, pursuant to this Regulation, may be conducted for any academic support unit as such is designated by the Vice President.

VI. VI. REMOVAL

Reviewing officers may recommend the removal of an academic administrator, Academic Officer at any time for any reason that is not illegal except an unlawful one. However, no removal of an academic administrator, Dean or Executive Director of the School of Energy Resources shall be final until acted upon by the Trustees upon recommendation of the President. All other Academic Officers may be removed by the Provost and Vice President for Academic Affairs, in consultation with the Dean.

Responsible Division/Unit: Office of the Provost and Vice President for Academic Affairs

Source: None

Links: http://www.uwyo.edu/regs-policies

Associated Regulations, Policies, and Forms: None

History:
University Regulation 804, Revision 2; adopted 7/17/2008 Board of Trustees meeting
Revisions adopted 1/17/2014 Board of Trustees meeting
Revisions adopted 11/18/2016 Board of Trustees meeting
Reformatted 7/1/2018: previously UW Regulation 5-804, now UW Regulation 2-8
UW Regulation 2-8 Faculty Senate
Proposed Edits
I. PURPOSE

To provide consistent definitions of academic administrative structures and positions, and to describe terms of appointments and general provisions regarding academic administrators.

II. DEFINITIONS

**Academic Administrator Officer**: An academic administrator encompasses those who serve in the Office of Academic Affairs, including the Those Officers designated in UW Regulation 1-1 as University or Academic officers who are under the authority of and who report directly to the Provost and Vice President of Academic Affairs. Academic Officers have a variety of titles at the University, including Vice Provost, and Associate Vice Provosts, as well as those academic officers, Dean, Executive Director, and Director.

**Academic Administrator**: The academic administrators encompass administrative officers and academic officers as defined herein, including Academic Administrative Officers, Executive Directors/Directors, Deans, Associate and Assistant Deans, and Units Heads.

**Academic Unit**: A department, center, institute, school, college or other academic division to which University faculty are assigned under the aegis of the Provost and Vice President for Academic Affairs.

**Associate or Assistant Dean**: An academic officer/administrator who reports directly to the Dean. The scope of duties may vary depending on the organizational structure and complexity of the college. An Associate Dean shall be a faculty member and may have the authority to act for the Dean in a broad range of areas. The Assistant Dean title may be held by a faculty member, senior staff member or administrative professional, and generally has a narrower scope of duties than the Associate Dean.

**At-Will**: An at-will appointment allows either the employee or the University to terminate, or the employer to end, the employment relationship at any time for any reason or for no reason, except an unlawful one.
Draft 3-11-19
Trustees AA/SA Committee endorsed 2-21-19
Trustees Regulation Committee endorsed 2-27-19
Faculty Senate endorsed

Dean: The chief academic administrator for the College, School, Branch Campus or UW Libraries and who is under the authority of and reports directly to the Provost and Vice President of Academic Affairs.

Executive Director/Director: The academic administrator who is under the authority of and who reports directly to the Provost and Vice President of Academic Affairs.

Unit Head: An academic administrator, whether designated as head, chairperson, division director, dean or director of a school within a college, or similar title, with responsibility for the leadership and management of an academic unit other than a college of the University or the Haub School of Environment and Natural Resources.

POLICY

The Trustees of the University of Wyoming observe a policy of administrative accountability, through the President, for the effective operation and distinctive quality of the University. The President is responsible for recommending the appointment or removal of all administrative and Academic Officers of the University, including of the Provost and Vice President of Academic Affairs, Deans, and the Executive Director of the School of Energy Resources, Vice Provost, Associate Vice Provosts and Deans, and assuring regular evaluation of their performance. All such University officers serve at the pleasure of the Trustees and may be removed, upon recommendation of the President, at any time and for any reason that is not illegal.

Academic administrators—College and unit level officers—serve several roles as managers of the university, leaders of their academic units, and representatives of the views and interests of their academic colleagues. Therefore, the appointment, evaluation or removal of academic administrators by the President normally shall involve significant faculty participation. This Regulation sets forth the process for personnel treatment of academic administrators and establishes the manner in which faculty participation is anticipated in the process on a timely and consistent basis.

IV. TERMS OF APPOINTMENT

As used in this regulation:

Academic Administrators: Those University Officers designated in UW Regulation 1-1 as academic officers to whom academic units report.
Draft 3-11-19
Trustees AA/SA Committee endorsed 2-21-19
Trustees Regulation Committee endorsed 2-27-19
Faculty Senate endorsed

Academic Unit: means a department, center, institute, school, college or other academic division to which University faculty are assigned under the aegis of the Vice President for Academic Affairs.

Advisory Committee: A committee normally composed of a majority of faculty in the affected academic unit, appointed by a reviewing officer, formed to advise on the selection or review of an academic administrator, and including such non-faculty members (e.g., academic professionals, staff, students, or external advisors) deemed appropriate by the reviewing officer. The reviewing officer may serve on any such Advisory Committee or may designate any representative to serve as a non-voting ex officio member.

Annual Review: The performance assessment of each academic administrator carried out each year by his or her reviewing officer prior to the assignment of any merit increment, with a written summary prepared for both parties.

Five Year Review: The comprehensive review of performance and overall effectiveness of an academic administrator conducted five years following appointment by a reviewing officer from the point of academic administrators’ view of the University and of the unit, with advice on the latter by an advisory committee.

Reviewing Officer: The President, a vice president or a dean with authority to evaluate an academic administrator and recommend his or her appointment or removal.

Special Review: The review of the performance and overall effectiveness of an academic administrator which may be conducted at any time by a reviewing officer and, in the case of unit heads, upon request of a majority of the unit faculty accepted by the reviewing officer.

Unit Head: The academic administrator, whether designated as head, chairman, director or similar title, with responsibility for the leadership and management of an academic unit other than a college of the University.

University Faculty: Voting members of the University Faculty as defined by UW Regulation 1-1.

Vice President: The Vice President for Academic Affairs, Vice President for Research or other principal officer of the university to whom academic units report and to whom the provisions of this regulation apply.

III. APPOINTMENT

Appointment of academic administrators shall be approved by and incumbents shall serve at the pleasure of the Trustees upon recommendation of the President.

A. The at-pleasure appointment of Unit Heads Officer shall be for a defined term (usually three to five years) to be specified at the time of appointment.
B. The appropriate dean or vice president may provide a nomination for the appointment of a department head; however, personal review and individual recommendations of such appointments by the President shall be required.

IV. SELECTION

Unless otherwise approved by the President or the Trustees, selection of academic administrators normally shall be pursuant to a national or, as appropriate, an international, search by the appropriate reviewing officer in accordance with University equal employment opportunity principles and with the significant participation of an advisory committee. Any advisory committee for the selection of a dean shall include at least one member. Terms may be renewed, contingent upon University or college need, adequate funding for the position, and satisfactory job performance. Academic Administrators who are not employed by any university and who has knowledge, training, and experience in a discipline taught within that college. The recommendations of any advisory committee or the direct consultation with unit faculty required in this section IV shall not limit the authority of the Provost/Vice President for Academic Affairs, the President, or the Board of Trustees with regard to the selection of a dean or any other academic administrator. Hold an academic appointment retain their rights to tenure or term appointment upon return to the faculty.

A. The selection process must include direct consultation with unit faculty.

B. A selection process may be limited to internal candidates with prior authorization by the President.

C. Consultation on the internal appointment or reappointment of a unit head may be limited to direct consultation with unit faculty.

D. No individual shall be appointed as an academic administrator unless he or she qualifies for tenure and, on appointment, has been recommended for tenure by the appropriate faculty.

V. The at-will appointment of an Associate or Assistant Dean and Academic Unit Head shall be for a defined term (usually three years) to be specified at the time of appointment. Terms may be renewed, contingent upon University, college and academic unit need, adequate funding for the position, and satisfactory job performance. Rights associated with holding a tenured faculty appointment are retained.

Appointments, reappointments, review and dismissal of Academic Administrators, College Administrators, and Academic Unit Heads all Academic Officers administrators shall be consistent with UW Regulations and Standard Administrative Policies and Procedures.

V. EVALUATION PERFORMANCE ASSESSMENT

Commented [TBB5]: Deleted information will be moved to a SAPP, as appropriate.

Commented [TBB6]: Deleted information will be moved to a SAPP on Selection and Evaluation of Academic Administrators, as appropriate.
The University is committed to fostering success of its Academic Officers administrators and enhancing their effectiveness in a constructive way. The review and evaluation of Academic Officers administrators includes both an evaluative and developmental component. The President, vice president Provost and Vice President of Academic Affairs, or dean Dean, as appropriate, shall conduct annual performance evaluations for each academic Academic Administrator, College Administrator, and Academic Unit Head annually prior to the approval of the University’s annual budget. Additionally, the Provost and Vice President of Academic Affairs may conduct a comprehensive performance review of any Academic administrator on an annual basis and shall, each five years following appointment, conduct an assessment as specified in this Regulation at any time.

Reappointment of any Academic Administrator is contingent upon a satisfactory performance evaluation and needs of the academic unit, college and University. Procedures for review shall be consistent with University Regulations and Standard Administrative Policies and Procedures.

**Review of Deans**

At the end of the second year of an academic administrator’s Dean’s initial term appointment and prior to reappointment to a new term, the Provost and Vice President of Academic Affairs shall conduct a mid-term performance review to determine the effectiveness of the academic administrator’s Academic administrator’s leadership and management of the academic unit. The reviewing officer shall seek input from internal and external stakeholders, such as staff, faculty, unit heads, Associate or Assistant Deans, or Deans shall be included in this performance review for reappointment to a new term, and may be included in other reviews as determined by the direct supervisor of the academic administrator. Provost and Vice President of Academic Affairs.

Input from the unit faculty internal and external stakeholders shall be included in the review for reappointment, and may be included in other reviews as part of the assessment determined by the Provost and Vice President of Academic Affairs. Reappointment of any Academic Officer administrator is contingent upon a satisfactory annual performance evaluation and needs of the academic unit, college and University.

Procedures for all performance reviews shall be consistent with University Regulations and Standard Administrative Policies and Procedures.

**A. Annual Review**
Draft 3-11-19
Trustees AA/SA Committee endorsed 2-21-19
Trustees Regulation Committee endorsed 2-27-19
Faculty Senate endorsed

4. Annual review shall be conducted by the appropriate reviewing officer each year prior to the approval of the University’s annual budget with a written summary prepared for both parties.

2. The reviewing officer shall maintain a performance file containing comments and suggestions received in the previous year related to the performance of the academic administrator under review.

3. The annual review shall include an assessment of the following factors:

a. effectiveness in meeting the goals of the academic unit and the University

b. leadership, professional competence and working relationships

c. review of the performance file and other materials that have been brought to the academic administrator’s attention prior to the annual review by the reviewing officer.

4. The reviewing officer may consult with individual faculty members, an ad hoc committee, or any other persons familiar with the administrator’s performance.

5. Any merit increment awarded to an academic administrator shall be linked to the annual review.

B. Five Year Review

1. Every five years, or more often if circumstances warrant, and prior to the reappointment of any unit head, the appropriate reviewing officer shall conduct a comprehensive review of the performance and overall effectiveness of each academic administrator.

2. The review shall reflect the views of both the University and the academic unit, and the reviewing officer shall be advised on the views of the academic unit by an advisory committee which shall:

a. Consider the annual reviews of the academic administrator; solicit the opinions of faculty, students, staff and administrators; and examine objective data regarding the progress of the academic unit.

b. Submit a confidential, reasoned report, a draft of which shall be submitted to the academic administrator for comment, assessing the strengths and weaknesses of the academic administrator, and providing suggestions for improvement, as appropriate.

c. Develop a summary of their report in cooperation with the reviewing officer, who shall distribute the summary to the academic unit.
C. Special Reviews

1. A reviewing officer may conduct a special review of an academic administrator at any time, which shall follow the procedures established for a five year review.

2. A majority of an academic unit may request a special review of its unit head at any time.

3. In the event a reviewing officer, after consultation with a unit faculty, does not support a request for a special review and the faculty do not recede from the request, the matter shall be referred to the vice president for a decision.

4. At the discretion of the Vice President for Academic Affairs, a special review, pursuant to this Regulation, may be conducted for any academic support unit as such is designated by the Vice President.

VI. REMOVAL

Reviewing officers may recommend the removal of an academic administrator at any time for any reason except an unlawful one that is not illegal.

However, no removal of an academic administrator, Vice President or a Dean or Executive Director of the School of Energy Resources shall be final until acted upon by the Trustees.

All other academic administrators may be removed by the Provost and Vice President for Academic Affairs, upon recommendation of approval of the President.

Responsible Division/Unit: Office of the Provost and Vice President for Academic Affairs

Source: None

Links: http://www.uwyo.edu/regs-policies

Associated Regulations, Policies, and Forms: None

History:
University Regulation 804, Revision 2; adopted 7/17/2008 Board of Trustees meeting
Revisions adopted 1/17/2014 Board of Trustees meeting
Revisions adopted 11/18/2016 Board of Trustees meeting
Reformatted 7/1/2018: previously UW Regulation 5-804, now UW Regulation 2-8
AGENDA ITEM TITLE: Approval of modifications to UW Regulation 6-10 (University of Wyoming Public Art), Brown/Evans

SESSION TYPE:
☐ Work Session
☐ Education Session
☐ Information Item
☒ Other: [Committee of the Whole – Items for Approval]

APPLIES TO STRATEGIC PLAN:
☒ Yes (select below):
☐ Driving Excellence
☐ Inspiring Students
☐ Impacting Communities
☒ High-Performing University
☐ No [Regular Business]

☒ Attachments are provided with the narrative.

EXECUTIVE SUMMARY:
At the September 2016 Board of Trustees meeting, the Board approved review by UW Administration of UW’s current regulatory structure, to include the following:
1) Phasing out presidential directives;
2) Defining regulation versus policy/procedure;
3) Creating a new “look” and format for the regulations; and
4) Updating the substance of the regulations, policies, and procedures as needed, including determining whether there are any substantive gaps.

At the January 2017 Board of Trustees meeting, the University proposed 12 sections for the new Governing Regulations and Standard Administrative Policies and Procedures Manual.

Section 1: Governance and Structure
Section 2: Academic Affairs
Section 3: Athletics
Section 4: Diversity and Equal Opportunity
Section 5: Employment and Ethics
Section 6: Facilities
Section 7: Finance and Business
Section 8: Information Technology
Section 9: Research and Economic Development
Section 10: Safety and Security
Section 11: Student Affairs
Section 12: University Relations

The new structure will involve three levels of policies:
1) Governing Regulations (Level A)
2) Standard Administrative Policies and Procedures (Level B)
3) Department/Unit Administrative Policies and Procedures (Level C)

Attached is the following Section 6 Facilities regulation (with a summary of the proposed modifications):
• **UW Regulation 6-10 (Public Art):** Modifications to align the process with the University’s 2018 Public Art Plan and to exempt the regulation if the University opts into the State of Wyoming Art in Public Buildings program.

Academic Affairs worked extensively with the Department Head of Visual & Literary Arts and General Counsel on this draft. Per the routing process for UW Regulations, the proposed modifications were provided to the President’s Cabinet, Deans and Directors, Faculty Senate, Staff Senate, ASUW, and the Internal Auditor.

The Trustees Regulation Committee will discuss this item at the February 2021 Board of Trustees Conference Call and recommend full Board action, if appropriate.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:
None.

WHY THIS ITEM IS BEFORE THE BOARD:
UW Regulation 1-101 requires that the Board approve modifications to UW Regulations.

ACTION REQUIRED AT THIS BOARD MEETING:
Board approval, modification, or disapproval of the recommended modifications to the Regulations.

PROPOSED MOTION:
“I move to authorize modifications to UW Regulation 6-10, as presented to the Board”

PRESIDENT’S RECOMMENDATION:
The President recommends approval.
UNIVERSITY OF WYOMING REGULATIONS

Subject: University of Wyoming Public Art
Number: UW Regulation 6-10

I. PURPOSE

To outline the process for acquisitions, proposals, evaluation, and installation of public art.

II. DEFINITIONS

Defined Property: The placement of donated trees, benches, monuments, tables, and similar donated structures.

Donation: A work of public art or defined property which is donated to the University through the UW Foundation upon recommendation of the Public Art Committee and if accepted by the UW President.

Direct Selection: A work of public art purchased or commissioned from an individual artist by the University upon recommendation of the Public Art Committee.

Limited-Term Installations: Public art or defined property that may or may not be the property of the University and is installed for a specified period.

Open Competition: A work of public art selected through a competition or request for proposals for a commissioning. These commissions may include faculty, staff, students, and external artists.

Permanent Installations: Installations of public art or defined property that are the permanent property of the University and are intended to be installed for an extended period or in perpetuity.

Public Art: Art objects placed in a shared, publicly accessible space. Categories of public art may include functional, expressive, or installation art donated or commissioned, or otherwise acquired that are prominent and located in public space. Art media may include but is not limited to sculptures, painting, murals, photography, drawings, prints, mixed media, electronic media, gardens, including fountains and seating, and may include but is not limited to objects in clay, fiber, textiles, wood, metal, plastic, or other material.
Public Art Committee: The Committee that advises the President on matters relating to the selection, location, cost, financing, and installation of art and defined property in the public spaces of the university. The Committee shall consist of the Art Museum Director, the Department of Visual and Literary Arts Head, a Art and Art History Program faculty member, an ASUW representative, a student representative, a Faculty Senate representative, a Staff Senate representative, the Vice President for Finance and Administration, a UW Foundation representative, a Student Life representative, and two individuals accomplished in art or design who are not employed by the University. Terms shall be two (2) years in length, shall be staggered, and shall coincide with the University’s fiscal year (July 1 to June 30). Committee members will be appointed by the President of the University.

III. PROJECT TYPES

Engagement and Education: These projects focus on ideas to create awareness, excitement, and curiosity about the existing art on campus through programs and events for students, alumni, faculty, staff, and community members.

Enhance Existing Sites: These projects feature suggestions by campus meeting participants and stakeholders where art is desired, including atriums and the tunnels connecting the student residences to the dining hall.

Integrated Art: These projects engage artists to integrate into the design of facilities and landscapes to create memorable places and amplify campus character.

Socially Engaged and Interdisciplinary Projects: These projects focus on opportunities for artists to work with students, faculty, and staff from various disciplines to create art experiences.

IV. MISSION AND VISION OF PUBLIC ART

The Public Art program enriches the cultural, intellectual, and scholarly life of the campus and the Wyoming community.

V. TYPES OF PUBLIC ART AND DEFINED PROPERTY PROPOSALS CONSIDERED

Acquisition methods of public art include the following:

A. University generated, which are solicited proposals for public art including:

1. An artist may be commissioned by the University.
2. An artwork may be purchased by the University.

3. An artwork may be loaned to the University.

University Generated public art will be solicited via requests for qualifications, requests for proposals, invitational selection, or direct selection.

B. Open source generated, which are unsolicited proposals presented to the University including:
   1. An existing artwork, which may be given as a gift or loan to the University.
   2. A commissioned artwork, which may be given as a loan or gift to the University.

VI. SELECTION PROCESSES FOR PROJECTS

A. Funds Available for the Project

Prior to selection of the project, the Public Art Committee shall provide written confirmation to the President that funds are available and earmarked for the entire project, including installation, and shall identify the funding source.

B. Determination of Selection Committee

The Public Art Committee will appoint an Artist Selection Committee for each public art project or group of projects to select the artist(s) and the project for a specific site. The Committee shall include representatives from the Public Art Committee, departments or units occupying the building or adjacent area, and other individuals deemed essential to the selection process by the committee.

C. Selection Processes

1. Open source applications: The application process for an open-source art project includes submitting a written description of the proposed project and the desired timeframe to be on view; visuals that clearly convey the proposed project; a summary of why this project is important for the University of Wyoming and how it addresses the public art plan; information about the artist(s) involved with the project, including bio/resume and samples of previous work; a detailed budget that outlines the total project costs, including maintenance; percentage of funds that have been raised, how much need to be
raised, and all confirmed funding sources; a maintenance plan; the proposed site, if one has been predetermined; and the implementation timeline.

2. Commissioning artworks: Calls for artists to apply for opportunities are posted widely through:
   
a. Request for qualifications (RFQ) where artists are invited to submit images, a resume, and a brief statement or letter of intent regarding their interest in and approach to the project.
   
b. Request for proposals (RFP) where artists are invited to submit conceptual proposals for works of art.

3. Invitational selection: A group of artists is invited to submit their qualifications and a panel selects from this group. The presentation may be assembled based on nominations from arts professionals, as well as curatorial input from the public art staff and Public Art Committee.

4. Direct selection: In rare instances, an artist might be selected directly to create a proposal.

D. Selection Procedure

The Artist Selection Committee selects the artist(s) and the project and submits it to the Public Art Committee, and, upon recommendation of the Committee, the UW President makes the final selection.

VII. CRITERIA FOR SELECTION

All public art or defined property shall be judged against the following criteria:

A. The relationship of the proposed project to the University’s public art vision and goals.

B. The feasibility of implementing the project.
   
1. The artist or entity proposing the artwork demonstrated they are capable of implementing the project.
   
2. The proposed site is appropriate for the project and is related to the site’s use and operations.
Draft 11-9-20 CLEAN COPY

3. The implementation schedule is realistic.

4. The project complements other university activities.

5. The project requires input from an architect, engineer, conservator, or other specialist.

6. If the project needs to be reviewed by another government agency or other organizations, when and how the review will take place.

7. The level of maintenance required.

VIII. EXEMPTIONS

This regulation shall not apply to the established academic programs in the UW Student Union Gallery, UW Art Museum, College or Department galleries, including exterior space of the Visual Arts building, or student exhibitions.

If a new University building project is state-funded, the University can select to opt in to the Wyoming Art in Public Buildings program and 1% of the total construction costs for the new building project (not to exceed $100,000) will be used to acquire works of art for permanent installation at the project site pursuant to W.S. 16-6-802. The Public Art Committee, in consultation with the University’s Facilities Construction Department, shall make a recommendation to the President on whether to opt in. The President, in consultation with the Facilities Contracting Committee of the Board of Trustees, shall make the final determination on whether to opt in to W.S. 16-6-802. If the University opts in to the state program, this regulation shall not apply.

IX. DISCLAIMER

The University endeavors to maintain the public art per the original agreement but shall reserve the right to remove, reinstall, store, move, or dispose of the object at the discretion of the University and in discussion with the artist and his/her Estate. The University is obligated to retain the artwork in its original form and not alter, change, or otherwise reconfigure the work.

Responsible Division/Unit: Office of the President

Source: None

Links: http://www.uwyo.edu/regs-policies

Public Art
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Associated Regulations, Policies, and Forms: None

History:
UW Regulation 1-102(I)(M), Attachment C adopted Minutes of the Trustees, January 17, 2014
Moved to new UW Regulation 6-10 on 6/12/2019 Board of Trustees meeting (effective 7/1/2019)
UW Regulation 6-10
Full Red Line
UNIVERSITY OF WYOMING REGULATIONS

Subject: University of Wyoming Public Art Policy
Number: UW Regulation 6-10

I. COMMITTEE CHARGE

Per the appointment letter of January 24, 2012, and consistent with the action of the Board of Trustees on October 23, 2013, the President’s Public Art Committee (the Committee) is hereby charged with: 1) evaluation and providing a recommendation on proposals for the placement of art—permanent or temporary—in public areas of the university, including outdoor public areas and interior public spaces (prominent public areas, lobbies, atria, entrances, and principal assembly areas); and 2) working with Physical Plant and the University of Wyoming (UW) Foundation to develop a plan for the future placement of trees, benches, and picnic tables through the Foundation’s “Tree and Bench” program.

The Committee shall serve in an advisory capacity to the UW President. In offering input, the Committee shall strive to provide recommendations by unanimous consent wherever reasonably possible. In the event unanimous consent is not achievable, recommendations will be determined by a majority vote of a minimum quorum of three Committee members.

II. COMMITTEE MISSION

The President’s Public Art Committee seeks to enrich the cultural, intellectual, and scholarly life of the University of Wyoming’s students, faculty, staff, and visitors while advancing the university’s academic mission through enhancing and complimenting the physical and aesthetic environment of campus, preserving and celebrating its history and heritage, and inspiring contemplation, reflection, and dialogue.

III. VISION STATEMENT

The President’s Public Art Committee strives to advance the aesthetic and physical environment of UW by creating an integrated mixed use of public spaces that reflects the University’s teaching, research, and service mission and acknowledges its heritage. Art can become the physical expression of UW and that art can further inquiry and widen knowledge. Finding a balance from traditional to contemporary is essential in creating
public spaces that challenge and broaden the experience of our students, faculty, staff, donors, and visitors on campus.

IV. DEFINITION OF PUBLIC ART

I. The Committee is guided by the following definition of public art:

To outline the process for acquisitions, proposals, evaluation, and installation of public art.

II. DEFINITIONS

**Defined Property:** The placement of donated trees, benches, monuments, tables, and similar donated structures.

**Donation:** A work of public art or defined property which is donated to the University through the UW Foundation upon recommendation of the Public Art Committee and if accepted by the UW President.

**Direct Selection:** A work of public art purchased or commissioned from an individual artist by the University upon recommendation of the Public Art Committee.

**Limited-Term Installations:** Public art or defined property that may or may not be the property of the University and is installed for a specified period.

**Open Competition:** A work of public art selected through a competition or request for proposals for a commissioning. These commissions may include faculty, staff, students, and external artists.

**Permanent Installations:** Installations of public art or defined property that are the permanent property of the University and are intended to be installed for an extended period or in perpetuity.

**Public Art:** Art objects placed in a shared, publicly accessible space. Categories of public art may include functional, expressive, or installation art donated or commissioned, or otherwise acquired that are prominent and located in public space. Art media may include but is not limited to sculptures, painting, murals, photography, drawings, prints, mixed media, electronic media, gardens, including fountains and seating, and may include but is not limited to objects in clay, fiber, textiles, wood, metal, plastic, or other material.

V. DEFINITION OF ADDITIONAL PROPERTY AND FACILITIES (DEFINED PROPERTY) UNDER THE REVIEW OF THE COMMITTEE
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In addition to public art, the Committee shall provide recommendations regarding the placement of donated trees, benches, monuments, tables, and similar donated structures.

VI. COMPOSITION OF THE COMMITTEE AND TERM OF APPOINTMENTS

Members of the Committee are appointed by the UW President for indefinite terms and serve at the pleasure of the President.

VII. AUTHORITY OF THE COMMITTEE

The Committee: The Committee: The Committee that advises the President on matters relating to the selection, location, cost, financing, and installation of art and defined property in the public spaces of the university. The final decisions on the disposition of public art rest with the UW President. The Committee shall consist of the Art Museum Director, the Department of Visual and Literary Arts Head, a Art and Art History Program faculty member, an ASUW representative, a student representative, a Faculty Senate representative, a Staff Senate representative, the Vice President for Finance and Administration, a UW Foundation representative, a Student Life representative, and two individuals accomplished in art or design who are not employed by the University. Terms shall be two (2) years in length, shall be staggered, and shall coincide with the University’s fiscal year (July 1 to June 30). Committee members will be appointed by the President of the University.

III. Maintains an inventory of the works of public art acquired after January 2012 (or records from prior acquisitions, as identified) PROJECT TYPES

A. Engagement and maintains copies of acquisitions, deeds of gift, or loan forms;

B. Identifies sites at the university where art or defined property may be safely installed, consistent with the mission of Education: These projects focus on ideas to create awareness, excitement, and criteria adopted by the Committee;

Guides curiosity about the existing art on campus through programs and events for students, alumni, faculty, staff, alumni, donors, members of the public, and artists who seek to install works of public art or defined property; and community members.

Seeks input

Enhance Existing Sites: These projects feature suggestions by campus meeting participants and communicates with the stakeholders regarding the acquisition and placement where art is desired, including atriums and the tunnels connecting the student residences to the dining hall.
**Integrated Art:** These projects engage artists to integrate into the design of facilities and landscapes to create memorable places and amplify campus character.

**Socially Engaged and Interdisciplinary Projects:** These projects focus on opportunities for artists to work with students, faculty, and staff from various disciplines to create art experiences.

**IV. MISSION AND VISION OF PUBLIC ART**

The Public Art program enriches the cultural, intellectual, and scholarly life of the campus and the Wyoming community.

**V. TYPES OF PUBLIC ART AND DEFINED PROPERTY PROPOSALS CONSIDERED**

Acquisition methods of public art or defined property include the following:

- **C.** Engages artists and facilities managers to ensure that the installation is appropriate, safe, and secure for audiences (traffics flows, etc.), feasible (installation and maintenance), that every effort is made to prevent vandalism or theft, and that every effort is made to retain the integrity of work;

- **D.** May require artists, donors, or sponsors to engage stakeholders to discuss any proposed installation (both its physical nature and its content) with the university and community, or other stakeholders;

- **E.** Makes a recommendation to the UW President to accept or deny a proposed public art or defined property installation;

- **F.** Encourages the inclusion of University generated, which are solicited proposals for public art including:
  1. An artist may be commissioned by the University.
  2. An artwork may be purchased by the University.
  3. An artwork may be loaned to the University.

- **G.** University Generated public art (interior and exterior locations) in major renovations or new construction of university buildings; and

- **G.** Ensures that the proper signage is attributed to works of public art or defined property.
VIII. TYPES OF PROPOSALS CONSIDERED

The following definitions apply to proposals that require review by the Committee and its recommendation to the UW President.

A. Duration of Installations

1. Permanent installations: Installations of public art or defined property that are the permanent property of the University and are intended to be installed for an extended period of time or in perpetuity;

2. Limited-term installations: Public art or defined property that may or may not be the property of the University and is installed for a specified period of time.

B. Methods of Selection/Acquisition

The following types of acquisitions are to be made in consultation with the Committee:

1. Donation: A work of public art or defined property is donated to the University through the UW Foundation upon recommendation of the Committee and action by the UW President;

Direct will be solicited via requests for qualifications, requests for proposals, invitational selection: An individual artist is chosen by the UW President upon recommendation of the Committee and a work is either purchased or commissioned. The Committee may also, or direct a separate, ad hoc, committee, appointed with the approval of the President, to oversee the selection of an individual artist;

2. Open Open competition: The Committee, or a separate, ad hoc, committee, appointed with the approval of the President, may hold a competition or issue requests for proposals for a commissioning regulated by the Committee. Competitions or commissions may include faculty, staff, students, and external artists.

C. Acquisitions

Acquisitions of public art or defined property may be made by donation or purchase.
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1. Donations

B. Donations generated, which are unsolicited proposals presented to the University including:

a. An existing artwork, which may be made by the artist or donor(s), including but not limited to an individual, family, alumni group, or class given as a gift committee;

Donor(s) may approach any units of the University, but all offers of works of public art or defined property must be acted upon by the Committee, and are subject to approval by the UW President in consultation with the President of the Board of Trustees; or loan to

b. The University representative in contact with the donor must discuss any potential gift with the Committee. Preliminary review by the Committee will address the appropriateness of the work of art for the University, including content, size, material, condition, site suitability and installation and maintenance costs. This review may be based on conversations or a written proposal, but the Committee must act on all proposals and forward its recommendations to the UW President;

1. Based on a recommendation from the Committee, the President may designate a representative of the University to discuss the offer in detail including appropriateness, integrity of design and condition, proposed installation site, installation and maintenance costs, signage or recognition identifying the title of the work, the artist, dates, and the donor, activities acknowledging the gift of the work of art, e.g., celebrations, openings; determine the responsible party, i.e., the office responsible for the installation, insurance, and maintenance of the work of art;

e. Based on the results of discussions in subparagraph C1d., the Committee on Public Art may call for open meetings with specified parties to further discuss the acquisition.

2. Purchases

a. Any university unit may propose to purchase works of art or defined property for interior and exterior public spaces. The University representative from the unit should discuss any potential purchase with the Committee. Preliminary review will address the appropriateness of the work of art for the University, including content, size, material, condition, site suitability and installation and maintenance costs. This review may be based on conversations or a written proposal, but the
Committee must act on all proposals and forward the results to the UW President;

b. Purchases must follow the processes in Section IX. Selection Processes for Purchases of New Works or Extant Works of this policy.

D. Limited-term Installations, including Art or Defined Property on Loan

In the event the artwork or defined property is intended to be a temporary display, in addition to the above considerations, special attention shall be made to the timeline, financing, and disruption for and during construction and removal of the property. Arrangements for disposal or removal should be concluded in advance of the loan and its implementation whenever possible.

2. A commissioned artwork, which may be given as a loan or gift to the University.

IX.VI. SELECTION PROCESSES FOR PURCHASES OF NEW WORKS OR EXTANT WORKS PROJECTS

A. Funds Available for the Project

Prior to selection of the project, the Public Art Committee shall provide written confirmation to the President that funds are available and earmarked for the entire project, including installation, and shall identify the funding source.

A.B. Determination of Selection Committee

An ad hoc committee including representatives of the proposers, representative of the UW Art Museum, community liaison, and other individuals deemed essential to the selection process by the Committee, e.g. members of physical plant will appoint an Artist Selection Committee for each public art project or group of projects to select the artist(s) and the project for a specific site. The Committee shall include representatives from the Public Art Committee, departments or units occupying the building or adjacent area, etc. shall comprise the Selection Committee for new or extant works, only upon recommendation of the Committee and approval by the UW President in consultation with the President of the Board of Trustees and other individuals deemed essential to the selection process by the committee.

B.C. Determination of Selection Process Processes
1. **Direct purchase from living or deceased artist.** A living artist submits to the purchasing group an appropriate number of images of works; a proposal sheet containing information on the artist's name, address, title of work, dimensions, medium, price, current location, and installation instructions; resume, artist statement, and references from similar projects regarding the creation and installation of public art. If the artist is deceased, the purchasing group works with the artist’s Estate or representative to present appropriate number of images of the artist's work, a biographical sketch and resume, and information on the current location, cost of the work and installation instructions to the ad hoc committee. **Open source applications:** The application process for an open-source art project includes submitting a written description of the proposed project and the desired timeframe to be on view; visuals that clearly convey the proposed project; a summary of why this project is important for the University of Wyoming and how it addresses the public art plan; information about the artist(s) involved with the project, including bio/resume and samples of previous work; a detailed budget that outlines the total project costs, including maintenance; percentage of funds that have been raised, how much need to be raised, and all confirmed funding sources; a maintenance plan; the proposed site, if one has been predetermined; and the implementation timeline.

2. **Commissioning artworks:** Calls for artists to apply for opportunities are posted widely through:

   a. Request for qualifications (RFQ) where artists are invited to submit images, a resume, and a brief statement or letter of intent regarding their interest in and approach to the project.

   b. Request for proposals (RFP) where artists are invited to submit conceptual proposals for works of art.

3. **Invitational selection:** A group of artists is invited to submit their qualifications and a panel selects from this group. The presentation may be assembled based on nominations from arts professionals, as well as curatorial input from the public art staff and Public Art Committee.

4. **Direct selection:** In rare instances, an artist might be selected directly to create a proposal.

   1. **Open competition.** Purchasers provide scope, description, budget, and schedule as well as installation timeline to the Selection Committee. Artists submit to the Selection Committee in response to a Call for Artwork:
resume and list of works, images of their works of art, a statement of conceptual approach to the project/artist's statement, and a reference from a similar project regarding the creation and installation of public art.

2. **Limited competition.** Purchasers provide scope, description, budget, and schedule as well as installation timeline. The Selection Committee may invite a limited number of selected artists to compete. Invited artists must submit: resume and list of works, images of their works of art, a statement of conceptual approach to the project or artist's statement, and a reference from a similar project regarding the creation and installation of public art.

**C.D. Selection Procedure**

Within sixty (60) days, the The Artist Selection Committee reviews all proposals and selects a minimum of 3 finalists. Finalists are compensated for creating specific proposals which are presented in person in open forums. The Selection Committee selects their proposal the artist(s) and the project and submits it to the Public Art Committee, and, upon recommendation of the Committee, the UW President makes the final selection in consultation with the President of the Board of Trustees.

**X.VII. CRITERIA FOR SELECTION**

All public art or defined property shall be judged against the following criteria:

**A. Artistic Merit Considerations**

A. **Enhances the physical and aesthetic environment**

   The relationship of the proposed project to the University’s public art vision and goals.

B. **The feasibility of implementing the project.**

   1. The artist or entity proposing the artwork demonstrated they are capable of implementing the project.

   2. The proposed site is appropriate for the project and is related to the site’s use and operations.

   3. The implementation schedule is realistic.

   4. The project complements other university activities.

      1. Instills a sense of quality through the civic spaces of the university;

      2. Enriches the cultural, intellectual, and scholarly life of UW;
3. Inspires contemplation, reflection, and dialogue;
4. Preserves and acknowledges history, heritage and culture; and
5. Fosters university identity and enhances and balances existing works of art.

B. Physical Plant Considerations

1. Location and artwork or defined property avoids life, safety, or health risks;
2. Work contemplates a suitable location for infrastructure;
   On-going
3. The project requires input from an architect, engineer, conservator, or other specialist.
4. If the project needs to be reviewed by another government agency or other organizations, when and how the review will take place.
5. The level of maintenance requirements; and required.
6. Work of art is consistent with UW’s Long Range Development Plan (LRDP), existing area, landscaping, buildings, and view shed.

C. Constituent Input

1. Students and parents;
2. Faculty, staff, and administrators;
3. Donors and alumni; and
4. Community and policymakers.

D. Financing

1. Identified source of funds for acquisition or loans;
2. Identified source of funds for installation;
3. Identified source of funds for maintenance; and
4. Identified source of funds for removal (if temporary).
E. — Considerations Related to Individual Artists

1. Regional, national or international accomplishments, ie professional artist who has garnered curatorial recognition, gallery representation, or other recognitions in the field;

Proven record of public art commissions / installations.

XI.VIII. EXEMPTIONS

This policy regulation shall not apply to the established academic programs in the UW Student Union Gallery, UW Art Museum, College or Department galleries, including exterior space of the Visual Arts building, or student exhibitions.

If a new University building project is state-funded, the University can select to opt in to the Wyoming Art in Public Buildings program and 1% of the total construction costs for the new building project (not to exceed $100,000) will be used to acquire works of art for permanent installation at the project site pursuant to W.S. 16-6-802. The Public Art Committee, in consultation with the University’s Facilities Construction Department, shall make a recommendation to the President on whether to opt in. The President, in consultation with the Facilities Contracting Committee of the Board of Trustees, shall make the final determination on whether to opt in to W.S. 16-6-802. If the University opts in to the state program, this regulation shall not apply.

XII.IX. DISCLAIMER

The University endeavors to maintain the public art per the original agreement but shall reserve the right to remove, reinstall, store, move, or dispose of the object at the discretion of the University and in discussion with the artist and his/her Estate. The University is obligated to retain the artwork in its original form and not alter, change, or otherwise reconfigure the work.

Responsible Division/Unit: Office of the President

Source: None

Links: http://www.uwyo.edu/regs-policies

Associated Regulations, Policies, and Forms: None

History:
UW Regulation 1-102(I)(M), Attachment C adopted Minutes of the Trustees, January 17, 2014
Moved to new UW Regulation 6-10 on 6/12/2019 Board of Trustees meeting (effective 7/1/2019)